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First Session Eighth Parliament Republic of Trinidad  
and Tobago

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REPUBLIC OF TRINIDAD AND TOBAGO

**Act No. 24 of 2003**

[L.S.]

AN ACT to amend the Customs Act, Chap. 78:01 and to  
validate things done thereunder

*[Assented to 16th September, 2003]*

ENACTED by the Parliament of Trinidad and Tobago as Enactment  
follows:—

**1.** This Act may be cited as the Customs (Amendment Short title  
and Validation) Act, 2003.

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Interpretation

**2. In this Act—**

“Board” means the Registration Recognition and Certification Board established under section 21 of the Industrial Relations Act;

Chap. 88:01

Chap. 88:01

“Certificate” means the Certificate issued by the Registration Recognition and Certification Board to the Customs and Excise Extra Guards Association on 14th March, 1988 in accordance with section 37 of the Industrial Relations Act;

“Collective Agreement” means the Collective Agreement for the period 1st January, 1991 to 31st December, 1993 made between the Chief Personnel Officer and the Customs and Excise Extra Guards Association;

Chap. 78:01

“the Act” means the Customs Act.

Section 2 of the Act amended

**3. Section 2 of the Act is amended by inserting after the definition of—**

“exporter” the following definition:

“ “extra guard” means any person recruited by the Comptroller to accompany uncustomed goods from a port or other place in Trinidad and Tobago to either the private premises of an importer, or to a State or private warehouse or to another port or other place as directed by the Comptroller, and to remain with such goods until the arrival of an Officer required to perform the relevant duties, and to perform such other duties as may be required by the Comptroller;”.

4. The Act is amended by inserting after section 4A the following section: Section 4B inserted

“Recruitment  
of extra  
guards” 4B. The Comptroller may recruit extra  
guards on such terms and conditions as are  
agreed by the Minister.”

5. Notwithstanding any law to the contrary, all acts and things done, purported to be done or omitted to be done by the Comptroller or any person authorised by him under or in pursuance of the powers conferred by the Customs (Extra Guards' Rates of Pay) Regulations, 1992 are deemed to have been lawfully and validly done or omitted to be done and no legal proceedings or other action of any kind shall be commenced or continued in respect of, or in consequence of such acts and things.

Validation of acts  
and things done  
under L. N. No. 63  
of 1992

6. (1) The Collective Agreement is validated.

Validation of  
Collective  
Agreement

(2) Notwithstanding any law to the contrary, all acts done, purported to be done or omitted to be done by—

- (a) any person, in negotiating the Collective Agreement for or on behalf of the Chief Personnel Officer or the Customs and Excise Extra Guards Association; or
- (b) any person, in ratifying the Collective Agreement or taking any action in pursuance thereof,

are deemed to have been lawfully and validly done or omitted to be done.

(3) No legal proceedings or other action of any kind shall be commenced or continued in respect of, in consequence of, such acts and things or omissions as are referred to in subsection (2).

Validation of  
Certificate of  
Registration

**7. (1) The Certificate is validated.**

Chap. 88:01

(2) The issuing of the Certificate and the citing therein of the Chief Personnel Officer as the employer by the Board, under and in pursuance of the authority vested in it by section 37 of the Industrial Relations Act, are deemed to have been lawfully and validly done.

(3) No legal proceedings or other action of any kind shall be commenced or continued in respect of, or in consequence of such acts, things or omissions as are referred to in subsection (2).

Validation of acts  
and omissions by  
public officers and  
other persons

**8. Notwithstanding any law to the contrary—**

- (a) the recruitment of extra guards and all other acts and things done, purported to be done or omitted to be done by any public officer, State agency or enterprise or by any other person in relation to extra guards;
- (b) the collection of monies from merchants for the purpose of making payments to extra guards; and
- (c) the payment of monies to extra guards,

prior to the commencement of this Act are deemed to have been lawfully and validly done or omitted to be done and no legal proceedings or other action of any kind shall be commenced or continued in respect of or in consequence of, such acts and things.

Passed in the House of Representatives this 11th day  
of July, 2003.

J. SAMPSON-JACENT

*Clerk of the House*

Passed in the Senate this 9th day of September,  
2003.

D. DOLLY

*Clerk of the Senate*