
First Session Fifth Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 9 of 1996

[L.S.]

AN ACT to amend the Habeas Corpus Act, Chap. 8:01

[Assented to 16th May, 1996]

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

1. This Act may be cited as the Habeas Corpus Short title
(Amendment) Act, 1996.

Chap. 8:01 amended

2. The Habeas Corpus Act is amended by inserting immediately after section 5 the following new sections:

"Procedure on
application
for Writ of
Habeas
Corpus

6. Notwithstanding any law to the contrary where an application for a Writ of Habeas Corpus in a criminal or a civil matter has been made by or in respect of any person, no such application shall be made again by or in respect of that person on the same grounds, whether to the same court or judge or to any other court or judge, unless fresh evidence is adduced in support of the application.

Appeals

7. An appeal shall lie in any proceedings upon application for a Writ of Habeas Corpus, whether civil or criminal, against an order for the release of the person restrained as well as against the refusal of such on Order.

Release on
appeal

8. (1) An appeal under section 7 shall not affect the right of the person restrained to be discharged in pursuance of the order under appeal and, unless an order under subsection (2) is in force at the determination of the appeal, to remain at large regardless of the decision on appeal.

(2) Notwithstanding subsection (1), in the case of an application for habeas corpus relating to a criminal cause or matter, where the appellant would, but for the decision of the court below, be liable to be detained, and immediately after that decision the respondent gives notice that he intends to appeal, the court make an order providing for the detention of the appellant, or directing that he shall not be released except on bail so long as any appeal under this Act is pending."

Passed in the House of Representatives this 22nd day of March, 1996.

J. SAMPSON
Clerk of the House

Passed in the Senate this 7th day of May, 1996.

N. COX
Clerk of the Senate