
Second Session Second Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 15 of 1983

[L.S.]

AN ACT to amend the Land Tenants (Security of
Tenure) Act, 1981

[Assented to 2nd August, 1983]

WHEREAS it is enacted *inter alia* by subsection (1) of ^{Preamble} section 13 of the Constitution that an Act of Parliament to which that section applies may expressly declare that it shall have effect even though inconsistent with sections 4 and 5 of the Constitution and, if any such Act does so declare, it shall have effect accordingly:

- (b) in section 5 by repealing and replacing subsection (3) as follows—

“(3) Notwithstanding any other law, the rent under a statutory lease shall be the rent which was payable in respect of the land immediately prior to the appointed day or as varied under section 5A.

(3A) The rent payable under this Act shall be paid by the tenant annually either in advance or as otherwise agreed by the parties.

(3B) A tenant shall not be required to pay to the landlord any fine, premium or other like sum or to give any consideration in addition to the rent as a condition of the grant, renewal or continuance of a tenancy or a statutory lease.”;

- (c) by adding immediately after section 5 the following new sections—

“Review of rent

5A. (1) The Land Commission may on the application of a landlord or a tenant review the rent in respect of land to which this Act applies in any area for which a Rent Assessment Board has been constituted under the Rent Restriction Act.

Chap. 59:50

(2) Until the Land Commission is appointed, rent may be reviewed by the Rent Restriction Boards for their respective areas and such Boards shall exercise the powers of the Land Commission under this section.

(3) For the purpose of the review of rent the Minister shall by Order published in the *Gazette* specify the matters to which the Land Commission or the Rent Assessment Boards, as the case

may be, shall have regard in undertaking a review.

(4) An Order of the Minister under this section is subject to affirmative resolution of the House of Representatives.

(5) A review under this section shall be conducted in accordance with procedures provided for in regulations made by the Minister under section 18.

Excess rent paid
not recoverable

5B. Rents paid in excess of any amounts payable under this Act are not recoverable.”;

(d) by amending section 13 to read section 13 (1) and adding immediately after section 13(1) as renumbered, the following new subsection—

“ (2) A landlord who receives rent in excess of the rent payable under this Act is guilty of an offence and liable on summary conviction before a Magistrate—

(a) where the landlord is an individual, to a fine of five thousand dollars or imprisonment for a term of one year; or

(b) where the landlord is a corporation, to a fine of ten thousand dollars.”;

(dd) by inserting immediately after section 17 the following new section—

“Commission
to direct
execution of
memorandum

17A (1) Where a landlord or a tenant fails or refuses to execute a memorandum of statutory lease as required under this Act, an application may be made to the Land Commission to settle the terms of a memorandum in accordance with

this Act and where necessary the Commission may give directions for the execution of the same by the landlord and the tenant and in default by some person designated by the Land Commission.

(2) A memorandum executed according to the provisions of this section is registrable as a Deed pursuant to the provisions of the Registration of Deeds Ordinance.”; Ch. 28. No. 2

(ddd) in section 18 by substituting the word “affirmative” for the word “negative” appearing in the first line thereof;

(e) by adding immediately after section 19 the following new section—

“Rules of
Court
Chap. 4:01

20. Rules of Court may be made by the Rules Committee under section 77 of the Supreme Court of Judicature Act, for regulating the practice and procedure in respect of proceedings of any kind under this Act.”.

Passed in the House of Representatives this 6th day of May, 1983.

J. E. CARTER
Clerk of the House

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed by the House of Representatives and at the final vote thereon in the House has been supported by the votes of not less than three-fifths of all the members of the House, that is to say the votes of 23 members of the House.

J. E. CARTER
Clerk of the House

Passed in the Senate this 15th day of July, 1983.

R. L. GRIFFITH
Clerk of the Senate

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed by the Senate and at the final vote thereon in the Senate has been supported by the votes of not less than three-fifths of all the members of the Senate, that is to say the votes of 20 Senators.

R. L. GRIFFITH
Clerk of the Senate