

**Second Session Fifth Parliament Republic of
Trinidad and Tobago**



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 13 of 1997

[L.S]

AN ACT to amend the Liquor Licences Act, Chap. 84:10

[Assented to 29th July, 1997]

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

1. This Act may be cited as the **Liquor Licences** Short title
(Amendment) Act, 1997.

Section 21 amended
Chap. 84:10

2. The Liquor Licences Act (hereinafter referred to as “the Act”) is amended—

(a) by adding to section 21(2) the following new paragraph:

“(e) that a licence that the applicant had formerly held has been revoked in accordance with sections 21A and 21C.”;

(b) by deleting in section 21(3) the words “paragraphs (a) to (d)” and substituting therefor the words “paragraphs (a) to (e)”.

Sections 21A, 21B,
21c and 21D inserted

3. The Act is amended by inserting the following new sections:

“Suspension
and
revocation of
licences for
discrimina-
tion

21A. (1) A licensing committee may, on complaint made in writing by a person to whom this section applies, suspend or revoke a licence, if it is satisfied by proof on oath before it that the conduct of any trade or business on licensed premises to which the public has access is contrary to the provisions of section 21B.

(2) Where a complaint has been made against a licensee under subsection (1), the Chairman of the Committee shall summon the licensee to appear before the Committee on the date set for the hearing of the complaint to respond to the allegations made against him and the licensee may either represent himself or be represented by an attorney-at-law.

(3) A licensing committee may—

(a) attach such reasonable conditions to the terms of any suspension imposed under this section as would,

in its opinion, ensure that section 21B is complied with, so however that no suspension of any licence shall exceed a period of more than twenty-one consecutive days or forty-two days altogether in respect of any one complaint or group of complaints;

(b) revoke any such licence if the conditions imposed by it have not been complied with.

(4) For the removal of doubt it is hereby declared that subject to subsection (5) nothing in this section shall be treated as having application to a members' club registered under the Registration of Clubs Act.

Chap. 21:01

(5) Where a members' club gives access to the public, or any section of the public, to the whole or any part of its premises, on special occasions in accordance with the provisions of the Registration of Clubs Act, any trade or business conducted thereon shall be done so as not to contravene section 21B.

(6) This section applies to any person who has been discriminated against in any manner, including a refusal of admission or service or refusal of access to facilities on any licensed premises, on the ground of that person's race, colour, religion or sex.

(7) The Minister may, by Order, subject to affirmative resolution of Parliament amend subsection (6) to

increase the grounds on which a person may claim to have been discriminated against.

Discrimination on licensed premises

21B. (1) Discrimination on licensed premises by the owner or occupier or by any of his servants or his agents or by his associates on the ground of race, colour, religion or sex is hereby prohibited.

(2) In this section and in section 21A—

“associates” means any individual, partner or company having a pecuniary interest or otherwise concerned with the carrying on of any trade or business on the licensed premises in respect of which there is a complaint under section 21A;

“discrimination” means any inequality of treatment that is less favourable than that accorded to any person or group of persons and which is indicative of an intention to deal with that person or group of persons in a manner that is different from that in which the majority of other persons or a substantial number of such persons on any one occasion are treated or dealt with in that respect;

“licensed premises” includes the whole of the compound and curtilage of the premises on which the trade or business is licensed to be carried on.

(3) For the purpose of this Act, segregating a person whether by place or position or by time or occasion from other persons on the ground of race, colour, religion or sex is deemed to be discrimination.

Suspension or
revocation of
licence on
ground of
causing a
public
annoyance

21c. (1) A Licensing Committee may, on complaint made in writing by an aggrieved person, suspend or revoke a licence, if it is satisfied by proof on oath before it that the conduct of any trade or business on licenced premises to which this Act applies has caused annoyance to persons in the vicinity of that trade or business by virtue of excessive noise emanating from electronic or other devices.

(2) Where a complaint has been made against a licensee under subsection (1), the Chairman of the Committee shall summon the licensee to appear before the Committee on the date set for the hearing of the complaint to respond to the allegations made against him and the licensee may either represent himself or be represented by an attorney-at-law.

Appeals from
order of
licensing
committee

21d. (1) Any person dissatisfied with any order of a licensing committee under section 21A or section 21c may appeal against such order to the Court of Appeal.

(2) The procedure in respect of any appeal under this section shall be such as is laid down in the Summary Courts Act.

(3) In this section "any person dissatisfied" means a person referred to in sections 21A(1), 21B(1) and 21c."

Section 83A inserted

4. The Liquor Licences Act is amended by adding the following new section:

“ 83A. The Minister may make regulations, subject to affirmative resolution of Parliament for the effective carrying out of section 21A.”

Passed in the House of Representatives this 6th day of June, 1997.

J. SAMPSON
Clerk of the House

Passed in the Senate this 24th day of June, 1997.

N. COX
Clerk of the Senate

Senate amendments agreed to by the House of Representatives this 11th day of July, 1997.

J. SAMPSON
Clerk of the House