

STATUTES ACT

CHAPTER 3:02

Act

1 of 1962

Amended by

*2 of 1962

39 of 1976

45 of 1979

47 of 1980

32 of 1997

*See Note on Transfer of Provisions on page 2

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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note on Transfer of Provisions

Sections 12(1), 13, 13A and 14 of the Interpretation Act 1962 (Act No. 2 of 1962) have been incorporated in this Act as sections 9, 12, 10 and 11, respectively.

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STATUTES ACT

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CHAPTER 3:02

STATUTES ACT

1 of 1962. **An Act respecting the Statutes and Statutory Instruments of Trinidad and Tobago.**

Commencement. [6TH JUNE 1962]

Short title. **1.** This Act may be cited as the Statutes Act.

STATUTES

Style of statutes. **2.** This Act and all statutes passed after the commencement of this Act shall be styled “Acts”.

Enacting and other clauses. [39 of 1976]. **3.** (1) The words of enactment shall follow the preamble, if any, and the various clauses within the purview or body of the statute shall follow in a concise and enunciative form.

(2) In every Bill presented to the President for assent, other than a Bill passed under section 64 or 65 of the Constitution, the words of enactment shall be as follows:

“Enacted by the Parliament of Trinidad and Tobago as follows:”.

(3) In every Bill passed under section 64 or 65 of the Constitution and presented to the President for assent, the words of enactment shall be as follows:

“Enacted by the President by and with the advice and consent of the House of Representatives in accordance with the provisions of section 64 or 65 of the Constitution and by the authority of the same as follows:”.

Date of passing, etc., of statutes. [39 of 1976]. **4.** (1) The date of the passing of every statute shall be the date on which the Bill for that statute receives the assent of the President.

(2) The Clerk of the House of Representatives shall inscribe on every statute, immediately after the long title thereof, the day, month and year when the statute received the assent of the President, and such inscription shall be taken to be part of the statute.

5. (1) Every statute that is not expressed to come into force or operation on a particular day, comes into force or operation immediately on the expiration of the date before the date of the passing thereof.

Coming into force of statutes. [32 of 1997].

(2) Where a statute provides that it is to come into force or operation on a day or date to be fixed by the President by Proclamation, or that it is not to come into force or operation until a day or date to be so fixed, any such Proclamation may —

- (a) apply to the whole statute or any Part or section or other subdivision of the statute;
- (b) be issued at different times as to any Part or section or other subdivision of the statute; and
- (c) suspend until further proclamation or until a specified date, the operation of any provision contained in the statute.

6. (1) When the Constitution for any purpose requires a Bill to be supported at the final vote thereon by the votes of a specified proportion of the members of a House of Parliament, the Clerk of the House shall certify whether any such Bill passed by the House was at the final vote supported by the votes of the required proportion of the members of the House.

Where special majority required for Bill. [45 of 1979].

(2) The certificate of the Clerk duly signed and authenticated shall be conclusive evidence as to the proportion of members supporting the Bill at the final vote.

7. (1) The statutes shall be printed, published and distributed by the Government Printer.

Printing and distribution. [39 of 1976].

(2) The Clerk of the House of Representatives shall furnish the Government Printer with a certified copy of every statute of Parliament as soon as it has received the assent of the President.

(3) Every copy of a statute printed by the Government Printer is evidence of that statute and its contents, and every copy purporting to be printed by the Government Printer shall be deemed to be so printed, unless the contrary is shown.

Recording of statutes and certification.

8. (1) This Act and all statutes passed after the commencement of this Act shall be of record in the custody of the Clerk of the House of Representatives.

(2) Where the Clerk of the House of Representatives is required to certify a copy of a statute for any purpose he shall insert at the foot of each copy required to be certified, a written certificate duly signed and authenticated by him to the effect that such copy is a true copy.

(3) Copies of statutes certified under subsection (2) by the Clerk of the House of Representatives shall be held to be duplicate originals, and also to be evidence of the statutes and of their contents as if printed by authority of law.

Amending provisions. [45 of 1979].

9. An Act may be amended, altered or repealed in the same session of Parliament.

WRITTEN LAWS

Commencement on particular day. [45 of 1979].

10. Where a written law is to come into operation on a particular day (whether that day is before or after the making of the written law and whether the particular day is named in the written law, determined under section 5(1) or section 12(1), or is to be appointed or fixed or ascertained in any other manner), the written law shall be construed as coming into operation on the expiration of the day before that particular day.

Expiration of enactments. [45 of 1979 32 of 1997].

11. (1) Where a written law is expressed to expire, lapse or otherwise cease to have effect on a particular day, the written law shall, except as provided by subsection (2), be construed as ceasing to have effect immediately on the expiration of that day.

(2) Where a Bill is introduced into any session of Parliament for the continuance of a written law limited to expire in or during that session and that written law expires before such Bill, having passed both Houses of Parliament, receives in that session the assent of the President, that written law shall be deemed to have continued as fully and effectively in operation as if such Bill had received that assent before that written law expired.

(3) Subsection (2) does not operate so as to render any person liable under any written law that has expired to any penalty or forfeiture by reason of any act done by him before the date on which the Bill for the continuance of that written law, having passed both Houses of Parliament, receives the assent of the President.

(4) Where any proceeding, other than a Bill, is introduced into any session of Parliament for the continuance of a written law limited to expire in or during that session and that written law expires before such proceeding is passed, carried or concluded by both Houses of Parliament, that written law shall be deemed to have continued as fully and effectively in operation as if such proceeding had been passed, carried or concluded before that written law expired; save that the proceeding shall be concluded during that session of Parliament.

(5) Subsection (4) does not operate so as to render any person liable under any written law that has expired, to any penalty by reason of any act done by him before the date on which the proceeding was passed, carried or concluded.

STATUTORY INSTRUMENTS

12. (1) (a) Every statutory instrument shall be published in the *Gazette* and shall come into operation on the date of such publication unless a later or, so far as the common law or any statute allows, an earlier date is prescribed in the instrument. Publication and commencement of statutory instruments. [45 of 1979 47 of 1980].

(b) This subsection applies to written laws made after 31st December 1979 [the date of commencement of the Law Revision (Miscellaneous Amendments) (No. 1) Act 1979]. 45 of 1979.

(2) Where a statutory instrument comes into operation without or before publication, then unless the contrary is expressly provided by Act of Parliament, it shall be a defence to any criminal charge under that instrument that the instrument was not published at the date of the alleged commission of the offence and that reasonable steps had not been taken to bring the relevant provisions of the instrument to the notice of the public or of persons likely to be affected by it or of the person charged.