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Third Session Third Parliament Republic of Trinidad  
and Tobago

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REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 26 of 1989

[L.S.]

AN ACT to amend the Excise (General Provisions) Act,  
Chap. 78:50

*[Assented to 12th July, 1989]*

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

1. This Act may be cited as the Excise (General Pro- Short title  
visions) (Amendment) Act, 1989.

Chap. 78:50  
amended

2. The Excise (General Provisions) Act is amended—

(a) by substituting for section 9 the following—

“Power of  
Comptroller  
to impose  
fines, etc.

9. (1) Notwithstanding any of the provisions of this Act, where a person admits in the prescribed form that he has committed an offence against any Excise Act and requests in writing that the offence be dealt with under this section by the Comptroller, the Comptroller may, subject to the approval of the Minister, which may be signified from time to time by general directions to the Comptroller, at any time prior to the commencement of proceedings in a court against the person for the offence—

- (a) impose a fine, penalty and forfeiture, but not including imprisonment, and not exceeding that prescribed for the offence; or
- (b) mitigate or remit any fine or penalty or restore anything seized under an Excise Act.

(2) Nothing in this section shall affect any right conferred by any written law on any person to claim the goods in the case of a seizure, or to commence or require the commencement of legal proceedings at any time prior to the payment of the fine or penalty.

(3) In this section, the expression "prescribed form" means the form set out as Schedule Form 2 in the Schedule."; and  
 (b) by renumbering the form in the Schedule as "Form 1" and by inserting immediately after that Form as renumbered the following—  
 "FORM 2

(Section 9)

REPUBLIC OF TRINIDAD AND TOBAGO

FORM OF ADMISSION OF BREACHES OF THE EXCISE ACTS

To: .....  
(alleged offender)

WARNING: You are not obliged to make any admission of a breach of an Excise Act. If you do make an admission of such breach, you will be doing so fully acknowledging that no promise is held out to you that the matter will not be determined by a court of law and that the admission may be used as evidence.

Signed: .....  
Comptroller of Customs and Excise

I .....  
(name of offender)

of .....  
(address in Trinidad and Tobago)

hereby admit without qualification that on the.....day of  
.....19..... at .....

I committed an offence against section.....  
of.....  
(here insert particulars of Excise Act breached)

in that I .....  
(here state facts constituting offence)

I request that this offence be dealt with by the Comptroller and I agree to pay the fine stated below.

Dated this ..... day of .....19.....

Signed .....

Fine \$.....in the presence of .....  
(Signature of Witness)

## CERTIFICATE

I certify that no threat, promise or other form of inducement has been held out to me to make the above-written admission. I have given this admission of my own free will and I am aware that it may be used in evidence.

Signed .....  
(Signature of Offender).".

Passed in the House of Representatives this 14th day of April, 1989.

J. E. CARTER  
*Clerk of the House*

Passed in the Senate this 6th day of June, 1989.

N. COX  
*Acting Clerk of the Senate*

Senate amendments were agreed to in the House of Representatives on 16th June, 1989.

J. E. CARTER  
*Clerk of the House*