

LIQUOR LICENCES ACT

CHAPTER 84:10

Act
27 of 1955
Amended by

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Note on Omissions

Special Events Order made under section 47 of the Act have been omitted —*See* the Current Edition of the Consolidated Index of Acts and Subsidiary Legislation for references to these Orders.

Note on Delegation of Functions Orders

See the following Legal Notices for Delegation of Functions Orders made with respect to section 18 of the Act:

- (a) LN 98/1956;
- (b) 192/1995; and
- (c) 15/1996.

Note on Adaptation

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 52/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 84:10

LIQUOR LICENCES ACT

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CHAPTER 84:10

LIQUOR LICENCES ACT

An Act to make provision in respect of the Sale of Intoxicating Liquor and Licences in respect of the same. 27 of 1955.

[22ND NOVEMBER 1955]

Commencement.
183/1955.

1. This Act may be cited as the Liquor Licences Act.

Short title.

PART I

PRELIMINARY

2. In this Act—

Interpretation.
[6 of 1991].

“authorised officer”, in relation to any of the purposes of this Act, means a public officer designated in writing for the purpose by the Minister;

“beer” includes ale, stout, porter, spruce beer, black beer, and any other description of beer and any liquor which is made or sold as a description of beer or as a substitute for beer, and which on analysis of a sample thereof at any time is found to contain more than 1.2 per cent A/c./Vol.;

“company” means a limited company registered in Trinidad and Tobago under the Companies Act, but does not include any Company or association or persons calling themselves a company not so registered; Ch. 81:01.

“compounds” means compounds made by a licensed compounder in accordance with the Spirits and Spirit Compounds Act; Ch. 87:54.

“Comptroller” means the Comptroller of Customs and Excise;

“deal” and “dealer” mean the trade of selling intoxicating liquor for consumption off the licensed premises in not less than the quantity prescribed in each case, and the person carrying on such trade, respectively;

“Excise Act” means this or any other Excise Act, or any regulation, having the force of law, for the time being in force, relating to intoxicating liquor;

“foreign liqueurs” means spirits flavoured or sweetened, and imported into Trinidad and Tobago, by whatever name the same are sold;

“hotel” means any building or group of buildings (occupied together) for the accommodation for reward of persons lodging or taking meals therein and includes the curtilage thereof and all structures within such curtilage, containing not less than six bedrooms;

“house” and “premises” include every room and place under the same roof or within the same curtilage, occupied with or as appurtenant to any house, premises, room or place;

“intoxicating liquor” means spirits, wine or beer, or any liquor being a mixture, beverage or preparation containing the same;

“licence” means any licence granted under this Act;

“licensed” (as regards persons or premises) means the persons named or whose names are endorsed on a licence issued under this Act and the premises in which a trade is licensed to be carried on under this Act;

“licensing area” means a part of a licensing district appointed by the Licensing Committee of the district to be a licensing area for the purposes of this Act;

“licensing committee” means a committee constituted under section 5;

“licensing district” means a district constituted under section 4;

“Licensing Sessions” means the Sessions held under section 18 for the granting of licences and any adjournment of such Sessions;

“Magistrate” means the Magistrate for the district within which the licensed premises are situated, or, as the case may be, within which any offence is charged to have been committed;

“occupier” means the person in actual occupation of a house or premises as master of the same or of the trade or business therein carried on;

“Officer” means the Comptroller, any member of the Police Service and any person acting under the instructions of the Comptroller for the purposes of any Excise Act;

- “permit” means a permit required for the removal of spirits under the Spirits and Spirit Compounds Act; Ch. 87:54.
- “Port-of-Spain” means the City of Port-of-Spain as defined from time to time under the Municipal Corporations Act; Ch. 25:04.
- “renewal” means a renewal of a licence that has been in force in respect of the same premises and in favour of the same person up to the day on which such renewal commences;
- “retail” and “retailer” means the trade of selling intoxicating liquor for consumption on or off the licensed premises without restriction as to quantity, and the person carrying on such trade, respectively;
- “sale” and “sell” include “barter” and “exchange”;
- “San Fernando” means the City of San Fernando as defined from time to time under the City of San Fernando Act; Ch. 25:06.
- “Scarborough” means the town of Scarborough in Tobago as defined from time to time under the Public Health Ordinance; Ch. 12, No. 4. (1950 Ed.).
- “spirits” means any liquor containing alcohol the product of distillation, and includes any liquor sold or offered for sale as or as containing rum, whisky, gin or any other description of spirits; and this term also includes for the purposes of this Act all beverages whether purporting to be wine, beer or other fermented liquors or not, containing a greater proportion than 24.1 per cent A/c./Vol. either due to fermentation or added;
- “steamship” means a ship propelled by steam or any motor power;
- “tourist steamship” means any steamship notified as a tourist steamship by the Comptroller for the period stated in such notice;
- “town” means the several places specified in the First Schedule, and every other place declared to be a town for the purpose of this Act by the President; First Schedule.
- “trade” as applied to any person carrying on any trade in intoxicating liquors, means such trade, and includes business, occupation and calling;

“transfer” means a transfer by order of a licensing committee of an existing licence to fresh premises within the same district, or of a licence for the same premises from one person to another person;

“wine” means fermented grape juice, and all liquor sold or offered for sale as wine or under any name by which any wine is known; and for the purposes of this Act “wine” includes cider and perry and the fermented juice of any fruit.

Powers of Officers of Customs and Excise.

3. For the purpose of carrying out the provisions of this Act, all officers shall have the same powers, authorities and privileges as are given by law to constables.

PART II

LICENSING DISTRICTS AND AUTHORITIES

Division of Trinidad and Tobago into licensing districts.
Ch. 4:20.

4. For the purposes of this Act, Trinidad and Tobago shall be divided into licensing districts which shall be coterminous with the magisterial districts from time to time appointed by the President under section 7 of the Summary Courts Act or any provision of the law amending or replacing the same.

Constitution of licensing committee.
[6 of 2014].

5. (1) There shall be a licensing committee for each magisterial district which shall consist of the following members:

- (a) the Clerk of the Peace or, where more than one Clerk of the Peace is assigned to a Magisterial District, a Clerk of the Peace designated by the Chief Magistrate;
- (b) one person, or his alternate, nominated by—
 - (i) the Tobago House of Assembly, in the case of Tobago; or
 - (ii) the Municipal Corporation of the municipality in which the magistrate’s Court is located; and
- (c) one person nominated by the Minister in consultation with the local business associations or his alternate.

(2) Whenever a committee sits for the transaction of business, the Clerk of the Peace shall be the Chairman.

(3) Two members of a licensing committee shall constitute a quorum.

(4) A member of a licensing committee shall declare any possible or perceived conflict of interest in respect of an application before the committee, and the member shall—

- (a) in the case of the Chairman, withdraw from considering the application and the other members present at that meeting shall elect a chairman for the purposes of the application; and
- (b) in the case of any other member, withdraw from considering the application and be replaced by his alternate.

(5) For the purpose of subsection (4), a conflict of interest is deemed to arise if a member of a licensing committee makes or participates in the making of a decision and he knows or ought reasonably to know, that in the making of the decision, there was an opportunity either directly or indirectly to further his private interests or that of a member of his family or of any other person.

(6) In the event that the Chairman is absent from a meeting of a licensing committee, the other members present at that meeting shall elect one of their members to act as Chairman.

6. A licensing committee may divide its licensing districts into convenient licensing areas for the holding of licensing sessions. Licensing areas.

7. The Clerk of the Peace shall assign a public officer to perform the duties of Secretary of a licensing committee. Secretary of licensing committee. [6 of 2014].

PART III

LICENCES

8. The several licences specified in the Second Schedule may be applied for and granted subject to the provisions of this Act. Licences. Second Schedule.

Forms of licences.

9. (1) Every licence shall be issued in the prescribed form.
(2) The Comptroller may from time to time alter the forms of licences.

Duration and date of licences.

10. Subject to this Act, every licence shall be granted for the time specified therein and shall be dated on the day on which it is granted, and shall in no case continue in force beyond the ensuing 31st of March.

Date of renewal of licence. [18 of 1984].

11. Where any person whose licence is renewed pays the duty imposed on the new licence at the time and place prescribed for payment, the new licence shall bear date on the day following the date of expiration of the previous licence.

Licence to apply to one set of premises only.

12. A licence shall only authorise the person to whom it is granted to carry on the licensed trade in one set of premises to be specified in the licence, and the whole of the premises must be adjoining and held together for the same trade. However, no licence shall be deemed to extend to any part of such premises not described in the form of entry required by section 76.

Partnerships and companies.

13. (1) Where two or more persons carry on in partnership any trade, they shall not be required to take out in any year more than one licence for each set of premises in which the trade is carried on, and the licence shall be applied for jointly by and shall be issued in the joint names of every such person.

(2) Where a company carries on any trade, the licence shall be in the joint names of the company and of the manager or other servant required by *section 28 to appear before the licensing committee.

Proportional payments on commencement

14. Any person who begins to carry on in any premises any trade mentioned in this Act for which a licence is required, may take out a licence on payment of a proportion of the annual duty charged thereon, as follows:

(a) if the licence is taken out within the second quarter of the current year, on payment of three-fourths of the duty; and

*Section 28 was repealed by Act No. 2 of 2002.

- (b) if the licence is taken out within the third quarter of the current year, on payment of one-half of the duty; and
- (c) if the licence is taken out within the last quarter of the current year, on payment of one-fourth of the duty.

However, a person who has previously taken out a licence for a trade shall not be entitled to the benefit of this section upon taking out a licence to carry on the same trade, whether on the same or different premises, unless one year at least has elapsed between the expiration of the previous licence and the taking out of the new licence, or unless such licence shall be additional to any licence held by him during the previous year.

15. Any person who—

- (a) has not taken out a spirit retailer's or spirit grocer's licence during the twelve months prior to his application; or
- (b) has had a spirit retailer's or spirit grocer's licence for the quarter immediately preceding the quarter for which he applies for a licence,

Quarterly payments in certain cases.

may be granted a licence on payment in advance of the duty for one complete quarter at the rate specified in the Second Schedule, and such licence shall expire on the last day of the quarter in respect of which the licence is granted; but no licence shall be granted under this section in respect of any premises for which a licence, other than a licence for the quarter immediately preceding, has been in force during a period of one year prior to the application.

Second Schedule.

PART IV

PROCEDURE FOR OBTAINING A LICENCE

16. Subject to the provisions of this Act, licensing committees may grant certificates for the issue or renewal of licences to or for such persons as they may, in the execution of their powers under this Act and in the exercise of their discretion, think fit and proper.

Power of licensing committees to grant certificates for the issue or renewal of licences.

Issue of
licences.

Second
Schedule.

17. (1) Subject to the provisions of this Act, a licence may be issued on the payment of the appropriate duty specified in the Second Schedule and upon production of the certificate of the licensing committee authorising such issue.

(2) Subject to this Act licences shall be issued—

- (a) where the premises to be licensed are situated within the City of Port-of-Spain, by the Comptroller;
- (b) where the premises to be licensed are situated in Tobago, by the authorised officer for Tobago;
- (c) in any other case, by the authorised officer for the County in which the premises to be licensed are situated.

(3) Each authorised officer shall within fourteen days after the end of each calendar month submit to the Comptroller a return of all licences issued by him during that month.

(4) The Comptroller shall keep a register of all licences granted under this Act.

Licensing
sessions.
[18 of 1984
6 of 1993].

18. (1) Sessions for the granting of certificates for the issue or renewal of licences shall be held four times a year on convenient days to be appointed by the licensing committee in each licensing area or district, as the case may be, and any such session may, at the discretion of the licensing committee, be adjourned, either generally, or, as respects any particular applications, to such other days as the licensing committee shall think fit.

(2) Subject to the provisions of this Act, the licensing committee may, at such session, or at any adjournment thereof, grant such certificates to such persons and in respect of such premises as the licensing committee in the exercise of its discretion thinks proper.

(3) The Minister in the exercise of his discretion may direct any licensing committee to appoint and hold a special session at any other date provided a fee of one hundred and fifty dollars is paid in respect of each application considered at any such special session.

(4) The licensing committee in the exercise of its discretion may at any licensing session, or at any adjournment thereof, examine any person who in the opinion of the licensing committee is able to give any evidence relevant to the application before it and for that purpose may summon that person to appear before it.

(5) Any person who is entitled under this Act to apply for, or to object to, the grant of a new licence, or the transfer or renewal of a licence, may appear before the licensing committee in person or by an Attorney-at-law.

19. The licensing committee shall, twenty-eight days at least before each licensing session, appoint the time and place at which such session is to be held, and cause notice thereof to be inserted in the *Gazette*, and to be affixed in some conspicuous place or places. The provisions of this section shall not apply to any adjournment of a session.

Notice of
licensing
sessions.

20. (1) Every person desiring to obtain a new licence in respect of any premises shall, twenty-one days at least before the day appointed for the licensing session, make an application in writing to the licensing committee, and the licensing committee shall cause notice of such application to be published in the *Gazette* and in two newspapers circulating in Trinidad and Tobago.

Applications
for licences.
[51/1980
18 of 1984
3 of 1994
4 of 2014
6 of 2014].

(2) Every such application shall state the name, occupation and residence of the applicant, and the precise situation of the premises, and the trade in respect of which a licence is applied for.

(3) Every such application shall be accompanied by a plan of the premises in respect of which the application is being made and a fee of forty dollars.

(4) Certificates for renewals may be granted at licensing sessions on written application made to the licensing committee at least fourteen days before the date fixed for the holding of the session; but where there is present at such session any person entitled under section 21(1) to object to the granting of a new

licence, any such person may object to any renewal on sufficient ground to be thereupon stated and the licensing committee may in its discretion in any such case adjourn the hearing of the application to a convenient day to admit of evidence being adduced.

(4A) In the absence of any objection, a Licensing Committee may issue or renew a licence without requiring the applicant to attend before the Committee.

(5) With effect from the year 2016, an applicant for a licence under section 16 who desires to host amusement games in his premises shall, in respect of a year subsequent to the year 2014, provide the licensing committee with a certificate from the Board of Inland Revenue that the applicant is not in arrears of any gaming tax, interest or penalty payable to the Board of Inland Revenue in respect of the last six years prior to the year of application.

Certain licensed premises to host amusement games.
[4 of 2014].

20A. (1) Notwithstanding section 58, licenced premises referred to in section 35(3) or (4) may host amusement games where there are no more than twenty amusement games in operation at any given time.

(2) In respect of amusement games referred to in subsection (1), the maximum pay out sum per game of five thousand dollars shall be prominently displayed on each amusement game.

(3) The holder of a licence specified under section 35(3) or (4) who hosts amusement games on his premises, shall not permit an individual who is under the age of eighteen years, to be in that part of the premises where amusement games are conducted or to engage in amusement game activities on his premises.

(4) The holder of a licence specified under section 35(3) or (4) who hosts amusement games on his premises, shall cause to be displayed at all times, in a prominent place in that part of

the premises where the amusement games are conducted, a sign, written in large, bold, upper case characters, that reads as follows:

“INDIVIDUALS UNDER THE AGE OF EIGHTEEN YEARS ARE NOT ALLOWED IN THIS PART OF THE PREMISES AND ARE PROHIBITED FROM ENGAGING IN AMUSEMENT GAME ACTIVITIES.”

(5) The holder of a licence specified under section 35(3) or (4) who knowingly permits an individual under the age of eighteen years—

- (a) to be in that part of his premises where amusement games are conducted; or
- (b) to engage in amusement game activities on his premises,

commits an offence and is liable on summary conviction for a first offence, to a fine of five thousand dollars, and in the case of a subsequent offence, to a fine of ten thousand dollars and the licence issued under this Act may be revoked.

(6) The holder of a licence specified under section 35(3) or (4) who fails to comply with subsection (4), commits an offence and is liable on summary conviction to a fine of one thousand dollars and the licence issued under this Act may be revoked.

20B. (1) Commencing in the year 2015, there shall be charged on all amusement games to be operated on premises referred to in section 20A, a tax to be known as a “gaming tax”, which shall be payable annually at the rate of three thousand dollars in respect of each amusement game.

Annual tax on amusement games.
[4 of 2014].

(2) The holder of a licence specified in section 35(3) or (4) who desires to operate an amusement game on licenced premises shall, within fifteen days of the issue of the licence, in respect of every year commencing from the year 2015—

- (a) submit to the Board of Inland Revenue, a return as to the number of amusement games to be

used on the licensed premises, in such form as may be approved by the Board of Inland Revenue; and

(b) pay to the Board the gaming taxes in respect of every amusement game to be used on the licensed premises.

(3) The return under subsection (2) shall be signed by the holder of the licence referred to in that subsection and shall contain—

(a) the name and address of the holder of the licence;

(b) the operation and address of the licensed premises;

(c) the exact number and description of the amusement games to be used on the licensed premises;

(d) the calculation of the gaming tax payable in respect of every amusement game to be used on the licensed premises; and

(e) the address for service of notices.

(4) Where the holder of a licence fails, neglects or refuses to submit a return for a year commencing from 2015, after six months from the time required to file the return, the holder of the licence shall, unless the Board of Inland Revenue otherwise directs, pay to the Board of Inland Revenue a sum of one hundred dollars for every six months or part thereof during which such failure, neglect or refusal continues.

(5) The Board of Inland Revenue, in respect of the collection and recovery of the gaming tax, has all the powers as it has in relation to income tax under the Income Tax Act.

Ch. 75:01.

(6) Where it is proved to the satisfaction of the Board of Inland Revenue that the holder of the licence has paid gaming taxes in excess of the amount in respect of which the licence holder is properly chargeable, the holder of the licence shall be entitled to have the tax so paid in excess, refunded to him.

(7) Every claim for a refund under subsection (6) shall be made within one year from the end of the year to which the claim relates.

(8) Where the holder of a licence specified in section 35(3) or (4) fails to remit the gaming tax to the Board of Inland Revenue within the time specified in subsection (2), he shall be liable to pay together with the tax payable interest at the rate of fifteen per cent per annum on the tax.

(9) The gaming tax payable for an applicant who applies for a new certificate shall be calculated on a prorated basis for the unexpired portion of the year from the date upon which the applicant for a new certificate applies for the certificate.

(10) For the purposes of this section, an “amusement game” has the meaning assigned to it by section 10 of the Gambling and Betting Act.

Ch. 11:19.

20C. (1) Where a gaming tax has been paid in respect of any amusement game—

BIR Tag.
[4 of 2014].

- (a) the Board of Inland Revenue shall cause to be issued in respect of each amusement game a tag for which gaming tax has been paid; and
- (b) the holder of the licence shall cause to be attached and displayed on each amusement game the tag issued by the Board of Inland Revenue, prior to installation or operation of such amusement game.

(2) Every tag issued under this section shall be in a form approved by the Board of Inland Revenue and shall be valid from the day on which it is issued until the time in the ensuing year when the gaming tax becomes payable.

(3) Where the holder of a licence specified in section 35(3) or (4) fails to display the tag issued by the Board of Inland Revenue on the amusement game situate on the licensed

premises or fails to display the maximum payout on the amusement game—

- (a) he commits an offence and is liable to a penalty of fifteen hundred dollars and in the case of a continuing offence a further eight hundred dollars for every day during which the offence continues; and
- (b) the licence specified under section 35(3) or (4) shall be liable to cancellation by the licencing committee.

(4) A tag issued under this section is non-transferable.

Ch. 11:19. (5) For the purposes of this section, “amusement game” has the meaning assigned to it by section 10 of the Gambling and Betting Act.

*(6) Where on or after 3rd June 2014, a licensed premises referred to in section 35(3) or (4) has on it an amusement game, the gaming tax payable in respect of the game for the unexpired portion of the year 2014, shall be calculated on a prorated basis for the unexpired portion of the year.

(7) The tax payable under subsection (6), in respect of an amusement game already on a licensed premises on 3rd June 2014, shall become due and payable three months within the coming into force of this section.

Right of and grounds of objection to licence. [18 of 1984 6 of 1991 13 of 1997 6 of 2014].

21. (1) The owner of the premises in respect of which a new licence is applied for, and any owner or occupier of property, or a minister in charge of a place of public worship, or the managing body or manager of a government school or assisted school, situated within 400 metres therefrom, and any Officer may object, in writing, to the grant or renewal of a licence or the transfer of any licence to any new premises or person, stating the grounds of the objection, and every such objector shall be heard by the licensing committee.

*Act No. 4 of 2014 which introduced sections 20A, 20B and 20C came into operation on 3rd June 2014.

(2) Objection to the grant of a new licence or the transfer of a licence to new premises or to any person may be on any reasonable ground including any of the following grounds:

- (a) that the applicant has been convicted of an arrestable offence or of an offence for which he has been deemed a rogue and vagabond, or an idle and disorderly person, or is a person of known bad character;
- (b) that the district is already adequately served by licensed premises;
- (c) that the premises in respect of which the application is made are in too close proximity to a school or place of worship;
- (d) that the premises in respect of which the application is made are unsuitable either owing to difficulty in supervising them, size, state of repair or insanitary condition, or to the lack of sufficient means of exit in case of fire;
- (e) that a licence that the applicant had formerly held has been revoked in accordance with sections 21A and 21C.

(3) Objection to the renewal of a licence may be on any reasonable ground including any of the grounds mentioned in paragraphs (a) to (e).

(3A) Where an objection to the grant, transfer or renewal of a licence is made in accordance with this section, the licensing committee shall meet with the applicant and the objector to assist them in reaching a mutually acceptable resolution.

(3B) Where the parties fail to agree to a resolution, the matter shall be heard by a Magistrate assigned for duty in the magisterial district and the Magistrate may make an order approving or refusing the grant, transfer or renewal of the licence.

(4) Where the licensing committee is of opinion that the grounds of any person's objection to a renewal are unreasonable or frivolous, the licensing committee may make an order for the

payment by that person to the applicant of a sum for costs (to be named in the order) which the licensing committee thinks just, and the order shall be enforced in the same manner as an order for cost by a Petty Civil Court.

Suspension and
revocation of
licences for
discrimination.
[13 of 1997
6 of 2014].

21A. (1) A Magistrate may, on a complaint made in writing by a person to whom this section applies, suspend or revoke a licence if satisfied, by evidence, 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 Magistrate shall summon the licensee to appear before him 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.

Ch. 21:01.

(5) Where a members' club give 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.

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 or religion, sex is hereby prohibited.

Discrimination on licensed premises. [13 of 1997].

(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.

21C. (1) A Magistrate may, on complaint made in writing by an aggrieved person, suspend or revoke a licence if satisfied, by evidence, that the conduct of any trade or business on licensed premises to which this Act applies has caused annoyance to

Suspension or revocation of licence on ground of causing a public annoyance. [13 of 1997 6 of 2014].

persons in the vicinity of that trade or business by virtue of excessive noise or other nuisance.

(2) Where a complaint has been made against a licensee under subsection (1), the Magistrate shall summon the licensee to appear before the Magistrate 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. [13 of 1997 6 of 2014].

21D. (1) Any person dissatisfied with any order of a Magistrate under section 21A or section 21C may appeal against such order to the Court of Appeal.

Ch. 4:20.

(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.

Appeal against licensing committee’s decision. [6 of 2014].

22. Any person aggrieved by any decision of a licensing committee granting or refusing a certificate for any new licence or any renewal or transfer may apply in writing to a Magistrate for a review of the decision and for the purposes of this section “any person aggrieved” means the applicant, or any person who is entitled under this Act to object to such new licence, renewal or transfer, and who has appeared before the licensing committee and objected to such new licence, renewal or transfer.

Appeals from decision of Magistrate. [6 of 2014].

22A. A person who is aggrieved by an order of a Magistrate under section 22 may appeal from the order to the Court of Appeal.

Procedure on appeal. Ch. 4:20 [6 of 2014].

23. The procedure in respect of any appeal under section 22A shall be such as is laid down in the Summary Courts Act, except that it shall not be obligatory to give any notice of reasons for appeal.

Certificates, etc., to be lodged by applicant.

24. Where any certificate, permission or approval of any person is a condition of the granting of a licence, the same shall be obtained by the applicant and lodged with the Secretary of the licensing committee before the day appointed for the licensing

session. However, the licensing committee may in its discretion, extend the time for the lodging of such certificate, permission or approval, and adjourn the hearing of the application accordingly.

25. A return of all certificates granted for the issue, renewal or transfer of licences under this Act, specifying the names and places of abode of the licensees, the licensed premises and the terms for which the licences are granted, shall be transmitted by every licensing committee to the Comptroller within seven days next after such certificates are granted.

Returns of certificates to be sent to Comptroller of Customs and Excise by licensing committee.

26. (1) The Comptroller shall cause to be published in the *Gazette* quarterly returns of all licences granted, issued and transferred under this Act.

Publication of licences granted.

(2) Production of a copy of the *Gazette* containing any such return as in this section mentioned shall be sufficient evidence of any fact therein stated as to any licence therein returned.

27. The Summary Courts Act shall govern the procedure at any licensing sessions or any adjournment thereof under this Act.

Procedure at licensing sessions. Ch. 4:20.

28. (*Repealed by Act No. 2 of 2002*).

29. Any person falsely pretending before a licensing committee that he is the person applying for a licence or the person to whom any existing licence is to be transferred, shall be deemed so to have pretended with intent to deceive, and shall incur a penalty of five thousand dollars; and if it is shown to the satisfaction of the licensing committee that he has so pretended with the connivance of the person entitled to apply, a certificate for such licence, or such transfer, shall not be granted.

Personation of applicant. [6 of 2014].

30. No licence shall be granted or transferred to—

(a) any person who has been convicted in Trinidad and Tobago of dealing in, retailing, selling, exposing for sale, offering for sale or having in his possession or on his premises for purposes of sale, any intoxicating liquor contrary to any

Disqualifications for licence. [28 of 1973 6 of 1991].

- Ch. 87:54. Excise Act, or of any offence under Part XII of the Spirits and Spirit Compounds Act;
- (b) any person apparently under the age of eighteen years, unless such person proves himself to have attained such age;
- (c) any person whose licence has been cancelled under this Act or the Liquor Licences Ordinance (repealed by this Act) or, during his life, his wife or any member of the family of such person resident with him;
- (d) any person in respect of premises situated within 400 metres of any distillery, except with the permission in writing of the Comptroller.

Ch. 32. No. 11.
(1950 Ed.).

Transfer on
death of
licensee, or on
assignment of
transfer.

31. (1) On the death of any licensed person, the licence may, save as otherwise provided by this Act, be transferred by endorsement by the licensing committee to the licensed person's personal representative, or to the person beneficially entitled to the business, or to the Administrator General or Public Trustee, or the appointee of the Administrator General or Public Trustee.

(2) On the bona fide assignment or transfer of any licensed business, the licence may, save as mentioned above, at the discretion of the licensing committee, and with the consent of the parties, be transferred by endorsement by such committee.

Second
Schedule.

(3) No licence shall be transferred under this section except upon payment of the fee set out in the Second Schedule.

(4) No penalty under this Act shall be incurred by the executors or administrators or the widow or child of any licensed person who dies before the expiration of his licence, or by the trustee of any person who is adjudged bankrupt, or whose affairs are liquidated by arrangement, before the expiration of his licence, in respect of the sale or exposure for sale of any intoxicating liquor, so that such sale or exposure for sale be made on the premises specified in such licence, and takes place for not longer than twenty-eight days after the death of the said licensed person, or the appointment of a trustee in the case of his bankruptcy, or the

liquidation of his affairs by arrangement. However, the Comptroller may, on reasonable cause being shown, extend the period of twenty-eight days by notice in writing.

32. Any person having a licence may apply to the appropriate licensing committee for leave to transfer his licensed trade from his licensed premises to other premises within the same licensing district. Seven days notice shall be given of the hearing of such application by the Secretary of the licensing committee to the Comptroller and also to the police officer in charge of the district, and the same may be opposed by any Officer on the ground that the premises to which it is proposed to transfer the licence are not suitable for the carrying on of such trade, or on any other proper ground. No such transfer shall be granted except upon payment of the fee set out in the Second Schedule.

Transfer to other premises.

Second Schedule.

33. An application for transfer of a licence may be made at any time on ten days notice in writing of the application, to be given to the Secretary of the appropriate licensing committee, and shall be published in the *Gazette*.

Transfer notice.

34. Where an application is made for the transfer of a licence, the licensing committee, in the event of the licence being lost or mislaid or wilfully withheld by the holder thereof, may receive a copy of such licence and deal with it as provided above in case such licensing committee is satisfied that the licence is withheld by some person without any legal right to withhold the same.

Transfer of licence lost or withheld.

PART V

POWERS OF LICENSEES

35. (1) The authority given to any person by any licence in respect of any premises shall extend, in respect of such premises, to his servant, or his wife or a member of his family resident with him.

Persons authorised to act under licence. [18 of 1984, 6 of 1991, 6 of 1993, 6 of 2014].

(2) Any licence issued under this Act authorising any sale of, or dealing in, or retailing of spirits, shall be deemed to extend to any intoxicating liquor, and any licence issued under this Act authorising any sale of, or dealing in, or retailing of wine shall be deemed to extend to beer.

(3) A spirit retailer's licence and a wine retailer's licence shall authorise sale in any quantity for consumption either on or off the licensed premises.

(4) An hotel spirit licence, a special hotel licence, a restaurant licence, a special restaurant licence and a night bar licence shall authorise sale in any quantity, but for consumption by the persons specified below and upon the licensed premises only.

(5) A spirit grocer's licence shall authorise the sale of intoxicating liquor for consumption off the licensed premises only, and in any quantity, but only in bottle.

(6) A spirit dealer's licence shall authorise the sale of intoxicating liquor for consumption off the licensed premises only, and, as to quantity, as regards rum made in Trinidad and Tobago, not less than 109 litres contained in one cask, or 6.8 litres contained in bottles in one case; as regards wine not less than 3.4 litres, or, as regards any other intoxicating liquor not less than 6.8 litres, of one denomination at one time. However, the holder of any such licence may sell imported spirits in the original unbroken packages in which the same were imported, notwithstanding that the same contains less than 6.8 litres. Also, compounds manufactured in Trinidad and Tobago may be sold in quantities of not less than 0.75 of a gallon at one time.

(7) A wine merchant's licence shall authorise sale of wine or beer only, for consumption off the licensed premises only, and in quantity not less than 3.4 litres of wine, or 6.8 litres of beer at one time.

(8) *(Repealed by Act No. 18 of 1984).*

(9) No licence for the sale of spirits shall authorise the sale at a lower strength than 40 per cent A/c./Vol, as ascertained by the designated hydrometer, of any spirits other than brandy, imported in bottle and sold intact in the bottles in which the same were imported, compounds and foreign liqueurs; and if any spirits of a lower strength than 40 per cent A/c./Vol, other than brandy imported in bottle and sold intact in the bottles in which the same was imported, compounds and foreign liqueurs, are

found upon any licensed premises, the same shall be forfeited, and may be seized by any Officer, and the person in whose name the premises are licensed and the manager of such premises shall each incur a penalty of five thousand dollars.

(10) If in any prosecution under subsection (9) any question arises as to whether any spirits seized are or are not brandy imported in bottle and sold intact in the bottles in which they were imported, compounds as defined in this Act, or foreign liqueurs, then and in such case the proof thereof shall lie on the defendant or the owner or claimant of such spirits.

(11) All bottles containing intoxicating liquor sold as provided in this section shall bear a legible label written or printed indicating the liquid content of each such bottle.

36. (1) Save as provided in subsection (2), a spirit dealer's Spirit dealers. licence shall be granted in respect of premises situated in Port-of-Spain, San Fernando and Scarborough only.

(2) The Minister may, in his discretion, authorise a licensing committee to grant a certificate for the issue or renewal of a spirit dealer's licence in respect of premises situated in any part of Trinidad and Tobago other than the towns specified in subsection (1).

37. A licensing committee may grant a certificate for the issue Spirit grocer. or renewal of a spirit grocer's licence to any person who either — [33 of 1956].

- (a) is or is about to be in its judgment bona fide carrying on the trade of a grocer or provision dealer in a shop or premises, which shop or premises is or are in the opinion of the licensing committee proper and suitable for the purpose; or
- (b) while not carrying on or about to carry on the trade of a grocer or provision dealer, is bona fide about to engage or is bona fide engaged in the sale of intoxicating liquor in bottle only and for the consumption off the premises only, if in the opinion of the licensing committee the premises are proper and suitable for the purpose.

Hotel spirit licence.

38. An hotel spirit licence shall authorise the keeper of an hotel to supply spirits, wine and beer to persons lodging at the hotel or taking a meal therein.

Conditions of grant of licence.

39. Save as in the next succeeding sections provided, no certificate for the issue or renewal of an hotel spirit licence shall be granted by a licensing committee for any hotel containing a bar for the resort and accommodation of the public, nor in any case without the committee being satisfied that the premises sought to be licensed are bona fide an hotel, and are suitable to be licensed as an hotel for the retailing of spirits to be consumed therein.

Special hotel licence.

40. (1) Upon being satisfied that any hotel is kept mainly for the bona fide entertainment of persons lodging or taking meals therein, a licensing committee may, at its discretion, grant a certificate for the issue or renewal of a special hotel licence for such hotel. Such licence shall be deemed to authorise the retailing of intoxicating liquors to the public for consumption on the licensed premises, without distinction of the persons to whom or the part of the premises in which liquors shall be supplied.

Second Schedule

(2) During the time while any tourist steamship is within the limits of a port of Trinidad and Tobago, or on the occasion of any dance, ball or other entertainment being held after closing hours in an hotel so specially licensed, the licensing committee of the district on application, and subject on each occasion to payment of the fee prescribed in the Second Schedule for an occasional licence, may authorise in writing the licensed occupier of the hotel to supply intoxicating liquors to the persons attending at any such time, during such hours and on such days as may be specified in the authority, and thereupon the occupier may lawfully supply the same.

Restaurant licence and special restaurant licence.

41. (1) Upon being satisfied that any restaurant is kept for the bona fide entertainment of persons using such restaurant for taking meals therein and that the premises sought to be licensed are suitable, a licensing committee may, at its discretion, grant a certificate for the issue or renewal of a restaurant licence or a special restaurant licence, as the case may be in accordance with the provisions appearing below, for such restaurant.

(2) A restaurant licence granted under this section shall authorise the sale or supply of intoxicating liquor to persons taking meals in the restaurant for consumption at such meals, at such hours as are prescribed under the Shop (Hours of Opening and Employment) Act, and not at any other time. Ch. 84:02.

(3) A special restaurant licence granted under this section shall authorise the sale of intoxicating liquor to the public for consumption on the premises at such hours as are prescribed under the Shop (Hours of Opening and Employment) Act and not at any other time.

42. Upon being satisfied that any premises are kept for the bona fide entertainment of the public and that such premises are suitable, a licensing committee may, at its discretion, grant a certificate for the issue or renewal of a night bar licence which shall authorise the retailing of spirits to be consumed on the premises at such hours as prescribed under the Shop (Hours of Opening and Employment) Act and not at any other time. In determining whether the premises are suitable for the purpose, the committee shall take into consideration the nature and locality of the premises, and the nature of the amenities provided for the entertainment of persons resorting thereto. Night bar licence. [18 of 1984]. Ch. 84:02.

43. (*Repealed by Act No. 18 of 1984*).

44. (1) A licensed retailer of spirits or wine and beer may apply to a licensing committee at any time for an occasional licence, on the occasion of any public entertainment, festivity or meeting, to carry on his trade at the place of such entertainment, festivity or meeting and shall in such application state the name and residence of the person by whom such trade will actually be carried on; and the licensing committee may at its discretion grant such occasional licence for the hours, on the days and to the extent that may be considered necessary for the public convenience on condition that— Occasional licence. [18 of 1984 6 of 2014].

- (a) sufficient notice of such application has been given to the police officer in charge of the Police division, who may oppose the same;

Ch. 84:02.

- (b) no such licence shall be granted in any case to extend beyond the occasion in respect of which it is granted; and
- (c) such licence shall not, unless specially permitted therein, be held to permit any sale of intoxicating liquors except between the hours and on the days during which the same may be by law allowed to be sold on the premises of the applicant; but, if so specially permitted, the holder of any such licence shall not be held to have committed an offence against the Shop (Hours of Opening and Employment) Act, in respect of the sale of intoxicating liquors in accordance with the terms of such licence; and
- (d) in the case of a race meeting, the written permission of at least two of the stewards is first obtained.

(2) For the purposes of this section, the expression “public entertainment, festivity or meeting” means an entertainment, festivity or meeting to which the general public are admitted, whether without charge, or on payment of money.

- (3) (a) Subject to the same conditions as are set out in subsection (1)(b) and (c), a licensing committee may, in like manner on the certificate of approval of a First Division Police Officer of the Police division in which the entertainment is to be conducted, grant an occasional licence to any person to sell intoxicating liquor at any entertainment conducted by any association of persons for the purposes of the association. Every such occasional licence shall be issued subject to such conditions as may be prescribed in the certificate of approval.
- (b) Where the person who is granted the licence is not a licensed grocer or retailer of spirits, wine

or beer as the case may be, he shall obtain all the intoxicating liquor to be supplied at such entertainment from a licensed grocer or retailer not earlier than the day of the entertainment, and shall return any balance unsold into the stock of the licensed person who supplied the same within forty-eight hours of the conclusion of the entertainment.

- (c) An account showing such particulars as such officer shall require, including the cost of all intoxicating liquor supplied under such licence, the amounts received from the sale thereof, and the particulars of the intoxicating liquor returned as mentioned above, shall be furnished to such officer within three days of the conclusion of the entertainment.
- (d) Any person to whom an occasional licence is granted under this subsection who fails to comply with the provisions hereof, or to carry out the conditions mentioned above, shall incur a penalty of three thousand dollars.

45. (1) The Comptroller may, on the direction of the Minister and on payment to him of such duty, if any, as the Minister may in each case determine, issue a special licence to—

Special
licences.
[17 of 1960
44 of 1980].

- (a) the General Manager of the Port Services Department, or any person authorised by him, authorising the sale of any intoxicating liquor to passengers on board any Government steamer;
- (b) the Chairman of the Airports Authority, or any person nominated by him, authorising the sale of any intoxicating liquor at any airport in Trinidad and Tobago;
- (c) any owner or officer of a passenger steamship regularly plying between ports or places in Trinidad and Tobago, authorising the sale of any intoxicating liquor to passengers on board any such ship.

(2) A licence under this section shall authorise the sale of intoxicating liquor in such quantity and such manner and during such hours and on such days as the Minister may in each case determine.

Foreign going steamship.

46. The master of any steamship making a stay of not more than two days, or such further period as the Comptroller may allow, at any port in Trinidad and Tobago, may without a licence, sell intoxicating liquor for consumption by any person on board of such steamship, but not otherwise, at any time, and no penalty shall be incurred under any Customs or Excise Act by the master nor by any person consuming the same on board such steamship, in respect of such sale or consumption, or by reason of the fact that duties of Customs have not been paid upon such intoxicating liquors.

Canteens.

47. When a canteen is approved by the Minister and is managed by a committee who have no interest in the profits, a licence is not necessary for the sale therein of intoxicating liquors to any person entitled to purchase articles at such canteen.

PART VA

SPECIAL EVENT LICENCE

Application of Part VA.
[3 of 1998].

47A. Where the provisions of this Part conflict with the provisions of any other part, the provisions of this part shall apply.

Definitions.
[3 of 1998].

47B. In this Part—

“plan” means a drawing of the premises indicating the number of rooms and facilities therein;

“premises” includes a booth erected for the purpose of selling intoxicating liquor during the celebration of a special event;

“special event” means the celebration of any event so declared by the President under section 47C(2).

Special event licence.
[3 of 1998].

47C. (1) It shall be lawful for any person to whom a special event licence is granted under this Part to sell intoxicating liquor during the celebration of a special event at the premises stipulated in the said licence between the hours and on the days specified therein.

*⁽²⁾ For the purposes of this Part, the President may by Order declare any event celebrated over a period of time to be a special event for that period of time.

47D. (1) Every person desiring to obtain a special event licence shall, within a reasonable time after the publication of the Order referred to in section 47C(2), make an application to the Licensing Authority.

Application to Licensing Authority. [3 of 1998].

(2) For the purposes of this Part, but subject to section 47G(2), the Clerk of the Peace assigned to the Magisterial District in which the premises are situated shall be the Licensing Authority.

47E. (1) Every application shall state—

- (a) the name, occupation, age and address of the applicant;
- (b) the identification number appearing on his—
 - (i) I.D. card;
 - (ii) passport; or
 - (iii) driving permit;
- (c) the precise address and location of the premises; and
- (d) the date of the special event.

Particulars to be stated in application. [3 of 1998].

(2) The premises in respect of which an application is made shall comprise an area of not more than five hundred square feet.

(3) Every application shall be accompanied by a plan of the premises together with a fee of ten dollars for each day of the special event.

* The following Legal Notices have been made under this section: 33, 164, 175, 179, 208, 213, 231 and 292/1998; 8, 47, 63, 112, 117, 133, 135, 142, 183, 185 and 230/1999; 24, 72, 92, 104, 111, 132, 156, 182, 216, 224/2000; 20, 47, 74, 87, 100, 102, 156, 162, 173, 176, 183, 195 and 197/2001; 4, 29, 35, 39, 45, 46, 74, 83, 95, 97, 113 and 114/2002; 11, 62, 74, 97, 101, 107, 114, 121, 141, 142 and 149–150/2003; 10, 70, 88, 120, 121, 223, 239, 241, 253, 269, 281, 321/2004.

Copy of application to be submitted to the Police Station. [3 of 1998].

47F. (1) A copy of the application and plan of the premises shall be submitted to the officer in charge of the Police Station within the Magisterial District in which the premises are situated.

(2) The police officer, on receipt of the copy of the application, shall acknowledge same by affixing the station stamp on the original application and certifying the receipt of the copy thereon.

(3) The officer in charge of the Police Station may object to the granting of a special event licence and his objection shall be submitted to the Licensing Authority not more than two days after the date of the receipt of the copy of the application.

Licensing Authority to grant Licence where there is no objection. [3 of 1998].

47G. (1) Where there is no objection by the police, the Licensing Authority may, within four days of the receipt of the application, grant a special event licence to the applicant in respect of the premises referred to in the application.

(2) Where an objection has been submitted by the police, the Licensing Authority shall set the matter down for hearing for the day following the day on which the objection was received and such objection shall be heard and determined by a Magistrate within a reasonable time before the day on which the special event is celebrated.

Special event licence to be in the form of occasional licence with modification. [3 of 1998].

47H. A special event licence shall be in the form of the occasional licence with the words “special event licence” substituted for the words “occasional licence”.

Restriction. [3 of 1998].

47I. (1) An applicant may not apply for more than one special event licence in respect of each special event.

(2) An applicant who contravenes subsection (1) is guilty of an offence and is liable on summary conviction to a fine of one thousand dollars.

PART VI
OFFENCES

48. (1) Save as in this Act expressly provided to the contrary, no person shall deal in, retail, sell, expose for sale, offer for sale or have in his possession or on his premises for purpose of sale, any intoxicating liquor, unless duly authorised by a licence under an Act relating to the sale of intoxicating liquor, or contrary to the terms of any such licence, or to any of the provisions of any such Act, whether specifically mentioned in any such licence or not, and any person so offending shall for each such offence incur a penalty of ten thousand dollars in the case of spirits, or five thousand dollars in any other case, and all such intoxicating liquor shall be forfeited and, if such person is the holder of a licence granted under any such Act, or, if any holder of a licence under any such Act is charged with aiding, abetting, counselling or procuring the commission of any such offence, then such holder of a licence may, on the first conviction, at the discretion of the Magistrate, and shall, on the second conviction, have his licence cancelled.

Selling intoxicating liquor without licence. [6 of 2014].

(2) Any Officer without warrant may arrest and detain any person who unlawfully deals in, retails, sells, exposes for sale or offers for sale, or has in his possession for purpose of sale in manner mentioned above any intoxicating liquor, and may take any such person so arrested and detained before a Magistrate to be dealt with according to law.

Power of arrest.

(3) If any person knowingly sells or delivers, or causes to be sold or delivered, directly or indirectly, any intoxicating liquor to the end that it may be unlawfully sold or consumed or carried into consumption, he shall, in addition to any other penalty, incur a penalty of two thousand dollars.

Selling for unlawful retail, etc.

(4) This section shall not apply in respect of the sale or supply of intoxicating liquor on the premises of any club registered under the Registration of Clubs Act.

Ch. 21:01.

49. If any person receives, buys or procures, any intoxicating liquor from a person not having authority to sell or deliver the same, he shall incur a penalty of four thousand dollars.

Unlawful purchase of spirits. [6 of 2014].

What spirits
may be received
by licensed
person.
Ch. 87:54.
[6 of 1991
6 of 2014].

50. Except as provided in section 44(3), no person licensed to sell spirits shall receive any spirits save by lawfully importing the same, or from a warehouse as defined in the Spirits and Spirit Compounds Act, or from some other person licensed to sell spirits, nor in any quantity less than 3.4 litres at a time of the same denomination from the same person, and any person who shall receive any spirits contrary to this section shall incur a penalty of five thousand dollars.

Certificate
book.
[6 of 1991
6 of 1993].

51. (1) Every person licensed to sell spirits shall, by written request and on payment of the fee referred to in subsection (1A), obtain from an Officer a certificate book containing the prescribed forms of certificates and counterfoils, for which he must give a receipt.

(1A) The fee for a certificate book is—

- (a) fifty dollars for a book containing fifty certificates; and
- (b) one hundred dollars for a book containing one hundred certificates.

(2) Before sending out or delivering any spirits in quantity not less than 4.5 litres of the same denomination at a time for the same person, he shall enter, in one of these certificates and its counterfoil, the prescribed particulars.

(3) He shall deliver the certificate with the spirits to the person in whose name the spirits are entered in the certificate or to his servant or agent.

(4) He shall use the certificates in the order in which they are numbered in the certificate book.

(5) He shall keep the certificate book in his premises open to inspection by any Officer, and shall allow any such Officer to make entry therein, or take any extract therefrom.

(6) He shall return the certificate book when it is exhausted, or on request, to the proper Officer, who shall give a receipt for it.

52. (1) Every person licensed to sell spirits shall provide himself with and keep a stock book to be obtained on application accompanied by the fee referred to in subsection (1A) to an Officer, and shall, on receiving any spirits, and also on sending out and delivering any spirits enter in his stock book the prescribed particulars.

Stock books to be kept by licensees. [6 of 1993].

(1A) The fee for a stock book is ten dollars.

(2) He shall make the entries at such times as an Officer directs, or, in the absence of any such directions, before the expiration of the day on which the spirits are received, sent out or delivered.

(3) He shall keep the stock book on his premises open to inspection by any Officer, and shall allow any such Officer to make any entry therein or take any extract therefrom.

(4) He shall keep such stock book open to such inspection for not less than twelve months after it is filled up.

53. If a licensed person—

- (a) fails to obtain, provide, keep, produce or return a certificate book, or a stock book as by this Act required, or to make therein respectively the entries by this Act required; or
- (b) hinders or obstructs any Officer in examining a certificate book or a stock book, or in making any entry therein or extract therefrom; or
- (c) cancels, alters, obliterates or destroys any part of a certificate book or a stock book or any entry therein; or
- (d) makes a false entry in a certificate book or a stock book; or
- (e) separates any certificate, or form of certificate, from its counterfoil without properly filling up the certificate and counterfoil, or except on the occasion of sending out or delivering spirits therewith; or

Offences in respect of stock and certificate books. [6 of 2014].

(f) uses the certificates otherwise than in the order in which they are numbered in the certificate book,

he shall for each offence incur a penalty of five thousand dollars.

Penalties for removal without certificate. [6 of 2014].

54. (1) If any person licensed to sell spirits sends out, delivers or receives any spirits required to be accompanied by a certificate without a certificate, or accompanied by an inaccurate certificate, he shall for each offence incur a penalty of five thousand dollars, and all spirits sent out, delivered or received in contravention of this section together with all animals, vehicles, vessels and boats made use of in conveying the same shall be forfeited.

(2) A penalty shall not be incurred under this section by reason only of the spirits being in strength not more than one per cent above or two per cent below the strength expressed in the certificate.

(3) If any question arises as to the accuracy of the description of spirits in a certificate, the proof that the spirits correspond to the description shall lie on the owner or claimant of the spirits, who shall prove the same by the oath of two credible witnesses, being skilful and experienced persons competent to decide by examination thereof.

Fraudulent use of certificates. [6 of 2014].

55. (1) If any person uses, or suffers to be used, any certificate taken from his certificate book, except for the removal of spirits from his own stock, or delivers or parts with any form of certificate without filling it up as required by this Act, he shall incur a penalty of five thousand dollars.

(2) If any person uses a certificate or form of certificate, whether filled up or not, so that the account of spirits kept or checked by an Officer, or any examination of spirits by an Officer, is or may be frustrated or evaded, he shall incur a penalty of five thousand dollars.

(3) If any person produces or suffers to be produced to any person any certificate as having been received with spirits other than those therein described, he shall incur a penalty of five thousand dollars.

(4) If any person is convicted of an offence under this section, he shall forfeit his licence.

56. (1) Every licensed person shall, on receiving spirits accompanied by a permit or certificate, immediately cancel the permit or certificate, and shall deliver the cancelled permit or certificate to the Officer who first inspects his premises after the receipt thereof.

Cancelling and delivering permits and certificates. [6 of 2014].

(2) If any person contravenes this section he shall incur a penalty of three thousand dollars.

57. (1) For the purposes of this Act, every holder of an hotel spirit licence or special hotel licence under this Act shall keep a register in which shall be entered the full names and permanent addresses of the persons lodging at his hotel, the respective dates of their arrival at and departure from the hotel and their proposed destinations on such departure. Every such register shall be kept on the licensed premises and shall be open to inspection by any Officer during such hours and on such days as the holder of the licence may lawfully sell intoxicating liquor.

Hotel keepers to maintain register of the persons lodging at their hotel. [6 of 2014].

(2) If any such holder of a licence fails to keep a register, or to make or cause to be made therein the entries required by this section, he shall for each offence incur a penalty of one thousand dollars.

(3) If any such holder of a licence, or any servant or other person in his employment, or any person by his direction, refuses or fails to produce such register as is by this section required to be kept, or knowingly makes a false entry in such register or hinders or obstructs any Officer in examining such register, he shall for each offence incur a penalty of three thousand dollars.

58. If any person is at any time found gambling in any premises licensed under this Act for the sale of intoxicating liquors by retail, the holder of the licence shall incur a penalty of one thousand dollars, unless he proves to the satisfaction of the Magistrate that such gambling was not by his permission or

Gambling. [6 of 2014].

encouragement, and was unknown to him. However, the provisions of this section shall not apply to anything done or suffered to be done under the provisions of section 20 of the Gambling and Betting Act.

Ch. 11:19.

Power to prohibit the use or possession of certain substances. [6 of 2014].

59. (1) Whenever it appears to the satisfaction of the Minister that any substance, liquor or ingredient is used or is capable of use in the preparation of, or is mixed with, any intoxicating liquor, and that such substance, liquor or ingredient is of a noxious or detrimental nature, or that the use thereof will lead to the Government's revenue of excise being prejudiced, the Minister may by Notification prohibit the use by any person of any such substance, liquor or ingredient, either entirely, or in any greater quantity or proportion than is prescribed in the Notification, in the preparation of, or mixture with, any intoxicating liquor for sale.

(2) After the coming into force of the Notification of prohibition, any person who uses, or has on his premises, any such prohibited substance, liquor or ingredient, whether mixed with intoxicating liquor or not, or, as the case may be, has such substance, liquor or ingredient mixed with liquor for sale in more than the prescribed quantity or proportion, shall incur a penalty of five thousand dollars; and any such substance, liquor or ingredient, and also the intoxicating liquor in the preparation whereof any such substance, liquor or ingredient may have been mixed or used, shall be forfeited.

(3) The provisions of this section shall apply to any licensed person, and also to any distiller, compounder or brewer licensed under any Act.

Sale of intoxicating liquor to children. [2 of 2002 6 of 2014].

60. (1) A person who knowingly sells or allows another person to sell intoxicating liquor to a child under the age of eighteen years, whether for the child's own use or not, commits an offence and is liable on summary conviction for a first offence to a fine of seven thousand, five hundred dollars, and in the case of a second offence to a fine of ten thousand dollars, and to a term

of imprisonment for one year and in the case of a third or subsequent offence to a fine of fifteen thousand dollars and to a term of imprisonment for two years.

(2) A licence granted or transferred to or renewed in favour of a person convicted under subsection (1), shall be suspended for a period of one year in the case of a first or second offence and revoked in the case of a third offence.

(3) A person who is licensed under this Act to sell intoxicating liquor shall cause to be displayed at all times, in a prominent place in that part of the premises where the liquor is offered for sale, a sign, written in large, bold, legible, upper case characters, that reads as follows:

“THE SALE OF INTOXICATING LIQUOR TO INDIVIDUALS UNDER THE AGE OF EIGHTEEN YEARS IS PROHIBITED.”

(4) A person who fails to comply with subsection (3) commits an offence and is liable on summary conviction to a fine of one thousand dollars.

61. Any licensed person, or any person assisting in the business under the licence, who permits drunkenness or any violent, quarrelsome or disorderly conduct to take place on the licensed premises, or sells intoxicating liquor to any drunken person, shall incur a penalty of one thousand dollars.

Licensed person permitting disorder on premises. [6 of 2014].

62. (1) Any licensed person may refuse to admit to, and may turn out of, the premises in respect of which his licence is granted any person who is drunken, violent, quarrelsome or disorderly, or who is suffering from any communicable disease, or whom he finds gambling on the premises, and any other person whose presence on his premises would subject him to a penalty.

Removal of disorderly person. [6 of 2014].

(2) Any such person who, upon being requested in pursuance of this section by such licensed person, or his servant, or a member of his family, or any Officer, to quit such premises, refuses or fails so to do, shall incur a penalty of two thousand

dollars; and all constables are required, on the demand of such licensed person, agent or servant, to expel or assist in expelling every such person from such premises, and may use such force as may be required for that purpose.

Closing premises in case of riot.

63. (1) Any Magistrate or any two Justices acting for any district or place where any riot or tumult happens or is expected to happen, may order every licensed person in or near the place where such riot or tumult happens or is expected to happen, to close his premises during any time specified in the order.

(2) Any person who keeps open his premises for the sale of intoxicating liquors during any time at which he has been ordered under this section to close them, shall incur a penalty of two thousand dollars, and his licence may be cancelled at the discretion of the Magistrate convicting him; and any person acting by order of any Magistrate or Justice may use such force as may be necessary for the purpose of closing such premises.

Wine retailer or wine merchant keeping spirits. [6 of 2014].

64. Any licensed wine retailer or wine merchant who has in his possession in any part of the licensed premises any spirits, shall forfeit such spirits and the vessels containing the same, and shall incur a penalty of five thousand dollars.

PART VII

POWERS OF OFFICERS AND LICENSING COMMITTEES

Officers may enter licensed premises.

65. Any Officer may at any time enter into any house, premises, building, room or other place, entered, licensed, or used for the keeping, storing or selling of intoxicating liquors and examine any intoxicating liquor found therein, and may search for and take samples of any such intoxicating liquors, paying for any samples the usual price, and may inspect all books, invoices, permits and certificates relating to the trade, and may also search for and seize any intoxicating liquor for the sale of which a licence is not held.

Penalty for obstruction, etc. [6 of 2014].

66. Any person in the occupation of any house, premises, building, room or other place, or any servant or other person in

his employment, or any person by his direction who refuses or fails to admit any such Officer into or upon such house, premises, building, room or other place, or wilfully impedes, resists or obstructs such Officer in such inspection, shall incur a penalty of one thousand dollars.

67. (1) If upon information given on oath it appears to any Justice that there is reasonable cause for suspecting that any intoxicating liquor is kept for the purpose of sale by any person not duly licensed in that behalf, or by any licensed person in any premises not specified in his licence, or in any manner not authorised by his licence, such Justice may by warrant under his hand directed to any Officer, authorise such Officer to enter and search such premises, and, by the said warrant, may, if he thinks fit, specially authorise such Officer to enter and search such premises at any time of the day or night, and, moreover, if he thinks fit, may specially authorise such Officer, with or without assistance, to break open or otherwise use force in order to effect an entry to such premises.

Officer may enter suspected premises.
[6 of 2014].

(2) If, upon search under this section, any such intoxicating liquor, or any vessel used for holding or measuring the same is found, the Officer executing the warrant may take possession of and secure such liquor or vessel; and he may apprehend and bring before a Magistrate, not only the person in whose premises the same are found, but also every other person found in such premises, who appears to have been employed or assisting in the selling of intoxicating liquor, and unless it appears to such Magistrate that such intoxicating liquor was not deposited for the purpose of being sold in such premises, the person in whose premises such intoxicating liquor is found, and every person so appearing to have been employed or assisting in the selling thereof in such premises, shall incur a penalty of five thousand dollars.

(3) All intoxicating liquor found on any search under this section together with all vessels used for holding or measuring the same, or in any way in and about the selling thereof shall, upon any conviction in respect thereof, be forfeited to the State.

(4) Every warrant under this section shall remain in force for one month from the date thereof, and it shall be no defence to any charge that the liquor found on the premises was deposited or brought thereon after the issue of the warrant.

Powers of Officers as to sampling, etc.

68. Any Officer shall at all times, in relation to intoxicating liquors and to any substance, liquor, or ingredient which may be mixed with intoxicating liquors, and the use or possession of which shall have been prohibited by the Minister, have the same powers as if he had been one of the functionaries mentioned in section 20 of the Food and Drugs Act.

Ch. 30:01.

Members of licensing committees may enter licensed premises. [6 of 2014].

69. (1) Any member of a licensing committee may at any time enter into any premises in respect of which an application for a licence for the sale of intoxicating liquors, wine or beer or for a renewal of such a licence has been made and inspect such premises for the purpose and the advisability of granting or renewing the licence.

(2) If any person in occupation of such premises, or any servant or other person in his employment, or any person by his direction, refuses or fails to admit any such member into such premises, or wilfully impedes, restricts or obstructs such member in his inspection, he shall incur a penalty of one thousand dollars.

PART VIII

PROCEDURE

Procedure.

70. Subject to the express provisions of any Excise Act, any offence under this Act may be prosecuted, and any penalty or forfeiture incurred may be sued for, prosecuted and recovered in the manner provided by the Summary Courts Act on the complaint of any Officer.

Ch. 4:20.

Mode of describing offence of unlicensed sale.

71. In the recovery of any penalty under this Act for selling or supplying on sale intoxicating liquors without a licence or in a manner unauthorised by a licence, it shall be sufficient to allege that the defendant sold either beer, spirits or wine, without having in force a licence authorising him so to do; and it shall not be necessary further or otherwise to describe the offence.

72. (1) In proving the sale of intoxicating liquor it shall not be necessary to show that any money actually passed, if the Magistrate be satisfied that a transaction in the nature of a sale took place.

Evidence of sale or consumption of intoxicating liquors.

(2) In proving consumption of intoxicating liquor, it shall be sufficient to show that consumption was about to take place.

(3) Proof of consumption or intended consumption of intoxicating liquor on licensed premises by some person, other than the occupier or a member of his family or a servant in such premises, shall be evidence that such liquor was sold to the person consuming or carrying away or being about to consume or carry away the same.

73. (1) Where a trade or business for the carrying on of which a licence is required under any Excise Act is carried on without licence by a partnership or by a company the partners or the company, as the case may be, and also the directors or members of the governing body of the company by whatever name called, or any of them, shall be liable to all fines and penalties imposed by any Excise Act in relation to the trade or business so carried on.

Liability of partners, etc., for unauthorised sale.

(2) If any intoxicating liquor, for the sale of which a licence is required, is sold in any premises by any person who is unknown or is not licensed for that purpose, the occupier of the premises, if privy or consenting to the sale, shall be deemed to be the seller of the same, and if such sale is not authorised by a licence, shall be liable to the penalties imposed by this Act in respect of such sale.

Liability of occupier for unauthorised sales.

74. Where a pecuniary penalty is imposed by this Act the Magistrate shall, notwithstanding the provisions of section 68(2) of the Interpretation Act, impose the full penalty in any case for a third or subsequent offence, or for any offence committed by a person who has previously been licensed and whose licence has been cancelled.

Penalties.
Ch. 3:01.

PART IX

GENERAL

Signboards.
[6 of 2014].

75. (1) Every licensed person shall paint or place and fix or cause to be painted or placed and fixed upon the outside of the front of his premises, in letters publicly visible and legible and of the size and colour prescribed, his full name, and also, where the trade is carried on by a company, the name of the company, and after the name the word “licensed” adding thereto the words necessary to express the trade for which the licence has been granted.

(2) If any person does not paint or place and fix such letters as mentioned above, or does not keep the same so painted or placed and fixed, he shall incur a penalty of five thousand dollars.

(3) If any person puts or has any such letters as mentioned above upon his premises falsely importing that he is licensed to carry on any such trade, or that he is licensed to carry on any trade other than that which he is in truth licensed to carry on, he shall incur a penalty of ten thousand dollars.

Persons
licensed to
make entry.
[6 of 2014].

76. (1) Every person licensed under this Act, except in the case of licences granted under sections 44 and 45, shall in accordance with the prescribed regulations and in the prescribed form, make with an Officer, entry in duplicate in writing signed by him of every house, building, room and of every fixed cask, vessel or utensil intended to be used by him for the keeping or storing of or dealing in or retailing of intoxicating liquor.

(2) One copy of every such entry shall be given to the Officer by the licensed person and the other copy thereof shall be retained by the licensed person and shall be produced by him on the demand of an Officer.

(3) Any person who—

- (a) commences or carries on business without making such entry;
- (b) includes in such entry any part of any premises not bona fide occupied by him for the purposes of his business; or

(c) fails or refuses to produce the copy of such entry so retained by him on the demand of an Officer, shall incur a penalty of three thousand dollars.

77. Nothing in this Act shall be deemed to impose any penalty—

Soliciting or taking orders for goods, etc.

- (a) on any person in the employment of any licensed person soliciting or taking orders for intoxicating liquor to be sold by the employer in the manner authorised by any Act regulating his trade; or
- (b) on any person certified under the hand of the Comptroller to be the travelling agent of some person resident outside Trinidad and Tobago soliciting or taking orders for the supply of intoxicating liquor by such person resident outside Trinidad and Tobago to any licensed person or registered club within Trinidad and Tobago; or
- (c) on any auctioneer selling, or offering for sale, by auction, any intoxicating liquor on behalf of a licensed person on the licensed premises of such person, or, subject to the express permission in writing of the Comptroller, any intoxicating liquor legally and bona fide purchased by an unlicensed person for his own domestic consumption, on behalf of such person; or
- (d) subject to the express permission in writing of the Comptroller, on any unlicensed person selling any intoxicating liquor that has been legally and bona fide purchased by him for his own domestic consumption; or
- (e) on any bailiff, auctioneer or other person selling, or offering for sale, by auction, any intoxicating liquor seized under or by virtue of any warrant of distress issued by a competent authority, or under any Customs or Excise Act; or
- (f) on any person selling or offering for sale any intoxicating liquor certified by the Comptroller to

be unfit for consumption as a beverage and used solely as a flavouring agent, provided the same is sold under a trade name and in the original containers as supplied by the manufacturers.

Exceptions. **78.** Nothing herein contained shall be construed to make illegal any sale or delivery of or dealing in any intoxicating liquors by a licensed distiller or licensed compounder or licensed brewer in the manner authorised by any Act regulating the trade of such person.

Medicines. **79.** Nothing contained herein shall be construed to make illegal any lawful dispensing of spirits in the preparation of medicines, or any sale or delivery of a bona fide medicine or medicinal or toilet preparation.

Action to recover debts for intoxicating liquor. **80.** No action or suit shall be maintainable to recover any debt or sum of money alleged to be due in respect of the sale of any intoxicating liquor which was delivered for consumption on the premises where sold or supplied.

Supply on premises compulsory. **81.** Subject to the provisions of section 62(1), no holder of a spirit or wine retailer's licence may refuse to supply spirits, wine or beer for consumption on the licensed premises on the demand of any person at any hour at which the same may lawfully be supplied unless he has reasonable grounds for believing that such person is likely under the influence of intoxicating liquor to behave in an unseemly or objectionable manner.

Rewards. **82.** The Comptroller may, with the approval of the Minister, reward any person who informs him of any offence against this Act, or assists in the recovery of any fine or penalty.

Regulations and forms. **83.** The Comptroller may, with the approval of the Minister, make Regulations—

- (a) for the conduct of business in his department under the provisions of this Act;
- (b) prescribing forms to be used in respect of any application, certificate, notice, licence or other

- document relating to any matter or thing to be done under the provisions hereof, including the forms to be used in respect of any application to the licensing committee at licensing sessions; and
- (c) prescribing any matter which is to be or may be prescribed under the provisions of this Act.

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

Regulations to give effect to section 21A. [13 of 1997].

84. The duties and fees chargeable under this Act, and specified in the Second Schedule, may at any time be varied by Order of the Minister, subject to affirmative resolution of Parliament.

Duties may be altered by resolution. Second Schedule.

85. All evidence given before a licensing committee under this Act shall be on oath which the committee or any member thereof is hereby authorised to administer.

Evidence to be on oath.

86. Where licensed premises have been destroyed or have ceased to be used for the purpose for which they were licensed, the licensee may, on the certificate of the Comptroller, be granted a refund of a proportionate part of the licence duty paid in respect of his licence as follows:

Refund of licensed duty.

- (a) if the premises have been destroyed or have ceased to be used as mentioned above during the first quarter of the year, three-fourths of the licence duty;
- (b) if the premises have been destroyed or have ceased to be used as mentioned above during the second quarter of the year, one half of the licence duty;
- (c) if the premises have been destroyed or have ceased to be used as mentioned above during the third quarter of the year, one quarter of the licence duty.

87. Any person to whom a licence has been granted under this Act may surrender the same to the authority by whom it was issued.

Surrender of licence.

Section 2.
[6 of 1991].

FIRST SCHEDULE

TOWNS

ST. JOSEPH	... ..	<p>St. Joseph bounded as follows:</p> <p><i>North and East</i>—By the St. Joseph River.</p> <p><i>South</i>—By the Eastern Main Road.</p> <p><i>West</i>—By a straight line running from the culvert on the Eastern Main Road near the entrance to the old Railway Station in a northerly direction to the ford of the St. Joseph River on the road to Maracas nearest to the Town of St. Joseph.</p>
ARIMA	... ..	<p>The boundaries of the Borough of Arima shall be as defined from time to time under the Public Health Ordinance.</p>
TUNAPUNA	... ..	<p>Tunapuna bounded as follows:</p> <p><i>North</i>—Northern boundary of Chinab's land and a line running due East and West from that line.</p> <p><i>South</i>—Old Railway line.</p> <p><i>East</i>—Back Street (East) and a line running due North and South from that street.</p> <p><i>West</i>—The boundary of the area formerly known as St. Joseph's Ward.</p>
PRINCES TOWN	... ..	<p>Princes Town bounded as follows:</p> <p><i>North</i>—By the southern boundary of the Malgretoute Estate from the point where it leaves the eastern boundary of the Cedar Hill Estate to the old Ciperro Tram line, thence along the old Ciperro Tram line to the Glenroy Estate boundary on the Naparima-Mayaro Road, thence along the southern boundary of the Glenroy Estate to the north-western corner of the Birken Hill Estate which now forms part of Buen Intento Estate.</p> <p><i>East</i>—By the western boundary of the said Birken Hill Estate to the north-western corner of the Knolly's Recreation Ground, thence along the northern and eastern boundaries of Knolly's Recreation Ground and the southern boundary of the said Birken Hill Estate to the western boundary of the Craignish Estate and along the western boundary of the said Craignish Estate to the</p>

Ch. 12, No. 4.
(1950 Ed.).

Naparima-Mayaro Road and along that road in a south-westerly direction to the western boundary of the Broomage Estate and along that boundary to where it meets the eastern boundary of the Lothians Estate, thence in a straight line running in a more or less south-westerly direction to the south-eastern corner of the Navette public burial ground.

South—By the northern boundary of the Lothians Estate from the south-eastern corner of the Navette public burial ground to the south-eastern corner of the Cedar Hill Estate.

West—By the eastern boundary of the Cedar Hill Estate from its south-eastern corner to the point where it meets the southern boundary of the Malgretoute Estate.

COUVA Couva bounded as follows:

North—By a line parallel to the Couva Main Road running from the Waterloo Road to the north-western corner of the Anglican Church Lands, then running along the northern boundary of the Anglican Church Lands to the north-eastern corner of the said lands, thence in a straight line to the north-western corner of the Glebe Lands, 2.5 hectares, thence in an easterly direction along the northern boundary of the Glebe Lands crossing Carlos Street to a point on the eastern boundary of an estate trace; thence in a northerly direction along the eastern boundary of the said trace to a point at its intersection with the southern boundary of the so called Perseverance-Exchange Road, thence easterly along the southern boundary of the said road to the junction of Exchange Road, thence in a general southerly direction along the western boundary of the said road to the north-eastern corner of the parcel of land now or formerly owned by H. L. Jobity, thence in a due East direction crossing the Exchange Road and the former Trinidad Government Railway line to a point on the western boundary of the Southern Main Road.

East—By the Southern Main Road, Isaac Street and a due South line from the southern end of Isaac Street to the Couva River.

South—By a due West line running from the southern extremity of the eastern boundary on the Couva River to a point lying due South of the junction of the Couva River and Waterloo Roads.

West—By the Waterloo Road and by a line running due South from the junction of this road with the Couva River Road to the western end of the southern boundary.

Ch. 12. No. 4. (1950 Ed.). SCARBOROUGH ... Scarborough as defined from time to time under the Public Health Ordinance.

SANGRE GRANDE Sangre Grande bounded as follows:

North—A line drawn from the north-eastern boundary of block of 6.2 hectares of land, the property of the heirs of C. F. Sellier, crossing the Warner or Cuare Road and running in a westerly direction along the northern boundary of the said block and the northern boundary of lands of Rampersad, Jeebodh and Sookaie to the Picton Trace.

South—The Cunapo River.

East—A line drawn from the Cunapo River along the eastern boundary of a four-hectare block of land formerly the property of A. Brooks, now of the heirs of C. F. Sellier crossing the Sangre Grande-Oropouche Road and along the eastern boundary of a 2.4-hectare block of land formerly the property of P. Ojoe, now of the heirs of C. F. Sellier and thence in a northerly direction to the northern boundary of the lands of J. Ojoe now F. Cumberbatch, thence in a westerly direction to the south-eastern corner of a 1.3-hectare block of land the property of the heirs of C. F. Sellier, thence running North along the eastern boundary of the said 1.3-hectare block of land and lands of M. Warner now of Philip Acham and lands of heirs of C. F. Sellier (6.2 hectares) to the north-eastern boundary of the said block of land.

West—A line drawn along the Picton Trace to the Eastern Main Road, and thence in a straight line running South to the Cunapo River.

MORVANT ... All that area of Morvant in the St. Ann's Ward in the County of St. George bounded by the perimeter of a circle the radius of which is 800 metres and of which the centre is located at a point 807 metres North and 71 metres East of the trigonometrical station numbered 653 and named "Success" in the records of the Lands and Surveys Department.

AREA That portion of the Ward of St. Ann's in the County of St. George bounded as follows:

By a line commencing at a point on Saddle Road, Port-of-Spain, at the junction of the northern boundary of the City of Port-of-Spain and the boundary between the Wards of St. Ann's and Diego Martin proceeding thence in a northerly direction along the last named boundary to the point of its intersection with the 92.5 kilometres east-west grid line of the Trinidad system of map co-ordinates; thence due West along the said 92.5 kilometres grid line to a point due North of the centre of the bridge known as Knightsbridge which crosses the Cascade River; thence due South to a point in the centre of the said bridge known as Knightsbridge; thence in a straight line to the most easterly point on the northern boundary of the City of Port-of-Spain situate about 107 metres North of Belmont Valley Road; thence in a westerly direction along the northern boundary of the City of Port-of-Spain to the point of commencement. The boundaries hereinbefore described are delineated and shown coloured blue on a plan numbered F.E. 23 and lodged for record in the office of the Director of Surveys at Government Buildings, Port-of-Spain.

SECOND SCHEDULE

[8 of 1996].

DUTIES

Spirit Retailer's Licence	For Port-of-Spain and within 800 m thereof	\$4,500 a year or, if permitted under section 15, \$1,237.50 per quarter
Spirit Retailer's Licence	For San Fernando and within 800 m thereof	\$4,500 a year or, if permitted under section 15, \$1,237.50 per quarter
Spirit Retailer's Licence	For any other town and within 800 m thereof (except that portion of Morvant which lies within 800 m of Port-of-Spain)	\$3,375 a year or, if permitted under section 15, \$900 per quarter

SECOND SCHEDULE—Continued**DUTIES—Continued**

Spirit Retailer's Licence	Elsewhere	...	...	\$1,800 a year or, if permitted under section 15, \$525 per quarter
Wine Retailer's Licence	For Port-of-Spain		...	\$1,125 a year
Wine Retailer's Licence	For San Fernando		...	\$1,125 a year
Wine Retailer's Licence	Elsewhere	...	...	\$337.50 a year
Hotel Spirit Licence	Hotels with up to 15 bedrooms			\$2,250 a year
Hotel Spirit Licence	Hotels with 16 to 49 bedrooms			\$2,250 a year
Hotel Spirit Licence	Hotels with 50 to 150 bedrooms			\$2,250 a year
Hotel Spirit Licence	Hotels with more than 150 bedrooms			\$2,700 a year
Special Hotel Licence	Hotels with up to 15 bedrooms			\$4,500 a year
Special Hotel Licence	Hotels with 16 to 49 bedrooms			\$5,625 a year
Special Hotel Licence	Hotels with 50 to 150 bedrooms			\$6,750 a year
Special Hotel Licence	Hotels with more than 150 bedrooms			\$9,000 a year
Restaurant Licence	For Port-of-Spain		...	\$3,375 a year
Restaurant Licence	For San Fernando		...	\$3,375 a year
Restaurant Licence	Elsewhere	...	...	\$2,250 a year
Special Restaurant Licence	For Port-of-Spain and within 800 m thereof			\$4,500 a year
Special Restaurant Licence	For San Fernando and within 800 m thereof			\$4,500 a year
Special Restaurant Licence	Elsewhere	...	...	\$3,375 a year

<i>Liquor Licences</i>		Chap. 84:10	57
Night Bar Licence	For Port-of-Spain and within 800 m thereof		\$6,750 a year
Night Bar Licence	For San Fernando and within 800 m thereof		\$5,625 a year
Night Bar Licence	Elsewhere	... ..	\$4,500 a year
Transfer fee under section 31	... ..		\$34.50
Transfer fee under section 32	... ..		\$45.00
Occasional Licence under section 40 or under section 44	... ..		\$450.00
Spirit Grocer's Licence	For Port-of-Spain	...	\$4,500 a year or, if permitted under section 15, \$1,237.50 per quarter
Spirit Grocer's Licence	For San Fernando	...	\$4,500 a year or, if permitted under section 15, \$1,237.50 per quarter
Spirit Grocer's Licence	Elsewhere	... ..	\$1,800 a year or, if permitted under section 15, \$525 per quarter
Spirit Dealer's Licence	... ..		\$2,700 a year
Wine Merchant's Licence	... ..		\$675 a year

THIRD SCHEDULE

(The Third Schedule was repealed by Act No. 18 of 1984)

SUBSIDIARY LEGISLATION

195/1955.
[6 of 1991].

LIQUOR LICENCES REGULATIONS

made under section 83

Citation.

1. These Regulations may be cited as the Liquor Licences Regulations.

Signboard
requirements.

2. The size and colour of each letter of the sign board required under the provisions of section 75 of the Act shall be as follows:

size — not less than fifty millimetres in height and not less than 6 millimetres in thickness;

colour — white on a black ground, or black on a white ground.

Entry of
premises.

3. With respect to entry as required by section 76 of the Act the following provisions shall have effect:

(a) entry of premises shall be made immediately upon the request of an Officer on forms supplied by him for the purpose;

(b) every such entry shall be made legibly in ink;

(c) every room, fixed cask, vessel or utensil referred to in such entry shall be marked by cutting, painting or branding thereon to the satisfaction of the proper Officer a distinguishing letter or number, and shall be referred to in the entry by such letter or number as well as by its general description.

Forms.
Schedule.

4. The forms contained in the Schedule to these Regulations, are prescribed for use in respect of any application, certificate, notice, licence or other document required by the Act to which they respectively relate.

SCHEDULE

[6 of 1991].

No.

REPUBLIC OF TRINIDAD AND TOBAGO

**NOTICE OF APPLICATION FOR A LICENSING COMMITTEE'S
CERTIFICATE FOR THE ISSUE OF A NEW LICENCE**

(The Liquor Licences Act)

To the Licensing Committee for the Licensing District of

I, *(a)* *(b)*

of *(c)*..... do hereby apply for a certificate authorising

me to obtain a new *(d)* licence in respect of premises

situated at *(e)*

I hereby enclose a plan of the premises in respect of which application is made
and the prescribed fee of five dollars.

Dated this day of 20.....

.....
*Signature of Applicant or
Authorised Agent.*

- (a)* Insert name
- (b)* Insert occupation
- (c)* Insert residence
- (d)* Insert nature of licence applied for
- (e)* Insert precise situation of premises.

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Liquor Licences

[Subsidiary]

Liquor Licences Regulations

No.

REPUBLIC OF TRINIDAD AND TOBAGO

NOTICE OF APPLICATION FOR A LICENSING COMMITTEE'S
CERTIFICATE FOR THE RENEWAL OF A LICENCE

(The Liquor Licences Act)

To the Licensing Committee for the Licensing District of

I, (a) (b)

of (c) do hereby apply for a certificate authorising
me to obtain a renewal of a (d) licence in respect of
premises situated at (e)

Dated this day of 20.....

.....
*Signature of Applicant or
Authorised Agent.*

- (a) Insert name
- (b) Insert occupation
- (c) Insert residence
- (d) Insert nature of licence
- (e) Insert precise situation of premises.

No.

REPUBLIC OF TRINIDAD AND TOBAGO

**NOTICE OF APPLICATION FOR TRANSFER OF A LICENCE FROM
ONE PERSON TO ANOTHER**

(The Liquor Licences Act)

Licensing District

To the Secretary, Licensing Committee of the above Licensing District

I, (a) (b)

of (c) do hereby

give notice that by reason of the bona fide assignment or transfer

by (d) the present holder, to me of the licensed

business and with the consent of the said (d)

it is my intention to apply to the Licensing Committee at

..... on the day of 20.....

for a transfer to me of the (e)

licence now held by (d) in respect of premises

situated at (f)

Dated thisday of20.....

.....
*Signature of Applicant or
Authorised Agent.*

- (a) Insert name
- (b) Insert occupation
- (c) Insert residence
- (d) Insert name of present licence
- (e) Insert nature of licence
- (f) Insert precise situation of premises.

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Liquor Licences

[Subsidiary]

Liquor Licences Regulations

No.

REPUBLIC OF TRINIDAD AND TOBAGO

NOTICE OF APPLICATION FOR TRANSFER OF A LICENCE TO OTHER PREMISES

(The Liquor Licences Act)

To the Secretary, Licensing Committee of

I, (a).....(b) of (c)

do hereby give notice that it is my intention to apply to the Licensing Committee

at on the day

of 20..... for a transfer of the (d)

licence now held by me in respect of premises situated at (e)

..... to other premises within this same district at

(f)

Dated this day of 20.....

..... Signature of Applicant or Authorised Agent.

- (a) Insert name
(b) Insert occupation
(c) Insert residence
(d) Insert nature of licence
(e) Insert precise situation of premises
(f) Insert precise situation of proposed premises.

No.

REPUBLIC OF TRINIDAD AND TOBAGO

**CERTIFICATE GRANTING AUTHORITY FOR THE ISSUE OR
RENEWAL OF A LICENCE**

(The Liquor Licences Act)

Licensing District of

At the Licensing Session holden at the

Licensing Area in the above-mentioned Licensing District, on the

day of 20..... We, the undersigned, being the Licensing Committee

for the District, do hereby grant authority for the issue to (a)

of (b)* new/renewal of a

licence at his premises situated at (d)

This authority shall continue in force until the thirty-first day of March, 20.....

Witness our hands

Dated this day of..... 20.....

.....Chairman

.....Member

.....Member

Licensing Committee

*Delete which is not applicable.

(a) Insert name of licensee

(b) Insert residence of licensee

(c) Insert nature of licence

(d) Insert precise situation of premises.

Note: This authority and the proper amount of licence duty must be produced to

the

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Liquor Licences Regulations

No.

REPUBLIC OF TRINIDAD AND TOBAGO

ENTRY OF PREMISES

(The Liquor Licences Act)

I, (a)
residing at (b)
being the holder of a (c) Licence issued under the Liquor
Licence Act, do hereby make entry of the premises bona fide occupied by me
for the purpose of such trade as follows: (d)
.....
.....
.....
.....
.....

and do hereby further make entry of the fixed casks, vessels and utensils
intended to be used by me in connection with the said trade for the purposes
hereinafter respectively set out namely—

Description and situation Purpose for which intended
of fixed casks, etc. to be used

- (a) Insert name
(b) Insert residence
(c) Insert nature of licence held
(d) Insert precise description and situation of the premises
including particulars and numbers of the different buildings,
rooms, etc.

Witness my hand this day of 20.....
Signature of licensee
In the presence of
(Signature of Witness)

Received by me and acknowledged this day of
20.....

.....
Officer of Customs and Excise

No.

REPUBLIC OF TRINIDAD AND TOBAGO

SPIRIT RETAILER'S LICENCE

(The Liquor Licences Act)

Licensing District of

..... of

(Name)

(Address)

is hereby granted a Spirit Retailer's Licence in respect of premises situate
at which shall

be valid from the day of the date hereof until the
next ensuing.

The sum of has been paid for this Licence.

Dated this day of 20.....

.....

Comptroller of Customs and Excise

.....

Authorised Officer

\$

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Liquor Licences

[Subsidiary]

Liquor Licences Regulations

No.

REPUBLIC OF TRINIDAD AND TOBAGO

HOTEL SPIRIT LICENCE

(The Liquor Licences Act)

Licensing District of

..... of

(Name)

(Address)

being the Keeper of an hotel known as

in premises situated at

is hereby granted an Hotel Spirit Licence in respect of the said premises, which

shall be valid from the day of the date hereof until the 31st March next ensuing.

The sum of has been paid for this Licence.

Dated this day of 20.....

.....
Comptroller of Customs and Excise

.....
Authorised Officer

\$

No.

REPUBLIC OF TRINIDAD AND TOBAGO

WINE RETAILER'S LICENCE

(The Liquor Licences Act)

Licensing District of.....

..... of

(Name)

(Address)

is hereby granted a Wine Retailer's Licence in respect of premises situated at

..... which

shall be valid from the day of the date hereof until the 31st March next ensuing.

The sum of has been paid for the Licence.

Dated this day of 20.....

.....
Comptroller of Customs and Excise

.....
Authorised Officer

\$

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Liquor Licences Regulations

No.

REPUBLIC OF TRINIDAD AND TOBAGO

SPECIAL HOTEL LICENCE

(The Liquor Licences Act)

Licensing District of.....

..... of
(Name) (Address)

being the occupier of an hotel known as

in premises situate at

is hereby granted a Special Hotel Licence in respect of the said premises which shall be valid from the day of the date hereof until the 31st March next ensuing.

The sum ofhas been paid for this Licence.

Dated this..... day of..... 20.....

.....
Comptroller of Customs and Excise

.....
Authorised Officer

\$

No.

REPUBLIC OF TRINIDAD AND TOBAGO

RESTAURANT LICENCE

(The Liquor Licences Act)

Licensing District of.....

..... of

(Name)

(Address)

being the Keeper of a restaurant known as

in premises situated at is

hereby granted a Restaurant Licence in respect of the said premises which shall be valid from the day of the date hereof until the 31st March next ensuing.

The sum of has been paid for this Licence.

Dated this day of 20.....

.....
Comptroller of Customs and Excise

.....
Authorised Officer

\$

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Liquor Licences

[Subsidiary]

Liquor Licences Regulations

No.

REPUBLIC OF TRINIDAD AND TOBAGO

SPECIAL RESTAURANT LICENCE

(The Liquor Licences Act)

Licensing District of.....

..... of

(Name)

(Address)

being the Keeper of a restaurant known as

in premises situated at

is hereby granted a Special Restaurant Licence in respect of the said premises which shall be valid from the day of the date hereof until the 31st March next ensuing.

The sum of has been paid for this Licence.

Dated this..... day of..... 20.....

.....
Comptroller of Customs and Excise

.....
Authorised Officer

\$

No.

REPUBLIC OF TRINIDAD AND TOBAGO

NIGHT BAR LICENCE

(The Liquor Licences Act)

Licensing District of

..... of

(Name)

(Address)

being the Keeper of premises known as

situated at

is hereby granted a Night Bar Licence in respect of the said premises which shall be valid from the day of the date hereof until the 31st March next ensuing.

The sum of has been paid for this Licence.

Dated this..... day of 20.....

.....
Comptroller of Customs and Excise

.....
Authorised Officer

\$

No.

REPUBLIC OF TRINIDAD AND TOBAGO

CERTIFICATE OF APPROVAL OF OCCASIONAL LICENCE

(The Liquor Licences Act)

Police Division of.....

I hereby certify that I approve of the issue of an Occasional Licence to of to sell intoxicating liquor at an entertainment conducted by (name of association)

for the purpose of the association.

The entertainment shall be limited to the period commencing at..... a.m./p.m. on the day of, 20 and ending at a.m./p.m. on the day of, 20.....

This certificate is issued subject to the following conditions:

- (1) The provisions of the Liquor Licences Act, and in particular of section 44 thereof, shall be strictly observed.
*(2) The said not being a licensed grocer or retailer of spirits, wine, or beer he shall obtain all the intoxicating liquor to be supplied at such entertainment from a licensed grocer or retailer not earlier than the day of the entertainment and shall return any balance unused into the stock of the supplier within forty-eight hours of the conclusion of the entertainment.
(3) The account showing the cost of all intoxicating liquor supplied under the licence, the amounts received from the sale thereof and the particulars of the intoxicating liquor unsold and returned to the supplier shall be furnished to the undersigned First Division Police Officer within three days of the conclusion of the entertainment.

Liquor Licences

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Liquor Licences Regulations

[Subsidiary]

(4)

(5)

(6)

.....

Signature and Rank of Officer

Dated this day of, 20.....

*Delete if not applicable.

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Liquor Licences

[Subsidiary]

Liquor Licences Regulations

No.

REPUBLIC OF TRINIDAD AND TOBAGO

OCCASIONAL LICENCE TO SPIRIT RETAILER

(The Liquor Licences Act)

Licensing District of

I, the undersigned Magistrate, as Chairman of the Licensing Committee for the above-mentioned Licensing District, hereby grant an Occasional Licence to , Spirit Retailer, to carry on his trade in a at from a.m./p.m. on the day of20....., to a.m./p.m. on the day of20....., on the occasion of.....

The sum of has been paid for this Licence.

Dated at this day of 20.....

.....

Magistrate,

Chairman, Licensing Committee

\$

No.

REPUBLIC OF TRINIDAD AND TOBAGO

OCCASIONAL LICENCE FOR APPROVED ENTERTAINMENT

(The Liquor Licences Act)

Licensing District of.....

I, the undersigned Magistrate, as Chairman of the Licensing Committee for the above-mentioned Licensing District, hereby grant an Occasional Licence to (a) of (b) to sell spirits, wine and beer at (c) on the occasion of an entertainment conducted for the purpose of (d)

This Licence is issued subject to the following conditions:

(1) It shall have effect from a.m./p.m. on the day of....., 20, until a.m./p.m. on the day of....., 20.....

(2) The provisions of section 44 of the Liquor Licences Act, shall be strictly observed.

(3) No liquor shall be disposed of at the entertainment except for consumption by persons during and at the place of the entertainment.

(4) All conditions prescribed by the Certificate of approval of the First Division Police Officer hereto attached shall be complied with.

Dated at this day of 20.....

.....
Magistrate,
Chairman, Licensing Committee

- (a) Name of person specified in the Certificate of approval of the First Division Police Officer.
- (b) Address of person specified in the Certificate of approval of the First Division Police Officer.
- (c) Here state the precise description of premises or place at which the sale is to take place.
- (d) Here give the name of the association for the purposes of which the entertainment is to be conducted.

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Liquor Licences

[Subsidiary]

Liquor Licences Regulations

No.

REPUBLIC OF TRINIDAD AND TOBAGO

SPIRIT GROCER'S LICENCE

(The Liquor Licences Act)

Licensing District of

..... of is
(Name) (Address)

hereby granted a Spirit Grocer's Licence in respect of the premises situated at
.....which shall be valid
from the day of the date hereof untilnext ensuing.

The sum of has been paid for this Licence.

Dated this day of 20.....

.....
Comptroller of Customs and Excise

.....
Authorised Officer

\$

No.

REPUBLIC OF TRINIDAD AND TOBAGO

SPIRIT DEALER'S LICENCE

(The Liquor Licences Act)

Licensing District of

..... of
(Name) *(Address)*

is hereby granted a Spirit Dealer's Licence in respect of the premises situated at which shall be valid from the day of the date hereof until the 31st March next ensuing.

The sum of has been paid for this Licence.

Dated this day of 20.....

.....
Comptroller of Customs and Excise

.....
Authorised Officer

\$

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Liquor Licences

[Subsidiary]

Liquor Licences Regulations

No.

REPUBLIC OF TRINIDAD AND TOBAGO

WINE MERCHANT'S LICENCE

(The Liquor Licences Act)

Licensing District of

..... of is
(Name) (Address)

hereby granted a Wine Merchant's Licence in respect of the premises situated at which shall be valid from the day of the date hereof until the 31st March next ensuing.

The sum of has been paid for this Licence.

Dated this day of 20.....

.....
Comptroller of Customs and Excise

.....
Authorised Officer

\$

No.

REPUBLIC OF TRINIDAD AND TOBAGO

CERTIFICATE OF TRAVELLING AGENT

(The Liquor Licences Act)

Under the provisions of section 77 of the Liquor Licences Act, I hereby certify

that

of is the travelling

agent of

(Name)

of

(Address)

a person resident outside Trinidad and Tobago.

This Certificate shall have effect from the day of

20....., to the day of 20....., both days
inclusive unless sooner revoked.

Dated this day of 20.....

.....

Comptroller of Customs and Excise

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Liquor Licences

[Subsidiary]

Liquor Licences Regulations

No.

REPUBLIC OF TRINIDAD AND TOBAGO

NOTIFICATION OF TOURIST STEAMSHIP

(The Liquor Licences Act)

In accordance with the power conferred by section 2 of the Liquor Licences Act, it is hereby notified that the following steamship or steamships is/are a tourist or tourists steamship or steamships for the purpose of section 40, of the Liquor Licences Act, for the period stated in each case.

Ships	.....	from	.....	to	.....

Dated this day of 20.....

.....
Comptroller of Customs and Excise

RETURN OF CERTIFICATES FOR LICENCES GRANTED AND LICENCES TRANSFERRED UNDER THE PROVISIONS OF THE LIQUOR LICENCES ACT, FOR THE SALE OF INTOXICATING LIQUOR, AT A LICENSING SESSION HELD ATON 20.....

Person to whom certificate for licence granted or licence transferred	Place of abode of licensee	Situation of licensed premises	Description of licence	Term for which licence to be granted or transferred	Person for whom or place whence transferred	In case of Transfers	
						Date fee paid	Receipt No.

No.
 (This certificate must accompany spirits in quantity not less than 4.5 litres of the same denomination when removed)

**CERTIFICATE FOR REMOVING SPIRITS FROM THE PREMISES OF A PERSON
 LICENSED TO SELL SPIRITS OR OF A COMPOUNDER**

(The Liquor Licences Act)

No.
 Certificate Book
 Counterfoil

Spirits sent out or delivered	
Quantity	Denomination | Strength
.....
.....

Certificate for removing spirits from the premises of 20

Licensed
 situate at
 to
 of
 Mode of Conveyance
 within hours/days

Number of packages in which the spirits are contained
 Date of sending out or delivery
 Hour of sending out or delivery
 Time allowed
 Name of Licensee
 Address of Licensee
 To whom sent out or delivered
 Address
 Mode of Conveyance

Quantity of spirits	Denomination of spirits	Strength	Number of packages in which the spirits are contained	Date of sending out	Hour of sending out	Remarks

Signature of Trader or authorised person.....

SPIRIT STOCK BOOK

(The Liquor Licences Act)

Stock account of Spirits, showing the Quantity Received and Sent out by a person licensed to sell Spirits from the premises situated at

Dr.										Cr.				
Received										Sent out on certificate				
From whom and whence Received	No. of permit or certificate	Date of Receipt	Denomination	Quantity Litres	Strength	No. of Litres of Alcohol	To whom and whither sent to delivered	No. of certificate	Date of delivery	Denomination	Quantity Litres	Strength		

County Office

RETURN OF LICENCES ISSUED UNDER THE PROVISIONS OF THE LIQUOR LICENCES ACT (CH. 84:10) AND SPIRITS AND SPIRIT COMPOUNDS ACT (CH. 87:54)

Date of Licence	To whom licence issued	Place of abode	Situation of Premises	Whether "Port-of-Spain", "San Fernando", "Town" (including suburbs of Port-of-Spain) or "Elsewhere" rate charged	Amount paid \$ c.	Description of licence	Expiration of licence	No. of Licence	If Renewal	
									No. of previous licence	Date

I certify that the correct situation of the licensed premises has been given, and that the proper rate of licence has been charged in each case.

.....
Authorised Officer

Note: This return is to be furnished to the Comptroller of Customs and Excise not later than 7 days after licence has been issued and must include all licences issued or renewed under the Liquor Licences Act (Ch. 84:10) and Spirits and Spirit Compounds Act (Ch. 87:54), since the inclusion of the period covered by the last return.

NOTICE OF LICENSING AREAS

Licensing District of

Notice is hereby given that the Licensing Committee of the above-mentioned Licensing District has under the power conferred by section 6 of the Liquor Licences divided the said Licensing District into the following Licensing Areas for the holding of Licensing Sessions in such areas:

.....Licensing Area

.....Licensing Area

.....Licensing Area

All applications for consideration by the aforesaid Licensing Committee should be addressed as follows:

In theLicensing Area: to the Clerk of the Peace,

.....

In theLicensing Area: to the Clerk of the Peace,

.....

In theLicensing Area: to the Clerk of the Peace,

.....

Dated this day of, 20.....

.....
*Secretary, Licensing Committee of
the Licensing District of*
.....