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No. 7 of 2016

First Session Eleventh Parliament Republic of
Trinidad and Tobago

HOUSE OF REPRESENTATIVES

BILL

AN ACT to amend the Bail (Amendment) Act, 2008, the
Miscellaneous Provisions (Bail and Kidnapping)
Act, 2011, the Anti-Gang Act, 2011, the Bail
(Amendment) Act, 2011, the Bail (Amendment)
Act, 2014 and the Bail (Amendment) Act, 2015

THE MISCELLANEOUS PROVISIONS (ANTI-GANG AND
BAIL) BILL, 2016

Explanatory Note

(These notes form no part of the Bill but are intended only to indicate its general purport)

The purpose of the Miscellaneous Provisions (Anti-Gang and Bail) Bill, 2016 is to extend the operation of various Acts, particularly the Bail (Amendment) Act, 2008, the Miscellaneous Provisions (Bail and Kidnapping) Act, 2011, the Anti-Gang Act, 2011, the Bail (Amendment) Act, 2011, the Bail (Amendment) Act, 2014 and the Bail (Amendment) Act, 2015, for a further two-year period.

The Bill contains ten clauses.

Clause 1 sets out the short title of the Bill.

Clause 2 provides for the Act to have effect even though it is inconsistent with sections 4 and 5 of the Constitution.

Clause 3 provides for the Act to come into operation on 15th August, 2016.

Clause 4 seeks to amend the sunset provision of the Bail (Amendment) Act, 2008 (Act No. 17 of 2008) by providing that the Act shall expire on 15th August, 2018.

Clause 5 seeks to amend the Miscellaneous Provisions (Bail and Kidnapping) Act, 2011 (Act No. 9 of 2011) by inserting a new section which provides the Act shall expire on 15th August, 2018.

Clause 6 seeks to amend section 15 of the Anti-Gang Act, 2011 (Act No. 10 of 2011) to extend the operation of said Act by a further two years.

Clause 7 seeks to amend the Bail (Amendment) Act, 2011 (Act No. 11 of 2011) by providing that the Act shall expire on 15th August, 2018.

Clause 8 seeks to amend section 6 of the Bail (Amendment) Act, 2014 (Act No. 1 of 2014) by deleting the word “2016” and substituting the word “2018”, thereby extending the operation of said Act for a further two years.

Clause 9 seeks to amend the Bail (Amendment) Act, 2015 (Act No. 7 of 2015) by deleting the word “2016” and substituting the word “2018”, thereby extending the operation of said Act for a further two years.

Clause 10 provides that the Act shall expire on 15th August, 2018.

THE MISCELLANEOUS PROVISIONS (ANTI-GANG AND
BAIL) BILL, 2016

Arrangement of Clauses

Clause

1. Short title
2. Act inconsistent with Constitution
3. Commencement
4. Act No. 17 of 2008 amended
5. Act No. 9 of 2011 amended
6. Act No. 10 of 2011 amended
7. Act No. 11 of 2011 amended
8. Act No. 1 of 2014 amended
9. Act No. 7 of 2015 amended
10. Duration

BILL

AN ACT to amend the Bail (Amendment) Act, 2008, the Miscellaneous Provisions (Bail and Kidnapping) Act, 2011, the Anti-Gang Act, 2011, the Bail (Amendment) Act, 2011, the Bail (Amendment) Act, 2014 and the Bail (Amendment) Act, 2015

[, 2016]

Preamble	<p>WHEREAS it is enacted by section 13(1) of the Constitution that an Act of Parliament to which that section applies may expressly declare that it shall have effect even though inconsistent with sections 4 and 5 of the Constitution and, if any Act does so declare, it shall have effect accordingly;</p> <p>And whereas it is provided in section 13(2) of the Constitution that an Act of Parliament to which that section applies is one the Bill for which has been passed by both Houses of Parliament and at the final vote thereon in each House has been supported by the votes of not less than three-fifths of all the members of that House;</p> <p>And whereas it is necessary and expedient that the provisions of this Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution.</p>
Enactment	ENACTED by the Parliament of the Republic of Trinidad and Tobago as follows:
Short title	1. This Act may be cited as the Miscellaneous Provisions (Anti-Gang and Bail) Act, 2016.
Act inconsistent with the Constitution	2. This Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution.
Commencement	3. This Act comes into operation on the 15th day of August, 2016.
Act No. 17 of 2008 amended	<p>4. The Bail (Amendment) Act, 2008 is amended by repealing section 7 and substituting the following section:</p> <p style="padding-left: 40px;">“Duration 7. This Act shall expire on the 15th day of August, 2018.”.</p>
Act No. 9 of 2011 amended	<p>5. The Miscellaneous Provisions (Bail and Kidnapping) Act, 2011 is amended by inserting after section 3, the following section:</p> <p style="padding-left: 40px;">“Duration 4. Section 2 of this Act shall expire on the 15th day of August, 2018.”.</p>

I confirm the above.

Speaker

Passed in the Senate this day of , 2016.

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

Clerk of the Senate

I confirm the above.

President of the Senate

No. 7 of 2016

FIRST SESSION
ELEVENTH PARLIAMENT

REPUBLIC OF
TRINIDAD AND TOBAGO

BILL

AN ACT to amend the Bail
(Amendment) Act, 2008, the
Miscellaneous Provisions (Bail and
Kidnapping) Act, 2011, the
Anti-Gang Act, 2011, the Bail
(Amendment) Act, 2011, the Bail
(Amendment) Act, 2014 and the Bail
(Amendment) Act, 2015

Received and read the

First time

Second time

Third time