

LEGAL NOTICE NO. 144

REPUBLIC OF TRINIDAD AND TOBAGO

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

REGULATIONS

MADE BY THE PRESIDENT UNDER SECTION 7 OF THE CONSTITUTION  
OF THE REPUBLIC OF TRINIDAD AND TOBAGO

THE EMERGENCY POWERS (TRIBUNAL) REGULATIONS, 2021

1. These Regulations may be cited as the Emergency Powers Citation  
(Tribunal) Regulations, 2021.

2. (1) In these Regulations—

Interpretation

“Chairman” means the Chairman of the Tribunal;

“detainee” means a person referred to in regulation 4(1);

“period of public emergency” means the period during which  
the state of public emergency declared by the Proclamation  
exists, including any extensions thereof under section 10(1)  
or (2) of the Constitution;

“Proclamation” means the Proclamation made by the President  
under section 8 of the Constitution declaring that a state of  
public emergency exists in Trinidad and Tobago;

“the Tribunal” means the Tribunal established under  
regulation 3(1).

3. (1) For the purposes of section 11 of the Constitution, there is  
established a Tribunal. Establishment  
of Tribunal

(2) The Tribunal shall consist of a Chairman and two other  
members who shall be appointed by the Chief Justice from among such  
persons as he considers fit, save that the Chairman shall be appointed  
from among persons entitled to practise in Trinidad and Tobago as  
Attorneys-at-law.

(3) The Attorney General, after consultation with the Chairman  
of the Judicial and Legal Service Commission, may designate any  
public officer to perform the functions of secretary to the Tribunal and  
may revoke any such designation.

(4) The Tribunal may regulate its own procedure.

(5) The Chief Justice may issue Practice Directions as to the practice and procedure to be followed by the Tribunal generally, including electronic hearings.

Review of  
Tribunal  
L.N. No. 142  
of 2021

4. (1) Where any person who is detained by virtue only of the Emergency Powers Regulations, 2021 or any other regulations made under section 7 of the Constitution so requests at any time during the period of that detention and thereafter not earlier than six months after he last made such a request during that period, his case shall be reviewed by the Tribunal.

(2) The Tribunal may, upon the application of the detainee, at any time assign to him an Attorney-at-law if, in its opinion, it appears desirable in the interest of the just execution of the functions of the Tribunal that the detainee should have legal aid and that he has not sufficient means to enable him to obtain that aid.

(3) The expenses of an Attorney-at-law assigned to a detainee under subregulation (2) and the expenses of the attendance of any person before the Tribunal at the instance of the detainee, shall be defrayed out of moneys provided by Parliament for the purpose, up to an amount allowed by the Tribunal, but subject to any limitation imposed by the Attorney General, as to rates and scales of payments.

(4) On any review by the Tribunal of the case of a detainee, the Tribunal may make recommendations concerning the necessity or expediency of continuing his detention to the authority by whom it was ordered but, unless otherwise provided by law, that authority shall not be obliged to act in accordance with such recommendations.

Duration of  
Regulations

5. These Regulations shall have effect during the period of public emergency.

Made this 19th day of May, 2021.

PAULA-MAE WEEKES  
*President*