

Fifth Session Tenth Parliament Republic of  
Trinidad and Tobago

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REPUBLIC OF TRINIDAD AND TOBAGO

**Act No. 7 of 2015**

[L.S.]

AN ACT to amend the Bail Act, Chap. 4:60

*[Assented to 29th April, 2015]*

WHEREAS it is enacted by section 13(1) of the <sup>Preamble</sup> 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:

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:

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:

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

Short title **1.** This Act may be cited as the Bail (Amendment) Act, 2015.

Act inconsistent with Constitution **2.** This Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution.

Interpretation Chap. 4:60 **3.** In this Act, “the Act” means the Bail Act.

Section 5 amended

**4.** Section 5 of the Act is amended—

(a) by deleting the words “(3) In calculating” and substituting the words “(4) In calculating”;

(b) by renumbering subsections (4), (5) and (6) as subsections (5), (6) and (7) respectively;

(c) by repealing subsection (5), as renumbered, and substituting the following subsection:

“ (5) Subject to subsections (2), (6) and (7), a Court shall not grant bail to a person who—

(a) is over the age of eighteen years and charged with an offence under the Anti-Gang Act, 2011; or

(b) on or after the commencement of the Bail (Amendment) Act, 2015, is charged with an offence—

Chap. 16:01 (i) under section 6 of the Firearms Act, where the person has a pending charge for an offence specified in Part II of the First Schedule; or

(ii) specified in Part II of the First Schedule, except an offence under section 6 of the Firearms Act, where the prosecution informs the Court that the person or any other person involved in the commission of the offence used or had in his possession a firearm or imitation firearm during the commission of the offence.”; and

(d) in subsection (12), by inserting after the words “(5)”, the words “(a)”.

Duration

5. This Act shall expire on the 15th day of August, 2016.

Passed in the House of Representatives this 20th day of March, 2015.

J. SAMPSON-MEIGUEL

*Clerk of the House*

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed by the House of Representatives and at the final vote thereon in the House has been supported by the votes of not less than three-fifths of all the members of the House, that is to say, by the votes of 36 members of the House.

J. SAMPSON-MEIGUEL

*Clerk of the House*

Passed in the Senate this 31st day of March, 2015.

N. ATIBA-DILCHAN

*Clerk of the Senate*

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 27 Senators.

N. ATIBA-DILCHAN

*Clerk of the Senate*