
Third Session Tenth Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 9 of 2013

[L.S.]

AN ACT to give effect to the Economic Partnership Agreement between CARIFORUM States (Caribbean Community and the Dominican Republic) and the European Community; to effect consequential amendments to the Customs Act, Chap. 78:01 and for related matters

[Assented to 17th July, 2013]

WHEREAS the Member States of the Caribbean ^{Preamble} Community (CARICOM) being Antigua and Barbuda,

The Bahamas, Barbados, Belize, The Commonwealth of Dominica, Grenada, The Republic of Guyana, The Republic of Haiti, Jamaica, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, The Republic of Suriname and The Republic of Trinidad and Tobago together with The Dominican Republic collectively being CARIFORUM and the European Community have entered into an Economic Partnership Agreement (“the Agreement”) signed on October 15, 2008:

And whereas the purposes of the Agreement is to strengthen the framework for economic and trade relations between CARIFORUM and the European Community, to enhance the economic relationship and in particular, trade and investment flows, building on and improving the current level of preferential market access into the European Community for the CARIFORUM States; and to create a new and more favourable climate for relations in the areas of trade and investments and new dynamic opportunities for growth and development:

And whereas Trinidad and Tobago in its own right and as one of the States forming the grouping referred to as CARIFORUM, is obligated to give effect to the Agreement:

And whereas it is necessary in order to give effect to the Agreement, to enact national legislation:

Enactment	ENACTED by the Parliament of Trinidad and Tobago as follows:
Short title	1. This Act may be cited as the CARIFORUM (Caribbean Community and Dominican Republic) European Community Economic Partnership Agreement Act, 2013.
Commencement	2. Articles 31, 67, 68, 72, 81 to 83, 146, 148, 150, 165 to 182, 197 to 201, 238, Annex III, Appendix I to Annex III, Appendix II to Annex III, Annex IVe, Annex IVf and Annex VI of the Agreement shall come into effect on such dates as are fixed by the President by Proclamation.

3. In this Act—

Interpretation

“Agreement” means the Economic Partnership Agreement between Member States comprising the CARIFORUM grouping and the European Community, signed on October 15, 2008 and its Protocols and Annexes as published in *Gazette* No. 159, dated Thursday 24th November, 2011 and as amended in accordance with section 4; and

“Minister” means the Minister to whom responsibility for trade is assigned.

4. (1) Subject to section 2, the provisions of the Agreement shall have the force of law. Agreement to have the force of law

(2) Where an amendment to the Agreement is accepted by the Government, the Minister may by Order give effect to the amendment.

(3) An Order referred to in subsection (2) shall be subject to affirmative resolution of Parliament.

(4) Judicial notice shall be taken of the provisions of the Agreement and any amendments made thereto as if they were contained in this Act.

5. (1) The Minister may make Regulations for giving effect to the purposes and provisions of this Act. Regulations

(2) Regulations made under subsection (1) are subject to negative resolution of Parliament.

6. The Customs Act is amended by—

Consequential amendment
Chap. 78:01

(a) inserting the following section:

“Economic
Partnership
Preferential
treatment

6B. (1) In this section—

“Agreement” means the Economic Partnership Agreement between Member States comprising the CARIFORUM grouping

and the European Community, signed on October 15, 2008 and its Protocols and Annexes.

(2) The goods listed as free of duty in the First Schedule to the Customs Act at February 1, 2007 shall remain free of duty in respect of products originating in the European Community and being imported pursuant to the Agreement into Trinidad and Tobago.

(3) The preferential treatment established by the Agreement and set out in the Tenth Schedule is hereby incorporated in and shall form part of the Customs Laws.

(4) The President may, by Order amend the Tenth Schedule or provide for the expiration, lapsing or coming into effect of a tariff preference.

(5) An Order made under subsection (4) shall be subject to negative resolution of Parliament.

(6) The preferential treatment shall apply only to goods which satisfy the requirements of Protocol 1 of the Agreement and which are transported in accordance with Article 14(1) of the said Protocol and accompanied by a movement certificate or an invoice declaration in accordance with Protocol 1.”; and

(b) inserting the following Schedule:

“Tenth Schedule

Passed in the House of Representatives this 21st day
of June, 2013.

Clerk of the House

Passed in the Senate this 2nd day of July, 2013.

Clerk of the Senate

TENTH SCHEDULE

TENTH SCHEDULE—Continued