

Continuation of citizenship of citizens under section 9 of former Constitution

15. Any person who became a citizen by birth under section 9(1) or a citizen by descent under section 9(2) of the former Constitution and who has not ceased to be a citizen under that Constitution, shall continue to be a citizen under this Constitution.

*Constitution of the Republic of  
Trinidad and Tobago*

16. Any person who became a citizen of Trinidad and Tobago by virtue of registration under the former Constitution or by virtue of an acquisition of citizenship under Part II of the Trinidad and Tobago Citizenship Act, 1962, and who has not ceased to be a citizen under any law in force in Trinidad and Tobago shall continue to be a citizen under this Constitution.

Continuation of citizenship of citizens by registration, naturalization, etc.  
No. 11 of 1962

17. (1) Subject to subsection (2), every person born in Trinidad and Tobago after the commencement of this Constitution shall become a citizen of Trinidad and Tobago at the date of his birth.

Acquisition of citizenship by birth or descent.  
Continuation of citizenship.  
Retrospective citizenship

(2) A person shall not become a citizen of Trinidad and Tobago by virtue of subsection (1), if at the time of his birth-

- (a) neither of his parents is a citizen of Trinidad and Tobago and either of them possesses such immunity from suit and legal process as is accorded to an envoy of a foreign sovereign power accredited to Trinidad and Tobago; or
- (b) either of his parents is an enemy alien and the birth occurred in a place then under occupation by the enemy.

(3) A person born outside Trinidad and Tobago after the commencement of this Constitution shall become a citizen of Trinidad and Tobago at the date of his birth if at that date either of his parents is, or was, but for his parent's death, a citizen of Trinidad and Tobago otherwise than by descent, so however that, in the case of a person employed in service under the Government or under an authority of the Government that requires him to reside outside Trinidad and Tobago for the proper discharge of his functions, this subsection shall be read as if the words "otherwise than by descent" were deleted.

(4) Any person who became a citizen by birth under section 12(1) or a citizen by descent under section 12(2) of the former Constitution and who has not ceased to be a citizen under that Constitution, shall continue to be a citizen under this Constitution.

(5) A person born outside Trinidad and Tobago after the 30th August, 1962 whose mother was a citizen of Trinidad and Tobago otherwise than by descent at the date of his birth but who did not become a citizen at that date shall be deemed to have become a citizen at that date and shall continue to be a citizen of Trinidad and Tobago under this Constitution.

18. (1) Every person who under this Constitution or any Act of Parliament is a citizen of Trinidad and Tobago or, under any law for the time being in force in any country to which this section applies, is a citizen of that country shall, by virtue of that citizenship, have the status of a Commonwealth citizen.

Commonwealth citizens

(2) Every person who is a British subject without citizenship under the British Nationality Act, 1948 of the United Kingdom or who continues to be a British subject under section 2 of that Act or who is a British subject under the British Nationality Act, 1965 of the United Kingdom shall, by virtue of that status, have the status of a Commonwealth citizen.

11 and 12 Geo. VI c. 56

(3) The countries to which this section applies are Australia, the Bahamas, Bangladesh, Barbados, Botswana, Canada, Cyprus, Fiji, The Gambia, Ghana, Grenada, Guyana, India, Jamaica, Kenya, Lesotho, Malawi, Malaysia, Malta, Mauritius, Nauru, New Zealand, Nigeria, Sierra Leone, Singapore, Sri Lanka, Swaziland, Tanzania, Tonga, Uganda, United Kingdom and Colonies, Western Samoa and Zambia.

(4) The President may from time to time, by Order subject to affirmative resolution of the Senate and the House of Representatives amend subsection (3) by adding any Commonwealth country thereto or by deleting any Commonwealth country therefrom.

**Criminal  
liability of  
Commonwealth  
citizens  
Powers of**

19. (1) A Commonwealth citizen who is not a citizen of Trinidad and Tobago, or a citizen of the Republic of Ireland who is not a citizen of Trinidad and Tobago, shall not be guilty of any offence against any law in force in Trinidad and Tobago by reason of anything done or omitted in any part of the Commonwealth other than Trinidad and Tobago or in the Republic of Ireland or in any foreign country unless-

- (a) the act or omission would be an offence if he were an alien; and
- (b) in the case of an act or omission in any part of the Commonwealth or in the Republic of Ireland, it would be an offence if the country in which the act was done or the omission made were a foreign country.

(2) In this section "foreign country" means a country (other than the Republic of Ireland) that is not part of the Commonwealth.

20. Parliament may make provisions relating to citizenship including provision-

- (a) for the acquisition of citizenship of Trinidad and Tobago by persons who are not or do not become citizens of Trinidad and Tobago by virtue of the provisions of this Chapter;
- (b) for depriving of his citizenship of Trinidad and Tobago any citizen of Trinidad and Tobago but only on the acquisition of citizenship of some other country in the case of a citizen by birth or descent; or
- (c) for the renunciation by any person of his citizenship of Trinidad and Tobago.

21. (1) In this Chapter-

"alien" means a person who is not a Commonwealth citizen, a British protected person or a citizen of the Republic of Ireland;

"British protected person" means a person who is a British protected person for the purposes of the British Nationality Act, 1948 of the United Kingdom;

"citizen by birth" means a person-

- a) who is a citizen of Trinidad and Tobago under section 17(1); or
- (b) who became a citizen of Trinidad and Tobago under section 9(1) or 12(1) of the former Constitution;

(2) For the purposes of this Chapter, a person born outside Trinidad and Tobago aboard a registered ship or aircraft, or aboard an unregistered ship or aircraft of the government of any country, shall be deemed to have been born in the place in which the ship or aircraft has been registered or, as the case may be, in that country.