RESEARCH & EVIDENCE · DIPLOMATIC BRIEFING

Trinidad and Tobago — The Special Operations Act, 2026: press freedom, source protection and closed-area powers

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LEGAL STATUS

Act No. 21 of 2026. Assented 5 October 2026; published in the Gazette (Vol. 65, No. 167) and proclaimed into operation, all sections, on 6 October 2026.[1,2]

SUMMARY

Act No. 21 of 2026 allows closed areas to be declared across seven policing districts, with permits, cordons, curfews and warrantless search and seizure. Section 15(4) protects tools of a lawful trade and legally privileged material from seizure. Confidential journalistic material and source information are not named. This dossier sets out the enacted text, the legislative record, recorded positions and the open questions for researchers.

PRINCIPAL FINDINGS

Status	Finding
VERIFIED FACT	The Act is in force. The Special Operations Act, 2026 is Act No. 21 of 2026. It received assent on 5 October 2026 and all sections came into operation on 6 October 2026 by presidential Proclamation.[1,3,2]
VERIFIED FACT	Warrantless search on reasonable suspicion. Within a closed area a police officer may search any place, vehicle or person without a warrant upon reasonable suspicion that an offence is being, has been or is about to be committed.[4]
VERIFIED FACT	A broad seizure power. The officer may seize any vehicle, article or document likely to be of substantial value, whether or not by itself, to the investigation of any offence.[4]
VERIFIED FACT	Two named exclusions — journalism is not one. Section 15(4) bars seizure of tools of a lawful trade or business and of material subject to legal professional privilege. The section does not name journalistic material or information identifying confidential sources.[4]
AUTHOR ANALYSIS	The gap matters most for sources. A reporter's phone, notebook or laptop may be treated as a tool of trade, yet the information on it — contacts, messages, unpublished notes — remains exposed to the seizure power in section 15(3). The protection attaches to the device as an object, not to the confidentiality of what it holds.[4,5]
VERIFIED FACT	Passed on a casting vote. The Senate divided 15–15 and the President of the Senate cast the deciding vote; the recorded division was 16–15.[6,2,7]
REPORTED POSITION	Media workers sought express protection. The Media Association of Trinidad and Tobago sought protection for journalists' sources and tools during the passage of the Bill.[8]

PROVISIONS — ENACTED TEXT

Provision	What the Act provides	Why it matters
s.11 — Closed areas	Presidential Order, subject to negative resolution, on reasonable grounds of threat to public safety; statement of grounds to the Speaker within seven days.[9]	Defines where every other power in Part IV applies.
s.12 — Permits	No entry or exit without a permit; class permits by Gazette notice; individual permits with conditions.[10]	Movement of reporters into and out of closed areas depends on discretionary permits.
s.13 — Cordons	Barriers and roadblocks with permits required to cross.[11]	Physical access to scenes of public interest.
s.14 — Curfews	Persons must remain in premises during specified hours unless permitted.[12]	Night-time reporting requires authorisation.
s.15(1) — Search	Search of any place, vehicle or person without a warrant on reasonable suspicion.[4]	No prior judicial authorisation before a newsroom, vehicle or reporter is searched.
s.15(3) — Seizure	Any vehicle, article or document of substantial value to the investigation of any offence.[4]	Notes, devices and recordings fall within the power.

CHRONOLOGY

16 Sep 2026	Special Operations Bill, 2026 (B. 15 of 2026) introduced in the House of Representatives.[13]
22 Sep 2026	Senate debate on the Bill.[14]
24 Sep 2026	Senate third reading: a 15–15 tie, then the casting vote of the President of the Senate; recorded result 16–15.[6,2,7]
5 Oct 2026	Presidential assent. The Bill becomes Act No. 21 of 2026.[1]
6 Oct 2026	Act published in the Gazette, Vol. 65, No. 167. President proclaims 6 October as the commencement date for all sections.[1,2,15]
6 Oct 2026	The Guardian (London) reports an outcry over press-freedom implications, quoting Pearce Robinson on search and seizure of journalistic material.[16]

RECORDED POSITIONS

Parliament (long title of the Act)	OFFICIAL POSITION	An Act to provide for the establishment of policing districts, the conduct of special operations to combat criminality in those districts and related matters.[3]
Media Association of Trinidad and Tobago	REPORTED POSITION	Sought protection for journalists' sources and tools under the Bill.[8]
Pearce Robinson, quoted by The Guardian	REPORTED POSITION	Search or seizure of a journalist's phone, laptop and notes without explicit protection for journalistic material raises serious constitutional concerns.[16]

QUESTIONS FOR RESEARCHERS

1. Will standard operating procedures under the Act address the search or seizure of journalistic material?
2. Will permits be available to accredited or independent journalists, and on what criteria?

3. What records will be kept of seizures of devices and documents, and who may inspect them?
4. Will the statements of grounds delivered to the Speaker under section 11(2) be published?

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