

2021 Legal Year in Review

A message from our Managing Partner

Mrs Nicole Ferreira-Aaron



At the start of this year, we would sincerely have hoped that at the time of writing this ‘year in review’, the world would not still be grappling with the COVID-19 pandemic and its ever linguistically challenging variants. But here we are, with 2021 trumping 2020 for Twilight Zone status.

In 2021, the Covid 19 pandemic continued to affect countries all around the world leaving in its wake a global health and economic crisis unprecedented in scale and impact. The world over, its impact has been seen in overstretched health care systems, business interruptions, school closures, disruptions to food supply, numerous lockdowns, states of emergency and income losses. The uneven access to vaccines has severely impacted disadvantaged countries with the predictable result that variants are thriving and reactionary travel bans have only exacerbated the distress. In 2021, Trinidad and Tobago’s problem has not been accessing vaccines

(with generous supplies being secured by mid-2021) but rather vaccine hesitancy with increasing numbers of infections and deaths amid low vaccine uptake. The cost of managing the pandemic continues to rise while revenue generation remains depressed.

Globally, the most pressing concerns remain Covid 19, climate change and inequality among countries. For a summary of such concerns one need look no further than the powerful address of Prime Minister Mia Mottley of Barbados to delegates at the Cop 26 summit.

Yet every crisis in the history of the world has created opportunities to pause, re-invent and rebuild. In 2021, the Trinidad economy

suffered the combined effects of COVID-19, reduction in energy production and price shocks. The Government’s decisive policy response initially helped contain COVID-19’s spread, protect lives and livelihoods, and pave the way for a strong recovery, though the low vaccination rate has stalled the pace of such recovery. As the country looks to the future, the impact of energy transition will be key as will revenue generation from the non-energy sectors. In its 2021-2022 budget the government sought to incentivize exporters of local goods and SMEs involved in technology solutions, digitization, and construction and proposed the zero rating of basic food items, and further incentivizing new home

ownership and retirement savings for individuals.

For Hamel-Smith, 2021 has been an important year of transition. In 2020, technology solutions enabled us to work seamlessly to support clients as their needs shifted over the course of the year. Building on such strengths, in 2021 we experienced significant peaks in the areas of commercial disputes, M&A, merger control and labour and employment. Compliance with the beneficial ownership rules under recent amendments to the Companies Act, working through the changing Real Estate landscape and addressing key concerns around anti-counterfeiting of goods in the market, also engaged our clients. Steps to take the Companies Registry fully online and to increase the use of technology in the Land Registry signal new changes to the way we practice in the year ahead and we are ready to embrace such changes.

True to our commitment to stay in contact with you our valued clients

and to remain responsive to your needs and questions, in 2021 we maintained our COVID-19 resource page and expanded its scope beyond COVID-19 to include a blog on general topics of legal interest, held several client training sessions and participated in numerous webinars hosted by AMCHAM and the Trinidad and Tobago Chamber. We also sought to address topical concerns in our bi-weekly column in the Business Guardian. We are pleased to curate and share some of those articles with you below.

In April of 2021, we also bade farewell to our beloved Office Assistant Mrs. Erlyn Chambers and she proceeded on her well-earned retirement after 24 years of dedicated service to the firm. While we sincerely miss the 'life' of the office, we offer heartfelt congratulations on her retirement.

2021 also marked the 50th anniversary in practice of a stalwart of the firm, Mr. Philip Hamel-Smith. Philip's bold and visionary

leadership smoothed the firm's transition from a closely held family firm with a traditional solicitors' practice to the modern institutional commercial law firm it is today. He was pivotal to the firm becoming a founding member of Lex Mundi and AMCHAM thereby establishing a network of international connections while his reputation in the local business community also attracted clients to the firm. Philip retired as Partner Emeritus in 2020.

Supported by a wonderful team of attorneys and staff who demonstrated true grit and determination under challenging circumstances in 2021, we approach 2022 in hopeful optimism. We thank you for the opportunity to serve you in 2021 and commit ourselves to staying nimble and adaptable to support your business needs in 2022 and beyond. Best wishes to you and yours for the Holidays.



Hamel-Smith's 2020 Articles and Webinars

Click on links to view Articles

Banking

- ◆ [Forms of Financing – Traditional is not always trump](#)

Companies

- ◆ [The Role and Responsibilities of a Director](#)

Contracts

- ◆ [The Secrets to Non-Disclosure Agreements](#)
- ◆ ['Tis the Season... for Delays](#)

Dispute Resolution

- ◆ [So you've received a pre-action protocol letter: How to manage the litigation process](#)
- ◆ [The Road to Debt Recovery – Enforcement of a Judgment Debt](#)

Digitization & Fintech

- ◆ [NFTs: Beyond Cryptocurrency and Regulation](#)

Employment

- ◆ [Covid-19 Vaccines in the Workplace: Can employers make them mandatory?](#)
- ◆ [Pranks in the Workplace](#)
- ◆ [Workplace Health and Safety: The laws all employers should know](#)
- ◆ [Covid-19 Vaccines in the Workplace: A Second Job](#)
- ◆ [Managing Marijuana in the Workplace](#)

Energy

- ◆ [Code Red: Climate Change and Renewable Energy](#)

Import & Export

- ◆ [Importing Pharmaceuticals into T&T: The Regulatory Regime](#)

Law & Regulation

- ◆ ['PH' Taxes: Regularisation from an Insurance Law Perspective](#)
- ◆ [Applications under the Mental Health Act of Trinidad and Tobago](#)
- ◆ [A Unified Caribbean Region: What are your rights?](#)
- ◆ [The Regulation of the Casino Industry in Trinidad and Tobago](#)

Merger Control

- ◆ [Merger Control – Getting the Guidance for Merger Transactions](#)

Intellectual Property

- ◆ [Carnival is Bacchanal: A Controversy over Intellectual Property Rights](#)
- ◆ [Combatting Counterfeiting - An overview of Border Enforcement Measures for 2021](#)

Property & Conveyancing

- ◆ [Property Tax: What to Know](#)
- ◆ [Can we keep things on the side? A Review of the Side Letter and its use in Commercial Leases](#)

Technology & New Media

- ◆ ['WhatsApp' with Over-The-Top services? Telecommunications Regulations in T&T](#)

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