

*The Malicious Damage Ordinance, Cap. 10.*

3. Section 17 of the Malicious Damage Ordinance is hereby repealed and replaced by the following:—

Sec. 17 of  
Cap. 10  
replaced.

17. Whosoever shall unlawfully and maliciously cut, break, or destroy, or damage with intent to destroy or to render useless, any electric wire, pipe line, engine, or any part of the machinery, works or plant, whether fixed or movable, used or intended to be used for any agricultural, electrical, oil mining or oil refining operation, or for the manufacture of any product whatsoever, or for the conveyance or distribution of such product, shall be guilty of felony, and being convicted thereof shall be liable to be imprisoned for any term not exceeding seven years, with or without hard labour, and if a male under the age of sixteen years, with or without corporal punishment.

Damage to  
certain  
machines and  
works.

*The Coinage Offences Ordinance, Cap. 11.*

4. (1) Sections nineteen to twenty-four of the Coinage Offences Ordinance, (which contain provisions as to foreign coin differing from the corresponding provisions as to His Majesty's coin), are hereby repealed.

Application  
Cap. 11 to  
foreign coin  
and  
consequential  
amendments.  
Secs. 19-24 of  
Cap. 11  
repealed.

(2) The words "the King's" and also the word "of" when it immediately precedes the words "the King's" shall be deleted wherever they occur in the said Ordinance.

(3) Sub-section (1) of Section 2 of the said Ordinance is hereby repealed and replaced by the following sub-section:—

(1) In this Ordinance:—

"Current coin" includes any coin coined in any of His Majesty's mints, or lawfully current, by virtue of any proclamation or otherwise, in the Colony or in any other part of His Majesty's dominions, or lawfully current in any foreign country;

"Current gold or silver coin" includes any gold or silver coin coined in any of His Majesty's mints, or lawfully current, by virtue of any proclamation or otherwise, in the Colony or in any other part of His Majesty's dominions, or lawfully current in any foreign country;

Interpretation  
of certain  
terms.

in sub-section (2) of the said section the following words —  
 “or any such foreign or other coin as in this Ordinance  
 before mentioned”—shall be deleted.

5. The following sections numbered 19 and 20 shall be included in and form part of the Coinage Offences Ordinance:—

New sections  
19 and 20  
added to  
Cap. 11.

19. If any person without due authority or excuse (the proof whereof shall lie on the person accused) makes or has in his possession for sale, or offers for sale, or sells—

Punishment  
for selling  
medals  
resembling  
current coin.

any medal, cast, coin, or any other like thing made wholly or partially of metal or any metallic combination and resembling in size, figure, and colour any current gold or silver coin, or having thereon a device resembling any device on any current gold or silver coin, or being so formed that it can by gilding, silvering, colouring, washing, or other like process, be so dealt with as to resemble any current gold or silver coin—

he shall be guilty of a misdemeanour, and being convicted thereof, shall be liable to be imprisoned for any term not exceeding one year, with or without hard labour.

20. (1) It shall not be lawful to import or bring into the Colony any imitation coin as defined by this section, and any such imitation coin shall be included among the goods enumerated and described in the table of prohibitions and restrictions inwards contained in section 29 of the Customs Ordinance, and the law relating to the Customs shall apply accordingly :

Prohibition of  
importation of  
imitation coin.

Provided that the Collector of Customs and Excise may permit the importation of any imitation coin in a particular instance if he is satisfied that such importation is for the purposes of knowledge or art, or any exhibition or collection, or for any lawful purpose, and that the imitation coin is not likely to circulate as current coin, or to be otherwise used for deceiving the public.

8. Section 12 of the Forgery Ordinance is hereby amended Sec. 12 of Cap. 13 supplemented. by substituting a semi-colon for the full stop at the end of paragraph (e), and by adding the following paragraph thereto :—

(f) makes, uses, or knowingly has in his custody or possession any unfinished or incomplete note purporting to be a currency note, or any paper with any word, figure, device, or distinction peculiar to and appearing in the substance of paper used for any currency note.

9. Sub-section (2) of section 16 of the Forgery Ordinance Section 16 of Cap. 13 amended. is hereby repealed and replaced by the following sub-sections :—

(2) Where any forged document (including any Disposal of documents materials, etc., seized. forged bank note, currency note, treasury bill, or Government debenture bond), or any machinery, implement, utensil or material used or intended to be used for the forgery of any such document, is lawfully seized under a warrant granted in pursuance of sub-section (1) of this section, or otherwise, the document, machinery, implement, utensil or material as the case may be, shall be delivered up to the Inspector-General or to any person authorised by him to receive the same, by order of the Court before which the offender is tried or, if there is no trial, by order of a Magistrate.

(3) Every other document, seal, or die lawfully seized under such warrant, or otherwise, shall be defaced and destroyed or otherwise disposed of—

- (a) by order of the Court before which the offender is tried; or
- (b) if there be no trial by order of a Magistrate; or
- (c) if it affects the public revenue, by the Treasurer.

*The Libel and Defamation Ordinance, Cap. 18.*

10. The following Sections numbered 13 to 17 inclusive Secs. 13-17 added to Cap. 18. shall be added to and form part of the Libel and Defamation Ordinance :—

13. (1) A fair and accurate report in any Newspaper reports of proceedings in Court privileged. newspaper of proceedings publicly heard before any court exercising judicial authority shall, if published

(4) Nothing in this section shall apply to the printing of any pleading, transcript of evidence or other document for use in connection with any judicial proceedings or the communication thereof to persons concerned in the proceedings, or to the printing or publishing of any notice or report in pursuance of the directions of the court; or to the printing or publishing of any matter in any separate volume or part of any *bonâ fide* series of law reports which does not form part of any other publication and consists solely of reports of proceedings in courts of law, or in any publication of a technical character *bonâ fide* intended for circulation among members of the legal or medical professions. Exceptions.

14. A fair and accurate report published in any newspaper of the proceedings of a public meeting, or (except where neither the public nor any newspaper reporter is admitted) of any meeting of a council, board, or local authority formed or constituted under the provisions of any Order in Council, Letters Patent, Act of Parliament, Ordinance or of any Committee appointed by any of the above mentioned bodies, and the publication at the request of any Government Office or Department of any notice or report issued by them for the information of the public shall be privileged, unless it shall be proved that such report or publication was published or made maliciously: Provided that nothing in this section shall authorise the publication of any blasphemous or indecent matter: Provided also, that the protection intended to be afforded by this section shall not be available as a defence in any proceedings if it shall be proved that the defendant has been requested to insert in the newspaper in which the report or other publication complained of appeared a reasonable letter or statement by way of contradiction or explanation of such report or other publication, and has refused or neglected to insert the same: Provided further, that nothing in this section contained shall be deemed or construed to limit or abridge any privilege now by law existing, or to protect the publication of any matter not of public concern and the publication of which is not for the public benefit. Newspaper reports of proceedings of public meetings and of certain bodies and persons privileged.

17. No criminal prosecution shall be commenced against any proprietor, publisher, printer, editor, or any person responsible for the publication of a newspaper for any libel published therein without the sanction of the Attorney-General.

Sanction of Attorney-General required for prosecution.

*The Criminal Offences Ordinance, Cap. 19.*

11. The following section, numbered 11, shall be added to and form part of the Criminal Offences Ordinance:—

Section 11 added to Cap. 19.

11. Any presumption of law that an offence committed by a wife in the presence of her husband is committed under the coercion of her husband is abolished, but on a charge against a wife for any offence other than treason or murder it shall be a good defence to prove that the offence was committed in the presence of, and under the coercion of, the husband.

Abolition of presumption of coercion of wife by husband.

*The Trespass Ordinance, Cap. 26.*

12. The following shall be substituted for section 3 of the Trespass Ordinance:—

Sec. 3 of Cap. 26 substituted

3. Every person who shall be found in the night time in any enclosed yard, garden, or ground, or in any cultivated lands, or in or about the works of any plantation, oilfield, refinery or oil tank farm, and who, on being taken before a Magistrate or Justice, shall fail to make it appear to the satisfaction of such Magistrate or Justice that he had some reasonable cause or excuse for being in the place where he shall have been so found, shall be liable, on summary conviction, to be imprisoned, with or without hard labour, for any term not exceeding three months.

Persons found in or about enclosed yard or cultivated lands, &c., at night.

*The Gambling Prevention Ordinance, Cap. 28.*

13. The definition of "Lottery" in section 2 of the Gambling Prevention Ordinance, is replaced by the following:—

Cap. 28, s. 2 amended.

"Lottery" includes any game, method, or device whereby money or money's worth is distributed or allotted in any manner depending upon, or to be determined by, chance or lot; and also includes the game or pretended game called or known as whé-whé.

15. The following shall be substituted for section 11 of the Gambling Prevention Ordinance :— Cap. 28, s.11 substituted.

11. Any Justice who is satisfied by proof upon oath that there is reasonable ground for believing that any place is kept or used as a common gaming house, may, by warrant, authorise any constable, with such assistance and by such force as may be necessary, by night or by day, to enter such place, and to search the same and all persons found therein, and to take into custody all persons, and to seize all instruments and appliances for gambling, and all moneys or securities for money found therein or in the possession of any person escaping therefrom. All such instruments and appliances for gambling shall be destroyed, and all such moneys or securities for money shall be paid to the Treasurer for the use of the Colony : Issue of Search Warrant.

Provided that wherever, owing to the lateness of the hour or other reasonable cause, it shall be inconvenient to obtain a warrant, then it shall be lawful for any commissioned officer of Constabulary or any non-commissioned officer of Constabulary not under the rank of sergeant, by night or by day, without warrant, to enter any place which he has reasonable grounds for believing is kept or used as a common gaming house, and any such officer shall, upon such entry, have the same powers of search, arrest, and seizure as may be exercised by a constable duly authorized by warrant under this section.

Provided further that whenever any constable has reasonable grounds for believing that the game of whé-whé is being conducted in any open place or open yard, or on any premises to which the public is invited or admitted, it shall be lawful for such constable to enter any such place, yard or premises, and he shall, upon such entry, have the same powers of search, arrest, and seizure as may be exercised by a constable duly authorized by warrant under this section.

Provided, however, that no such entry without a warrant shall be made unless such officer is, at the time of entry, in the dress and uniform of the Constabulary Force.

or by any racing club or association holding any race meeting recognized by the Trinidad Turf Club as the case may be, at such intervals and in accordance with returns to be rendered to the Treasurer in such form, and upon giving such security up to an amount and in a manner to be approved by the Treasurer.

(5) It shall be lawful for the Treasurer or any person authorized by him in writing for the purpose, at all reasonable times to require the production for purposes of inspection of all the books and accounts of the Trinidad Turf Club or any racing club or association holding any race meeting recognized by the Trinidad Turf Club relating to the tickets sold or issued in respect of which duty is payable under this section, and to take copies and extracts therefrom. Inspection of accounts.

(6) Out of the proceeds of the sale of tickets in respect of any such lottery or sweepstake as aforesaid, there shall be distributed by the Trinidad Turf Club or by any racing club or association holding any race meeting recognized by the Trinidad Turf Club in such amounts and to such charities as the Governor in Executive Council may approve a total sum of not less than five per centum of the balance left after deducting from the gross amount derived from the sale of such tickets the amount of the duty payable under the provisions of this section. Charitable donations.

(7) The Governor in Executive Council may make regulations for the better carrying out of the provisions of this section. Regulations.

*The Children Ordinance, Cap. 31.*

18. Section 79 of the Children Ordinance is amended by the addition of the following sub-section :— Amendment of s.79 of Cap. 31.

(4) A young person sentenced to imprisonment shall not be allowed to associate with adult prisoners.

- (b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including ship-building, and the generation, transformation, and transmission of electricity and motive power of any kind;
- (c) Construction, reconstruction, maintenance, repair, alteration or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure;
- (d) Transport of passengers or goods by road or rail or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

“ Night ” signifies a period of at least eleven consecutive hours, including the interval between ten o’clock in the evening and five o’clock in the morning.

94. The Governor in Executive Council may by order published in the *Royal Gazette* define the line of division which separates industry from commerce and agriculture, and declare any particular undertaking to be an industrial undertaking for the purposes of this part of this Ordinance.

Governor in  
Executive  
Council may  
define  
Industrial  
undertakings.



working day. Any employer failing to comply with the provisions of this section shall be guilty of an offence, and liable on summary conviction before a Magistrate to a penalty not exceeding ninety-six dollars.

98. (1) Children under the age of 14 years shall not be employed or work on any vessel other than a vessel upon which only members of the same family are employed; and any person who employs any such child or permits him to work in contravention of the provisions of this section shall be guilty of an offence.

Persons under 14 years not to be employed on vessels.

(2) Every shipmaster shall keep a register of all persons under the age of sixteen years employed on board his vessel, or a list of them in the articles of agreement, showing therein the names and addresses and dates of birth of every such person. Such register or list shall on request be produced to any member of the Constabulary Force at any reasonable hour of any working day. Any ship-master failing to comply with the provisions of this section shall be guilty of an offence, and liable on summary conviction before a Magistrate to a penalty not exceeding ninety-six dollars.

(3) For the purposes of this section "vessel" includes all ships and boats of any nature whatsoever engaged in maritime navigation, whether publicly or privately owned, but excludes ships of war.

99. (1) A child under the age of twelve shall not be employed.

Prohibition of employment of child under 12 years. Penalty for employment.

(2) If any person employs a child under the age of twelve he shall be guilty of an offence.

(3) If any parent or guardian of a child under the age of twelve has condoned to the commission of the alleged offence by wilful default, or by habitually neglecting to exercise due care he shall be guilty of an offence.

Neglectful parent.

(4) Where the offence of taking a child under the age of twelve into employment is committed by an agent or workman of the employer, such agent or workman shall be guilty of an offence as if he were the employer.

Liability of agent or employer.

(2) that the offender committed or attempted to commit an assault involving the use of any corrosive fluid with intent to disfigure or do any grievous bodily harm to any person or had in his possession such fluid with such intent and for the purposes aforesaid ;

he may, in addition to any other punishment to which he is liable be ordered —

(a) if above the age of sixteen years, to be flogged ;

(b) if not above the age of sixteen years, to be whipped.

*The Young Offenders Detention Ordinance, 1926.*

22. Section 6 of the Young Offenders Detention Ordinance, 1926, as amended by section 26 of Ordinance 7 of 1928, is hereby further amended by deleting the words “not less than two years nor more than five years” in the 15th and 16th lines, and substituting therefor the following words “not less than three years nor more than four years :”

Amendment of  
sec. 6 of Ord.  
19-1926.

23. Section 7 of the Young Offenders Detention Ordinance, 1926, as amended by section 26 of Ordinance No. 7 of 1928, is hereby further amended by deleting the words “not less than two years nor more than three years” in the 18th and 19th lines, and substituting therefor the following words “not less than three years nor more than four years :”

Amendment of  
sec. 7 of Ord.  
19-1926.

24. Section 8 of the Young Offenders Detention Ordinance, 1926, as amended by section 26 of Ordinance No. 7 of 1928, is hereby further amended by deleting the words “not less than two years nor more than three years” in the 9th line, and substituting therefor the following words “not less than three years nor more than four years.”

Amendment of  
sec. 8 of Ord.  
19-1926.

25. The words “or omitted from” where they appear in sub-section (2) of section 10 of the Jury Ordinance, as re-enacted by the Jury (Amendment) Ordinance, 1935, are hereby deleted.

Sec. 10 (2) of  
Cap. 7  
amended.