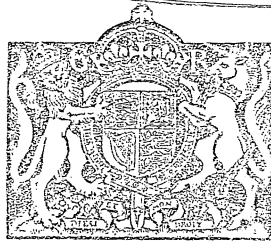


New Ord'ce No. 40 of 1947.



TRINIDAD AND TOBAGO.

Published as a Supplement to the Royal Gazette, issued on the
27th day of April, 1944.

No. 11—1944.

[L.S.]

I ASSENT,

A. B. WRIGHT,
Acting Governor.
26th April, 1944.

AN ORDINANCE relating to the compensation payable
on the compulsory acquisition of land while possession
or use thereof is retained under special powers.

[27th April, 1944.]

Commencement.

ENACTED by the Governor of Trinidad and Tobago
with the advice and consent of the Legislative Council
thereof.

1. This Ordinance may be cited as the Land Acquisition Short title.
(Special Provisions) Ordinance, 1944.

No. 11.

Land Acquisition (Special Provisions)

1944.

Interpreta-
tion.

2. In this Ordinance, the expression "special powers" means any powers conferred by—

- (a) regulations made as part of the law of the Colony under the Emergency Powers (Defence) Acts of 1939 and 1940, as amended by any subsequent enactment, and applied to the Colony by orders of His Majesty in Council, or
- (b) section 7 of the Air Navigation Act, 1920, as amended by any subsequent enactment, and applied to the Colony by Order of His Majesty in Council, or

No. 14 of 1941.

- (c) section 4 of the Land Acquisition Ordinance, 1941,

or any power exercisable by virtue of the prerogative of the Crown.

Provision as to
compensation.

3. For the avoidance of doubt, it is hereby declared that if—

- (a) while possession of any land is retained, or any land is being used, in the exercise of special powers, such land shall be compulsorily acquired under the Land Acquisition Ordinance, 1941, or any other law from time to time in force relating to the compulsory acquisition of land, and
- (b) things have been done in relation to the land in the exercise of the special powers during the period for which possession was retained or the land was used,

Nos 14 of 1941.

no greater sum shall be payable to any claimant by way of compensation in respect of the acquisition than would have been payable if no such things had been done, and, in particular but without prejudice to the generality of the foregoing words, in assessing compensation in respect of the acquisition no increase in the value of the land, attributable to the things done in relation to the land or to the improvements made thereto in the exercise of special powers during such period, shall be taken into account.

Application of
the Ordinance.

4. This Ordinance shall apply whether the land in question was compulsorily acquired before the coming into force of this Ordinance or is compulsorily acquired

No. 11. *Land Acquisition (Special Provisions).* 1944.

thereafter: Provided that this Ordinance shall not apply in cases in which land has been compulsorily acquired before the coming into force of this Ordinance if and so far as compensation in respect of the acquisition has already been determined by agreement or otherwise.

Passed in Council this thirteenth day of April, in the year of Our Lord one thousand nine hundred and forty-four.

W. J. BOOS,
Clerk of the Council.