

See No 1947.



TRINIDAD AND TOBAGO,

No. 47—1945.

[L.S.]

I ASSENT;

B. E. H. CLIFFORD,

Governor.

21st December, 1945.

AN ORDINANCE to amend the Land Acquisition Ordinance, 1941.

[22nd December, 1945.]

Commencement.

Enactment.

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

Short title.

No. 14 of 1941.

1. This Ordinance may be cited as the Land Acquisition (Amendment) Ordinance, 1945, and shall be read as one with the Land Acquisition Ordinance, 1941, as from time to time amended, which Ordinance as so amended is hereinafter referred to as the Principal Ordinance.

Section 27 of Principal Ordinance amended.

2. Section 27 of the Principal Ordinance is hereby amended by substituting the words "subject to appeal as in this Ordinance provided" for the words "and there shall be no appeal therefrom save as in this Ordinance provided".

3. Section 28 of the Principal Ordinance is hereby amended by substituting the words "shall, subject to appeal as in this Ordinance provided, be final" for the words "shall be final".

Section 28 of Principal Ordinance amended.

4. The following section is hereby inserted in the Principal Ordinance immediately after section 29 :—

New section added to Principal Ordinance.

"Form of award.

29A. Every award made by the Court shall be in writing signed by the Judge and the assessors (if any) concurring therein, and shall specify the amounts respectively awarded under paragraph (1) of section 11 of this Ordinance together with the grounds of awarding each of the said amounts, and the Judge shall also, if requested to do so, state in writing the reasons for his decision on any points of law, or as to any principle of assessment or on any question of title on which the award is based".

5. Section 32 of the Principal Ordinance is hereby repealed and replaced by the following section :—

Section 32 of Principal Ordinance repealed and replaced.

"Appeal where award of Judge is not between amounts awarded by assessors.

32. In the event provided for in section 29 the Judge shall make and sign his judgment giving the reasons for his decision, and each of the assessors shall give his conclusions in writing with reasons therefor and any party to the proceedings may appeal therefrom to the West Indian Court of Appeal".

6. Section 33 of the Principal Ordinance is hereby repealed and replaced by the following section :—

Section 33 of Principal Ordinance repealed and replaced.

"Appeal on any point of law, &c.

33. (1) If any party to the proceedings is dissatisfied with any award made under the provisions of this Ordinance he may appeal therefrom on any point of law, or on any principle of assessment, or on any question of title, if the award is made in a Petty Civil Court to the Full Court, and if the award is made in the Supreme Court when the amount of the claim exceeds the sum of 960 dollars to the West Indian Court of Appeal, but when the amount of the claim does not exceed the said sum then to the Full Court.

(2) Save as provided in the preceding subsection and in section 32, there shall be no appeal against an award made under the provisions of this Ordinance: Provided that nothing herein shall affect any right of appeal to His Majesty in His Privy Council from any judgment or order of the Supreme Court or of the Full Court or the West Indian Court of Appeal which may exist under any Order in Council.

(3) The rules of practice and procedure relating to appeals from a Petty Civil Court to the Full Court and from the Supreme Court to the West Indian Court of Appeal shall, so far as the same may be applicable, apply respectively to appeals made under the provisions of this Ordinance ”.

Passed in Council this fourteenth day of December, in the year of Our Lord one thousand nine hundred and forty-five.

W. J. BOOS,
Clerk of the Council.