



TRINIDAD AND TOBAGO

No. 23—1949.

2nd COURT

[L.S.]

I ASSENT,

P. M. RENISON,

Acting Governor

17th November, 1949.

AN ORDINANCE to make provision for the preparation and publication of a Revised Edition of the Laws of the Colony.

[19th November, 1949]

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 Law Revision Ordinance, 1949.

2. In this Ordinance—

“revised edition” means the edition of the laws of the Colony to be prepared under the authority of this Ordinance ;

“law” or “enactment” includes the Ordinances and subsidiary laws in force in the Colony ;

“subsidiary laws” includes any proclamation, rule, regulation, bye-law, order in council, order, notice or form made or issued under the authority of any law.

Appoint-
ment of
Commissioner
for revision
of the
Ordinances.

3. (1) The Governor shall, by writing under his hand, appoint a Commissioner for the purpose of preparing a revised edition of the Ordinances of the Colony in force on such date as the Governor shall determine.

(2) If the Commissioner appointed under this Ordinance shall die, resign, or be otherwise unable to act, some fit and proper person may be appointed by the Governor in his stead.

Powers of the
Commis-
sioner.

4. In the preparation of the revised edition of the Ordinances, the Commissioner shall have the following powers, that is to say—

(a) to omit—

- (i) all Ordinances or parts of Ordinances which have been repealed expressly or specifically or by necessary implication, or which have expired, or have become spent, or have had their effect ;
- (ii) all repealing enactments contained in Ordinances, and also all tables or lists of repealed enactments whether contained in Schedules or otherwise ;
- (iii) all preambles to Ordinances, where such omission can, in the opinion of the Commissioner, be conveniently made ;
- (iv) all introductory words of enactment in any Ordinance or section of an Ordinance ;
- (v) all enactments prescribing the date when an Ordinance or part of an Ordinance is to come into force, where such omission can, in the opinion of the Commissioner, be conveniently made ; and

- (vi) all amending Ordinances or parts of Ordinances where the amendments effected by such Ordinances or parts of Ordinances have been embodied by the Commissioner in the Ordinances to which they relate :

Provided that the provisions of section 11 of the Interpretation Ordinance shall apply to such omissions in the same way as if the Ordinances or enactments omitted had been repealed ;

(b) to consolidate into one Ordinance any two or more Ordinances in *pari materia*, making the alterations thereby rendered necessary in the consolidated Ordinance, and affixing thereto such date as may seem most convenient ;

(c) to alter the order of sections in any Ordinance, and, in all cases where it is desirable to do so, to re-number the sections of any Ordinance ;

(d) to alter the form or arrangement of any section of an Ordinance, either by combining it in whole or in part with another section or other sections, or by dividing it into two or more subsections, or by transposing words ;

(e) to divide any Ordinance, whether consolidated or not, into parts or other divisions ;

(f) to transfer any provision contained in an enactment from that enactment to any other enactment to which it more properly belongs ;

(g) to arrange the Ordinances, whether consolidated or not, in any group or sequence that may be convenient irrespective of the date of enactment ;

(h) to add a short title to any Ordinance which may require it, and, if desirable, to alter the short title of any Ordinance ;

(i) to supply or alter marginal notes ;

(j) to correct cross references ;

(k) to shorten and simplify the phraseology of any enactment ;

(l) to correct grammatical, typographical and similar mistakes, and omissions, in the existing copies of enactments, and for that purpose to make verbal additions, omissions, or alterations not affecting the meaning of any enactment ;

(m) to make such formal alterations as to names, localities, offices, titles and otherwise as may be necessary to bring any enactment into conformity with the circumstances of the Colony ;

2ND COURT
11/10/49

(n) to insert in all sections in which His Majesty's Army and Navy are mentioned or referred to and in which the Royal Air Force is not mentioned or referred to such mention and reference to the Royal Air Force as may be appropriate ;

(o) to make such adaptations of or amendments in any enactments as may appear to be necessary or proper as a consequence of any change in the constitution of any of His Majesty's dominions ;

(p) to do all other things relating to form and method which may be necessary for the perfecting of the revised edition.

Mode of dealing with alterations of substance.

5. (1) The power conferred upon the Commissioner in the preceding section shall not be taken to imply any power in him to make any alteration or amendment in the matter or substance of any Ordinance or part of an Ordinance.

(2) Subject to the provisions of the succeeding subsections of this section, in every case where any such alteration or amendment is, in the opinion of the Commissioner, desirable, the Commissioner shall draft a Bill setting forth such alterations and amendments, and authorising them to be made in the revised edition. Any such Bill may have reference to more Ordinances than one, although such Ordinances may not be in *pari materia*.

(3) In any case where an Ordinance, whether consolidated or not, requires such considerable alterations and amendments as to involve its entire recasting, the Commissioner shall draft a Bill accordingly.

(4) Every such Bill shall, subject to the approval of the Governor, be submitted to the Legislative Council and be dealt within the ordinary way.

Omission of certain enactments from the revised edition. Schedule.

6. The Commissioner shall omit from the revised edition the enactments specified in the Schedule hereto: Provided that it shall be lawful for the Governor by notice in the *Royal Gazette* to make any addition to the said Schedule: Provided always that, anything in this Ordinance to the contrary notwithstanding, the said enactments shall remain in force until the same shall have been expressly repealed or shall have expired or become spent or had their effect.

Numbering of Ordinances.

7. There shall be attached to each Ordinance contained in the revised edition a number showing its relevant chapter and number in the 1940 Revised Edition of the laws or its place among the Ordinances of the year to which it belongs, together

with the number and year assigned to any other Ordinance or Ordinances incorporated with such Ordinance by virtue of the powers in this Ordinance contained.

8. The Commissioner shall prepare and cause to be printed together in a separate volume a chronological table of all the Ordinances of the Colony and a full and complete index to the Ordinances contained in the revised edition. Chronological table and index to revised edition.

9. (1) The Commissioner shall, with the approval of the Governor, make such arrangements as he may think expedient for the printing and binding of the revised edition. Printing of revised edition.

(2) The Governor shall give such directions as he may think fit with respect to the number of volumes into which the revised edition shall be divided, the number of copies to be printed, and the manner in which they shall be bound.

10. (1) The Commissioner shall, as soon as the revised edition is completed, transmit a copy thereof to the Governor, who shall lay the same before the Legislative Council. Bringing into force and validity of revised edition.

(2) Upon the passing of a resolution of the Legislative Council authorising him so to do, the Governor may, by proclamation, order that the revised edition shall come into force from such date as he may think fit.

(3) From the date named in such proclamation, the revised edition shall be deemed to be and shall be without any question whatsoever in all courts of justice and for all purposes whatsoever the sole and only proper Statute Book of the Colony in respect of Ordinances in force on such date as shall be specified in such proclamation, save and except as otherwise provided by section 6 hereof.

(4) Notwithstanding the foregoing provisions of this section, the Governor may, upon the passing of a resolution of the Legislative Council authorising him so to do, by proclamation, bring into force such part or parts of the revised edition of the laws as may be completed from time to time and published, whereupon from the date named in such proclamation and to the extent specified therein, the enactments so proclaimed shall be substituted for the enactments therein reproduced and revised and shall for all purposes be of full force and effect and without any question whatsoever be recognised in all courts of justice.

2nd COUN

Effect of repealed or omitted Ordinances.

11. The repeal or omission from the revised edition of any enactment repealed or omitted during and for the purpose of the preparation of such revised edition shall not affect the validity of any existing resolutions of the Legislative Council, or any subsidiary law made under any enactment so repealed or omitted, but such resolutions or subsidiary laws, so far as they are not inconsistent with any other law of the Colony for the time being in force, shall continue in force until otherwise provided.

Construction of reference to repealed, &c., enactment.

12. Where, in any enactment or in any document of whatever kind, reference is made to any enactment repealed or otherwise affected by or under the operation of this Ordinance, such reference shall, where necessary and practicable, be deemed to extend and apply to the corresponding enactment in the revised edition.

Saving of existing subsidiary laws.

13. All subsidiary laws made under any enactment included in the revised edition, and in force at the date when such revised edition shall come into force, shall continue in force until otherwise provided ; and references in any such subsidiary law to the enactment under which it is made, or to any other enactment, shall, where necessary and practicable, be deemed to apply to the corresponding enactment in the revised edition.

Revision of subsidiary laws.

14. It shall be lawful for the Governor, by writing under his hand, to appoint a Commissioner for the purpose of preparing a revised edition of the subsidiary laws of the Colony in force on such date as the Governor shall determine, and thereupon the provisions of this Ordinance relating to the preparation of a revised edition of the Ordinances shall *mutatis mutandis* apply and have effect for the purpose of preparing and bringing into force the revised edition of such subsidiary laws.

Appointment of Commissioner to prepare supplements.

15. It shall be lawful for the Governor, by writing under his hand, from time to time to appoint a Commissioner for the purpose of preparing periodical supplements to the revised edition, and each supplement brought into force in accordance with the provisions of this Ordinance shall supersede all previous supplements.

Power of Commissioner in preparing supplements and contents of such supplements.

16. (1) In the preparation of such supplements, the Commissioner shall have *mutatis mutandis* the powers conferred by this Ordinance for the preparation of the revised edition, and each supplement shall contain—

(a) the Ordinances enacted subsequent to those contained in the revised edition and in force ;

- (b) such of the subsidiary laws passed subsequent to the revised edition and in force as the Commissioner may consider of sufficient importance to be included ;
- (c) a reference table in respect of those subsidiary laws not included, indicating the date of their publication in the *Royal Gazette*, and such explanatory notes in respect thereof as the Commissioner shall think fit ;
- (d) such Imperial legislation affecting the Colony as the Commissioner may think fit to include, or a reference table or explanatory notes in respect thereof ;
- (e) a table of contents, a chronological table of the laws enacted subsequent to the revised edition and up to the date of the latest enactment included in the supplement, and an index.

(2) It shall be lawful for the Commissioner, if he shall see fit, to include in each supplement a table of corrections of grammatical, typographical and similar mistakes and omissions which may from time to time be discovered in the revised edition of the laws, and such laws shall thereupon be read and construed subject to the corrections contained in such table.

(3) The number and year of each Ordinance shall be set out at the beginning thereof, and, when another Ordinance is incorporated therein, the number and year of each amending or incorporated Ordinance shall also be set out at the beginning of the Principal Ordinance.

(4) The date on which any Ordinance came into operation shall be set out at the beginning of such Ordinance, but if the Ordinance has not yet come into operation, that fact shall be indicated.

17. The Governor may, by proclamation, approve of each supplement upon the issue thereof and order that it shall come into force from such date as he thinks fit. From the date named in such proclamation the supplement shall, until superseded by the next supplement, be deemed to be and shall be without any question whatsoever the sole and only proper Statute Book of the Colony in respect of Ordinances enacted subsequent to those contained in the revised edition and in force on such date as shall be specified in such proclamation, and in respect of the subsidiary laws included therein.

Procla-
mations
bringing
supplements
into force.

Application of references to supplements.

18. Where in any enactment or in any document of whatever kind reference is made to any enactment affected by any supplement proclaimed under this Ordinance such reference shall where necessary and practicable be deemed to extend and apply to the corresponding enactment in the supplement for the time being in force.

Reprints of amended enactments.

19. (1) Whenever an enactment has been amended by the repeal or omission of any part thereof, or the substitution or addition of words or figures, any re-print of the enactment as amended printed by the Government Printer and published by authority of the Governor shall be substituted for the enactments reproduced therein and shall be deemed to be authentic for all purposes.

(2) No amendment shall have any retrospective operation by force only of its incorporation in the reprinted enactment, and a reference shall be made, in the margin or in a footnote, to the enactment by which every amendment was made.

(3) In any supplement prepared under the authority of this Ordinance, an amended enactment may be reproduced therein in the manner provided by this section.

Expenses of publication.

20. The Governor may by warrant addressed to the Accountant General direct the payment of all expenses of and incidental to the preparation and publication of the revised edition.

Place of this Ordinance in the revised edition.

21. This Ordinance shall be printed at the commencement of the revised edition.

SCHEDULE

ENACTMENTS TO BE OMITTED FROM THE REVISED EDITION BUT KEPT IN FORCE UNDER AND BY VIRTUE OF SECTION 6 OF THIS ORDINANCE

<i>Reference number of Ordinance.</i>	<i>Subject matter and Remarks</i>
1905 REVISION	GROUP I.—ORDINANCES RELATING TO CERTAIN PROPERTY RIGHTS
No. 139 (Ord. 29-1898) ...	Extinguishing certain right of way through Government buildings, Port-of-Spain.
No. 277 (Ord. 6-1863) ...	Vesting of Admiralty property in the Lord High Admiral or the Admiralty Commissioners.
No. 292 (Ord. 7-1862) ...	Vesting of securities taken by the Registrar, Supreme Court or his predecessors in office.

SCHEDULE—Continued

<i>Reference number of Ordinance</i>	<i>Subject matter and Remarks</i>
No. 45-1908	Extinguishing certain rights of way in Port-of-Spain over lands used by the Government Railway.
No. 26-1909	Appropriating certain lands in Port-of-Spain to the purposes of the Government Railway.
No. 31-1912	Incorporating the Cipero Tramroad in the Government Railway.
1925 REVISION	
Cap. 117	The Caroni and Laventille reclamation scheme.
Cap. 300	Vesting in the Crown certain properties in Tobago.
No. 23-1926	Vesting in the Crown the property known as the Drill Hall, Port-of-Spain.
No. 15-1936	Vesting of La Coulee Land in the San Fernando Corporation.
No. 12-1947 (except s.5)	Trinidad Consolidated Telephones Limited (Sale of Tobago Telephone System).
	GROUP II.—ORDINANCES RELATING TO CERTAIN MARRIAGES
No. 10-1863	Confirming certain marriages (re-enacted by Ordinance 9-1908).
No. 23-1915	Validating certain marriages.
No. 45-1921	Validating certain marriages.
No. 31-1926	Authorising the registration of certain marriages.
No. 4-1928	Validating certain marriages between Indian Immigrants.
No. 7-1930	Authorising the registration of certain marriages.
No. 31-1930	Validating certain marriages.
No. 2-1947	Marriage (validation).
1925 REVISION	GROUP III.—LOAN ORDINANCES
Cap. 219	Public Works Loan Ordinance, 1912—£551,042.
Cap. 220	Local Loan Ordinance, 1915—£100,000.
Cap. 221	Local Loan Ordinance, 1918—£100,000.
Cap. 222	Local Loan Ordinance, 1920—£1,000,000.
Cap. 234	San Fernando Improvement Loan Ordinance, 1921—£50,000.
No. 16-1930	Port-of-Spain Improvement (Eastern Market) Loan Ordinance, 1930—£24,000.
No. 41-1931	Waterworks and Agricultural Bank Loan Ordinance, 1931—£1,100,000.

SCHEDULE—*Continued*

<i>Reference number of Ordinance</i>			<i>Subject matter and Remarks</i>
No. 38-1932	...	...	Imperial Treasury War Loan (Repayment) Ordinance, 1932—£422,892.
No. 3-1934	...	...	Deep Water Harbour Loan Ordinance, 1934—£1,000,000.
No. 3-1935	...	...	Public Works and Housing Commission Loan Ordinance, 1935—\$1,440,000.
No. 8-1935	...	...	Port-of-Spain Improvement Loan Ordinance 1935—\$446,400.
No. 9-1935	...	...	Electric Lighting and Tramway Works Loan Ordinance, 1935—\$1,760,000.
No. 21-1935	...	...	Deep Water Harbour Loan (Amendment) Ordinance, 1935. (Supplement to No. 3-1934.)
No. 38-1935	...	...	Cocoa Subsidy Loan Ordinance, 1935—\$2,500,000.
No. 34-1939	...	...	Port-of-Spain Improvement Loan Ordinance, 1939—\$682,877.
No. 3-1941	...	...	War Loan Ordinance, 1941—\$7,000,000.
No. 27-1941	...	...	Trinidad Electricity Board (Loan) Ordinance, 1941—\$3,000,000.
No. 23-1942	...	...	Trinidad Electricity Board (Loan) (Amendment) Ordinance, 1942 (Supplement to No. 27 of 1941).
No. 2-1943	...	...	War Loan (Amendment) Ordinance, 1943 (Supplement to No. 3 of 1941).
No. 4-1944	...	...	War Loan (Amendment) Ordinance, 1944 (Supplement to Nos. 3 of 1941 and 2 of 1943).
No. 30-1944	...	...	Slum Clearance and Housing (Loan) Ordinance, 1944—\$5,000,000.
No. 33-1944	...	...	San Fernando (Redemption of Loans and Improvement) Loan Ordinance, 1944—\$500,000.
No. 46-1945	...	...	Public Works Loan Ordinance, 1945—\$15,000,000.
No. 41-1946	...	...	Electricity Loan Ordinance, 1946—\$4,000,000.
No. 3-1948	...	...	Public Works Loan (Amendment) Ordinance, 1948 (Supplement to No. 46 of 1945).
1925 REVISION			GROUP IV.—PRIVATE ORDINANCES
Cap. 301	...	...	Roman Catholic Archbishop Incorporation.
Cap. 304	...	...	Presbyterian Church Incorporation.
Cap. 305	...	...	Baptist Church Incorporation.
Cap. 306	...	...	Salvation Army Incorporation.
Cap. 307	...	...	Young Men's Christian Association Incorporation.

SCHEDULE—Continued

Reference number of Ordinance	Subject matter and Remarks
1925 REVISION	
Cap. 308	St. Mary's College Trustees Incorporation.
Cap. 309	Royal Prince of Wales Lodge of Freemasons Incorporation.
Cap. 315	British Guiana and Trinidad Mutual Fire Insurance Company Limited (Trinidad Branch).
No. 46-1925	Seventh-day Adventist Church Incorporation.
No. 21-1927 and No. 18-1949	Mount St. Benedict Monastery Incorporation.
No. 7-1929	St. Andrew Lodge of Freemasons Incorporation.
No. 14-1930	Church of England Incorporation.
No. 39-1931	Tackveeyatul Islamic Association of Trinidad Incorporation.
No. 15-1932	Hindu Sanatam Dharam Association of Trinidad Incorporation.
No. 19-1932	Sanatan Dharam Board of Control Incorporation.
No. 36-1932	Kabir Association of Trinidad Incorporation.
No. 24-1935	Anjuman Sunnat-ul-Jammat Association of Trinidad Incorporation.
No. 25-1935	Royal Philanthropic Lodge of Freemasons Incorporation.
No. 36-1941	Coterie of Social Workers of Trinidad and Tobago (Incorporation).
No. 43-1943	Arya Pratinidhi Sabha of Trinidad (Incorporation).
No. 37-1944	Lodge Alexandra of Freemasons (Incorporated).
No. 29-1946	Young Women's Christian Association of Trinidad (Incorporation).
No. 30-1946	Trinidad Society for the Prevention of Cruelty to Animals (Incorporation).
No. 39-1946	Seunarine Dharam Sabha of Trinidad (Incorporation).
No. 11-1947	St. Joseph's Convent (Incorporation).
No. 14-1947	Trinidad and Tobago Blind Welfare Association (Incorporation).
No. 15-1947	Royal Victoria Institute.
No. 9-1949	Holy Name Convent (Incorporation).
No. 11-1949	Child Welfare League of Trinidad and Tobago Incorporation.
No. 12-1949	Trinidad and Tobago Nursery Association Incorporation.

2nd COPY

SCHEDULE—Continued

<i>Reference number of Ordinance.</i>	<i>Subject matter and Remarks</i>
	GROUP V.—MISCELLANEOUS
No. 2-1916	Preserving certain pension rights.
No. 38-1933	Preserving certain pension rights (and see Proclamations No. 58 of 1934, 42 of 1935, 15, 50 and 58 of 1938).
No. 24-1939	Preserving certain pension rights.
No. 28-1941	Herbert Stephen Pension.
No. 13-1942	Port-of-Spain Corporation House Rate (Validation) Ordinance, 1942.
No. 8-1943	Schlumberger Organisations (Taxation Exemptions) Ordinance, 1943.
No. 34-1943	Dudley Ernest Best (Gratuity and Annual Allowance) Ordinance, 1943.
No. 16-1946	Port-of-Spain Corporation House Rate (Fixation) Ordinance, 1946.
No. 22-1946	Income Tax (Amendment) Ordinance, 1946.
No. 47-1946	Rebecca Halkhoree (Gratuity and Reduced Pension) Ordinance, 1946.
No. 60-1946	Public Officers Guarantee Fund (Repeal).
No. 8-1947	Nomination and Election (Validation and Indemnity) Ordinance, 1947.
No. 9-1947	Henry Bernard Kangaloo (Gratuity and Reduced Pension) Ordinance, 1947.
No. 46-1947	Alexander Ewart Lakhan (Pensions) Ordinance, 1947.
No. 22-1948	Gilbert Roberts (Pension) Ordinance, 1948.
No. 35-1948	San Fernando Corporation (Amendment).

Passed in Council this fourth day of November, in the year of Our Lord one thousand nine hundred and forty-nine.

T. F. FARRELL,
Clerk of the Council.