



TRINIDAD AND TOBAGO

No. 41—1961

[L.S.]

I ASSENT,

SOLOMON HOCHOY
Governor

20th October, 1961.

AN ORDINANCE to amend the Sugar Industry Labour Welfare Committee (Incorporation) Ordinance, 1951.

[30th October, 1961]

Commencement.

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

Enactment.

1. This Ordinance may be cited as the Sugar Industry Labour Welfare Committee (Incorporation) (Amendment) Ordinance, 1961, and shall be read as one with the Sugar Industry Labour Welfare Committee (Incorporation) Ordinance, 1951, hereinafter referred to as the Principal Ordinance.

Short title.

Ordinance—
No. 40 of 1951.

New section
3A inserted
in Principal
Ordinance.

2. The Principal Ordinance is hereby amended by inserting immediately after section 3 thereof the following new section to be numbered 3A :—

"Power to
acquire and
dispose of
property.

3A. (1) The Committee shall have power—

- (a) to acquire by purchase, transfer, assignment, donation, exchange, demise, gift, bequest, grant, conveyance or otherwise, any real or personal property in the Territory, and any estate or interest therein;
- (b) to sell, demise, grant, convey, exchange or otherwise dispose of and deal with all property which may, from time to time, be vested in or acquired by the Committee.

(2) In this section "Territory" means Trinidad and Tobago.

(3) This section shall be deemed to have had effect from the 1st day of December, 1951."

New section
8A inserted
in Principal
Ordinance.

3. The Principal Ordinance is hereby amended by inserting immediately after section 8 thereof the following new section to be numbered 8A.

"Exemption
from personal
liability of
members of
Committee.

8A. No personal liability shall attach to any member of the Committee in respect of anything done or suffered in good faith under the provisions of this Ordinance and any sums of money, damages or cost which may be recovered against them or any of them for anything done or suffered as aforesaid shall be paid out of the funds of the Committee."

Sections 9
and 10 of
Principal
Ordinance
repealed and
replaced.

4. Sections 9 and 10 of the Principal Ordinance are hereby repealed and replaced by the following :—

"Offences.

9. (1) Any person who shall make any statement in an application or declaration to the Committee which is false, or any person who receives a loan and fails to apply it within three months from the receipt thereof to the purpose for which it was granted, or fails to complete any building operations within nine months of the date started without a satisfactory explanation to the Committee, or who shall apply any loan obtained under this Ordinance or part thereof, to any purpose not authorised by the Committee, or

who, except with the consent in writing of the Committee, shall use or permit or suffer to be used any land or building on the security of which the loan has been made under this Ordinance for any purpose other than solely as a residence for himself and his family shall be guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment.

(2) Any borrower who shall wilfully and maliciously do any act calculated to diminish the value of the security held by the Committee shall be guilty of an offence and shall be liable on conviction on indictment to a fine of five hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment.

(3) Any person who disposes of or deals with or attempts to dispose of or deal with any property comprised on any mortgage in favour of the Committee without first obtaining the leave in writing of the Committee shall be guilty of an offence and shall be liable on summary conviction to a fine of one hundred dollars or to imprisonment for one month.

(4) In any prosecution under this section the onus of proving the manner in which any loan or part thereof has been applied shall be on the person charged.

(5) Proceedings for any such offence may be commenced at any time within three years from the date on which the offence was committed.

"Inspection
of premises.

10. (1) Any valuer or inspector employed by the Committee may at all reasonable times on giving forty-eight hours notice to the owner or occupier enter upon any land or building in respect of which a loan has been made under this Ordinance and may value or inspect the same.

(2) Any person who obstructs or causes to be obstructed any such valuer or inspector in the exercise of any powers conferred by subsection (1) of this section, whether by force or by threats or otherwise, shall be guilty of an offence and shall be liable on summary conviction to a fine of two hundred and fifty dollars or to imprisonment for three months or to both such fine and such imprisonment."

New sections
10A, 10B and
10C inserted
in Principal
Ordinance.

5. The following new sections to be numbered respectively 10A, 10B and 10C are hereby inserted in the Principal Ordinance, immediately after section 10 thereof :—

“Exemption
from
income tax.
Ch. 33. No. 1.

10A. Notwithstanding anything contained in the Income Tax Ordinance, the income of the Committee derived from operations under this Ordinance shall be wholly exempt from income tax.

Sale of land
or houses
charged to
the Committee.

10B. Any sale of land or buildings on which there is a charge in favour of the Committee shall be by public auction conducted by the Crown Solicitor.

Effect of
failure to
comply with
Ordinance or
Regulations.

10C. No failure to comply with the provisions of this Ordinance or the Regulations thereunder shall prevent the recovery of any sum by the Committee or the enforcement of any security by the Committee.”

Validation and
indemnification
of acts of the
Committee and
its officers
and servants.

6. (1) Anything done or not done by the Committee between the 1st day of December, 1951, and the commencement of this Ordinance in purported exercise of such powers as are mentioned in section 3A of the Principal Ordinance as contained in section 2 of this Ordinance and which would have been lawfully done or not done if this Ordinance had been law between such dates shall be deemed to be and to have been lawfully done or not done.

(2) The Committee, its Chairman, and every officer and servant of the Committee are hereby discharged, freed and indemnified from any consequences whatsoever which may have been incurred by them between the 1st day of December, 1951, and the commencement of this Ordinance if such consequences would not have been incurred by them had the provisions of section 3A of the Principal Ordinance as contained in section 2 of this Ordinance been law between such dates.

Passed in Council this twentieth day of September, in the year of Our Lord one thousand nine hundred and sixty-one.

J. P. OTTLEY
Acting Clerk of the Council