

## GOVERNMENT NOTICE No. 123

## TRINIDAD AND TOBAGO

## THE TOWN AND COUNTRY PLANNING ORDINANCE, 1960

## REGULATIONS

MADE BY THE MINISTER UNDER SECTION 21 OF THE TOWN  
AND COUNTRY PLANNING ORDINANCE, 1960

THE TOWN AND COUNTRY PLANNING (CONTROL OF  
ADVERTISEMENTS) REGULATIONS, 1969

1. These Regulations may be cited as the Town and Country Planning <sup>Citation</sup>  
(Control of Advertisements) Regulations, 1969.

2. In these Regulations—

Interpretation

"existing advertisement" means an advertisement being displayed in  
accordance with permission granted under the Advertisements <sup>Ch. 30, No. 1</sup>  
Regulation Ordinance or the Restriction of Ribbon Development <sup>Ch. 16, No. 2</sup>  
Ordinance;

"existing site" means a site used for the display of an existing adver-  
tisement.

3. These Regulations shall apply to the display on any land of all adver- <sup>Extent and</sup>  
tisements including, subject to regulation 8, existing advertisements, but shall <sup>application.</sup>  
not apply to any advertisement—

- (a) displayed within a building;
- (b) incorporated in and forming part of the fabric of a building, other  
than a building used principally for the display of such adver-  
tisements or a hoarding or similar structure;
- (c) displayed in or on any vehicle; or
- (d) carried by any person.

4. (1) Subject to regulations 12 and 14, no advertisement shall be dis- <sup>Minister's</sup>  
played without the express consent of the Minister who may attach conditions <sup>consent</sup>  
to such consent. <sup>required for</sup>  
<sup>the display of</sup>  
<sup>advertisements</sup>

(2) Applications for such consent shall be made in triplicate on the form <sup>First Schedule</sup>  
specified as Form 1 in the First Schedule hereto.

(3) Consent shall be deemed to be granted for any advertisement dis-  
played in accordance with a provision of these Regulations whereby advertise-  
ments of that description may be displayed without express consent; and  
where the display of such advertisements is allowed subject to the power of  
the Minister under regulation 11 to require application for express consent to  
be made, the consent so deemed to be granted shall be limited until such  
application is determined, or, if no application is made within the period  
allowed for that purpose, until the expiry of that period.

(4) Consent and refusal of the Minister shall be in the forms set out as <sup>Form 2</sup>  
Form 2 and Form 3 respectively in the First Schedule. <sup>Form 3</sup>  
<sup>First Schedule</sup>

Consent shall be for a Period not longer than five years

5. (1) Every grant of express consent shall be for a period not longer than five years.

(2) At any time within six months prior to the expiration of the consent, application may be made for the renewal thereof.

(3) Applications for renewal shall be subject to the same conditions as applications for express consent.

Minister to appoint advisory panel

6. (1) The Minister may appoint an advisory panel consisting of not more than five members to assist him with respect to the granting of consent for the display of advertisements.

(2) Members of the advisory panel shall be paid such remuneration as may be fixed by the Minister.

Advertisements not to be exhibited on any tree, telephone pole, etc.

7. No advertisement other than those specified in regulation 14, shall be displayed on any tree, telephone pole, telegraph pole, lamp post or fence, so as to be visible from any road, footpath or other public place.

Display of existing advertisements and use of existing sites

8. (1) Subject to paragraph (2), the display of existing advertisements or the use of existing sites shall continue until the expiration of the period for which permission to display such advertisements or to use such sites was granted, unless removal or discontinuance is required under any provision of the Ordinance or of these Regulations.

(2) Any existing advertisement being displayed or any existing site being used on the appointed day shall be exempt from the provisions of these Regulations for a period of one year therefrom.

Other advertisements, etc., being displayed on appointed day to be discontinued within six months

9. Any advertisement, not being an existing advertisement, being displayed on the appointed day and the use of any site for the display of such advertisement shall be discontinued within six months therefrom unless the Minister gives his express consent under regulation 4 for retention of such advertisement on such site.

Standard conditions of display and removal

10. Without prejudice to the power of the Minister to impose conditions upon the grant of express consent, the display or removal of any advertisement shall be subject to the standard conditions as set out in the Second Schedule hereto.

Power to require application to be made for express consent

11. (1) Subject to these Regulations where it appears expedient to the Minister so to do, he may serve on any person displaying an advertisement with consent deemed to be granted, other than an advertisement of a description specified in regulation 14 a notice requiring application for express consent for the continuance of such display to be made within the time (not being less than twenty-eight days) specified in the notice.

(2) A notice under this regulation may be served in respect of the use of land for the display of advertisements as aforesaid and in that event it shall not be necessary to specify any advertisement displayed thereon.

(3) The provisions of these Regulations relating to applications for express consent shall apply to the submission and determination of applications made in pursuance of a notice served under this regulation.

(4) A notice served under this regulation shall contain a full statement of the reasons why the Minister thinks it expedient in the interests of amenity or public safety to serve that notice.

12. (1) Advertisements of the following classes may be displayed without express consent, subject to the provisions of this regulation and to the power of the Minister under regulation 11 or 13.

Advertisements  
the display of  
which may be  
undertaken  
without express  
consent

### CLASS I

#### FUNCTIONAL ADVERTISEMENTS OF LOCAL AUTHORITIES, STATUTORY UNDERTAKERS AND PUBLIC TRANSPORT UNDERTAKERS

Advertisements displayed wholly for the purposes of announcement or direction in relation to any of the functions of a local authority or to the operation of a statutory undertaking or of a public transport undertaking engaging in the carriage of passengers in a manner similar to that of a statutory transport undertaking; being advertisements which are reasonably required to be displayed in the manner in which they are displayed in order to secure the safe or efficient performance of those functions, or operation of that undertaking, and which cannot be displayed as such, on in such a manner, under the provisions of this regulation relating to advertisements of any other of the specified classes.

### CLASS II

#### MISCELLANEOUS ADVERTISEMENTS RELATING TO PREMISES ON WHICH THEY ARE DISPLAYED.

- (a) Advertisements for the purpose of identification, direction or warning with respect to the land or buildings on which they are displayed, and not exceeding four square feet in area in the case of any such advertisement.
- (b) Advertisements relating to any person, partnership or company separately carrying on a profession, business or trade at the premises where any such advertisement is displayed, limited to one advertisement, not exceeding three square feet in area, in respect of each such person, partnership or company, or, in the case of premises with entrances on different road frontages, one such advertisement at each of two such entrances.
- (c) Advertisements relating to any institution of a religious, educational, cultural, recreational or medical or similar character, or to any hotel, inn or public house, club, boarding house or hostel situate on the land on which any such advertisement is displayed; limited to one advertisement, not exceeding twelve square feet in area, in respect of each such premises or, in the case of premises with entrances on different road frontages, two such advertisements displayed on different road frontages, of the premises.

## CLASS III

## CERTAIN ADVERTISEMENTS OF A TEMPORARY NATURE

- (a) Advertisements relating to the sale or letting of the land on which they are displayed; limited, in respect of each such sale or letting, to one advertisement consisting of a board (whether or not attached to a building) not exceeding twenty square feet in area, or of two conjoined boards, together not exceeding twenty-four square feet in area; no such advertisement, when displayed on a building, to project further than three feet from the face of the building.
- (b) Advertisements announcing a sale of goods or livestock, and displayed on the land where such goods or livestock are situated or where such sale is held, not being land which is normally used, whether at regular intervals or otherwise, for the purpose of holding such sales; limited to one advertisement not exceeding twenty-four square feet in area at each place where such advertisements may be displayed.
- (c) Advertisements relating to the carrying out of building or similar work on the land on which they are displayed, not being land which is normally used, whether at regular intervals or otherwise, for the purpose of carrying out such work; limited to one advertisement not exceeding twenty square feet in area on each road frontage of the premises in respect of each contractor or sub-contractor, or firm of contractors or sub-contractors, carrying out such work.
- (d) Advertisements announcing any local event of a religious, educational, cultural, political, social or recreational character and advertisements relating to any temporary matter in connection with an event or local activity of such a character, not in either case being an event or local activity promoted or carried on for commercial purposes limited to a display of advertisements occupying an area not exceeding a total of twenty square feet on any premises.
- (e) Advertisements relating to any demonstration of agricultural methods or processes on the land on which they are displayed; limited, in respect of each such demonstration to a display of advertisements occupying an area not exceeding a total of twenty square feet, no one of which exceeds four square feet in area, the maximum period of display for any such advertisement to be two years.

## CLASS IV

## ADVERTISEMENTS ON BUSINESS PREMISES

Advertisements displayed on business premises wholly with reference to all or any of the following matters; the business or other activity carried on, the goods sold or services provided, and the name and qualifications of the person carrying on such business or activity or supplying such goods or services, on those premises:

Provided that the space which may be occupied by such advertisements on any external face of a building shall not exceed one twelfth of the overall area of that face up to a height of twelve feet from ground level; and the area occupied by any such advertisement, howsoever affixed to a building shall be computed as if the said advertisement as a whole were displayed flat against the face of the building.

## CLASS V

### FLAG ADVERTISEMENTS

Any advertisement in the form of a flag which is attached to a single flagstaff fixed in an upright position on the roof of a building or within the curtilage of a building and which bears no inscription or emblem other than the name or device of a person or persons occupying the building.

(2) Consent deemed to be granted by virtue of these Regulations for the display of advertisements of the foregoing descriptions shall be subject to the following conditions in addition to the standard conditions:—

- (a) no such advertisements, other than an advertisement of Class I, shall contain letters, figures, symbols, emblems or devices of a height exceeding one foot;
- (b) no such advertisement, other than an advertisement of Class I or Class V, shall be displayed so that the highest part of the advertisement is above fifteen feet from ground level;
- (c) no such advertisement shall be illuminated except as follows:—
  - (i) advertisements of Class I, illuminated in a manner reasonably required to achieve the purpose of the advertisement;
  - (ii) advertisements of Class II or Class IV for the purpose of indicating that medical or similar services or supplies are available at the premises on which they are displayed, and illuminated in a manner reasonably required for that purpose;
- (d) save as hereinafter provided, no advertisement of Class III relating to a sale or other matter which is due to start or take place on a specified date shall be displayed earlier than twenty-eight days before that date, and every advertisement of that Class shall be removed within fourteen days after the conclusion of the event or other matter to which it relates; provided however that an advertisement of, Class III relating to the carrying out on land of building or similar works may be displayed only while such works are in progress.

(3) In this regulation:—

- (a) “business premises” means, save as hereinafter provided, any building normally used for the carrying on of any professional, commercial or industrial undertaking, or any building (other than an institution in respect of which advertisements of Class II (c) may be displayed) normally used for the provision

therein of services to members of the public or of any association, and includes public restaurants, licensed premises and places of public entertainment, but in the case of any building used principally for residential purposes includes only that part of the building normally used as business premises;

- (b) "ground level" means, in relation to the display of advertisements on any building, the ground floor of that building;
- (c) "recreational" in relation to an institution shall not apply to an institution on the carrying on of sports, games or physical training primarily as a commercial undertaking.

(4) On the determination of an application for express consent made in respect of an advertisement of a specified class, whether in pursuance of a notice served under regulation II or otherwise, the provisions of this regulation whereby advertisements may be displayed without express consent shall cease to apply with respect to that advertisement; and, in the event of refusal of consent, or of the grant of consent subject to conditions in the nature of restrictions as to the site on which, or the manner in which, the display may be undertaken, or both, the provisions of this regulation whereby the display of advertisements may be undertaken without express consent shall not apply to the subsequent display on the same land of any advertisement in contravention of that refusal or of these conditions, by, or on behalf of, the person whose application was so refused or granted subject to conditions.

(5) The conditions and limitations in this regulation apply only to the display without express consent of advertisements of the descriptions therein mentioned, and shall not restrict the powers of the Minister in regard to the determination of any application for express consent.

Power to  
exclude  
application of  
regulation 12

13. (1) If the Minister is satisfied, whether upon representations made to him or otherwise, that the display of advertisements of a class or description specified in the last foregoing regulation should not be undertaken in any particular area or in any particular case without express consent, he may direct that the provisions of that regulation shall not apply to the display of such advertisements in that area or in that case.

(2) Notice of any direction given by the Minister under this regulation with respect to an area shall be published in at least one daily newspaper and unless the Minister otherwise directs, on the same or a subsequent date in the *Gazette* and such notice shall contain a concise statement of the effect of the direction and name a place or places where a copy thereof and of a map defining the area to which it relates may be seen at all reasonable hours.

(3) A direction given under this regulation with respect to an area shall come into force on the date specified in the notice relating thereto, being a date not less than fourteen, and not more than twenty-eight days after the first publication of the notice.

Election  
notices,  
statutory  
advertisements  
and traffic  
signs

14. (1) The display of advertisements of the following descriptions may be undertaken without express consent:—

- (a) any advertisement relating specifically to a pending parliamentary or local government election, not being an advertisement to which the next following sub-paragraph applies;

- (b) advertisements required to be displayed by any enactment for the time being in force, or by Standing Orders of either House of Parliament, including (but without prejudice to the generality hereto) advertisements the display of which is so required as a condition of the valid exercise of any power, or proper performance of any function, given or imposed by an enactment;
- (c) advertisements in the nature of traffic signs employed wholly for the control, guidance or safety of traffic, and displayed in accordance with an authorisation given by the Ministry of Works or by the appropriate police authority.

(2) The display of advertisements of the descriptions set out in paragraph (1) shall be subject to the following conditions in addition to the standard conditions:—

- (a) An advertisement of the description specified in sub-paragraph (a) of the last foregoing paragraph shall be removed within fourteen days after the close of the poll in the election to which the advertisement relates; and any other advertisement displayed for a temporary purpose in accordance with this regulation shall be removed as soon as may be after the expiry of the period during which such advertisement is required or authorised to be displayed, or, if no such period is specified, shall be removed within a reasonable time after the purpose for which such advertisement was required or authorised to be displayed is satisfied.
- (b) Where advertisements of the description specified in sub-paragraph (b) of the last foregoing paragraph could, apart from this regulation, be displayed as advertisements of a specified class, they shall conform with any provision of regulation 12 as respects size, number or height in relation to the display of advertisements of that class, and otherwise shall not exceed in those respects what may reasonably be considered necessary to achieve the purpose for which the display is required; without prejudice, however, to the express requirements in regard to size, number or height as aforesaid of any enactment or Standing Orders under which such advertisements are displayed.

(3) With respect to the display of advertisements of the description specified in sub-paragraph (a) of paragraph (1) standard condition 1 shall not apply.

15. Without prejudice to any penalty elsewhere prescribed the Minister may require—

- (a) the removal of any advertisement being displayed; or
- (b) the discontinuance of the user of any site being used for the display of advertisements,

where such display or user is in contravention of any provision of these Regulations.

Minister may require removal of advertisement, etc.

Penalty

16. The penalty for the display of any advertisement in contravention of these Regulations shall be a fine of two hundred and fifty dollars and in the case of a continuing offence a further fine of one hundred dollars a day after the first day during which such display is continued.

Register of applications

17. (1) The Minister shall cause a register to be kept at the Town and Country Planning Division containing the following information in respect of all applications:—

- (a) the name and address of the applicant;
- (b) a description of the site, in respect of which the application is made;
- (c) brief particulars of the advertisement;
- (d) the date and effect of any decision of the Minister in respect of the application;
- (e) the date of any subsequent approval given in relation to the application.

(2) Within twenty-eight days of receipt of any application the information as specified in paragraph (1) relating thereto shall be entered in the register.

(3) The register shall include an index which may be in the form of a map.

Commencement

18. These Regulations shall come into force on the appointed day.

## FIRST SCHEDULE

(Regulation 4)

## FORM 1

THE TOWN AND COUNTRY PLANNING ORDINANCE, 1960

THE TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS, 1969

Application for permission to display advertisements

TO: THE MINISTER OF PLANNING AND DEVELOPMENT

I/We hereby apply for permission to display the advertisements described in this application.

Name.....  
(State whether Mr. Mrs. or Miss) (block letters)

Address of Applicant .....  
(block letters)

Postal Address.....  
.....

Telephone No. ....

If submitted by agent on behalf of the applicant;

Name.....  
*(block letters)*

Address of Agent.....  
*(block letters)*

.....

Telephone No. ....

Locality in which advertisement is intended to be displayed.....

Description of advertisement .....

Dimensions of advertisement .....

SKETCH OF PROPOSED LOCATION OF ADVERTISEMENT

Date.....

.....  
*Signature of Applicant/Agent*

FORM 2

(Regulation 4 (4))

THE TOWN AND COUNTRY PLANNING ORDINANCE, 1960

THE TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS, 1969

Application No. ....

MINISTRY OF PLANNING AND DEVELOPMENT  
Notice of permission to display advertisement

To:

Permission is hereby granted to you to display for a period of.....  
.....from.....the advertisement described in  
(date)  
your application dated.....and shown on the sketch submitted therewith.

2. Such display is subject to the conditions set out hereunder.

CONDITIONS

3. At the expiration of the period of display you shall be required to discontinue and remove the said advertisement.

4. In addition to the conditions set out above you are required to observe the standard conditions of display and remove.

STANDARD CONDITIONS

For the display of any advertisement

Regard shall at all times be had to the interests of public safety, that is to say to the safety of persons who may use any road, railway, waterway (including any coastal waters) dock, harbour or airfield affected or likely to be affected by any display of advertisements and in particular consideration shall be given whether any such display is likely to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or navigational aid.

For the removal of any advertisement

Removal shall be effected in a manner satisfactory to the Minister.

N.B.—Two copies of your application have been forwarded to the.....

.....Council.

Date.....

.....  
*Minister of Planning and Development*

FORM 3

(Regulation 4 (4))

THE TOWN AND COUNTRY PLANNING ORDINANCE, 1960  
THE TOWN AND COUNTRY PLANNING (CONTROL OF  
ADVERTISEMENTS) REGULATIONS, 1969

Application No. ....

MINISTRY OF PLANNING AND DEVELOPMENT

Notice of refusal of permission to display advertisement

To:

You are hereby refused permission to display the advertisement set out in your application dated.....and shown on the sketch submitted therewith for the reasons given below:—

REASONS

N.B.—Two copies of your application have been forwarded to the.....

.....Council.

Date.....

.....  
*Minister of Planning and Development*

## SECOND SCHEDULE

(Regulation 9)

## STANDARD CONDITIONS

For the display of any advertisement      Regard shall at all times be had to the interests of public safety, that is to say to the safety of persons who may use any road, railway, waterway (including any coastal waters) dock, harbour or airfield affected or likely to be affected by any display of advertisements and in particular consideration shall be given whether any such display is likely to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or navigational aid.

For the removal of any advertisement

Removal shall be effected in a manner satisfactory to the Minister.

Made this 21st day of August, 1969

ERIC WILLIAMS

*Minister of Planning and Development*