



TRINIDAD AND TOBAGO

No. 25—1957

[L.S.]

I ASSENT,

E. B. BEETHAM

Governor.

28th December, 1957.

AN ORDINANCE to amend the Post Office Ordinance,
Ch. 36. No. 1.

[28th December, 1957.]

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

Commence-
ment.

Enactment.

1. This Ordinance may be cited as the Post Office (Amend-
ment) Ordinance, 1957, and shall be read as one with the Post
Office Ordinance, hereinafter referred to as the Principal
Ordinance.

Short title

Ch. 36. No. 1.

Section 30 of
the Principal
Ordinance
repealed.

2. Section 30 of the Principal Ordinance is hereby repealed and in place thereof the following section shall have effect:—

"Duty of
Master or
agent of
outward bound
vessel or air-
craft with
respect to
mail.

30. (1) The master of any vessel or aircraft which is about to depart from any port or place in the Colony, or his agent, shall give to the officer in charge of the Post Office at such port or place notice in writing, in such form as may be prescribed from time to time by the Postmaster General, of the intended time of departure and of the places of call and destination of the vessel or aircraft.

(2) The notice referred to in subsection (1) of this section shall in case the destination of the vessel or aircraft be any place outside the Colony, be given not less than twenty-four hours, and in case the destination be any place within the Colony, not less than three hours, before the intended time of departure, so that the said period of twenty-four hours or three hours, as the case may be, shall expire between the hours of eight o'clock in the forenoon and six o'clock in the afternoon:

Provided that a shorter notice may be allowed by the Postmaster General or the officer in charge of the Post Office at the port or place of departure in any case or special class of cases.

(3) Where there has been any change in the intended time of departure or in the places of call or destination of the vessel or aircraft as notified under subsection (1) of this section, the master of such vessel or aircraft, or his agent, shall forthwith give notice of such change to the officer in charge of the Post Office in writing in such form as may be prescribed from time to time by the Postmaster General:

Provided that it shall not be necessary to give the notice required by this subsection where the only change is a postponement of the time of departure by not more than twenty-four hours.

(4) Where the Postmaster General or officer in charge of the Post Office at any port or place in the Colony at which any vessel or aircraft happens to be notified the master of such vessel or aircraft, or his agent, that it is his intention to despatch mail by such

vessel or aircraft, such vessel or aircraft shall not depart until the master has received on board any mail bag tendered to him by an officer of the Post Office:

Provided that the provisions of this subsection shall not apply unless such mail bag has been tendered at least one hour before the time notified as being the hour of departure of such vessel or aircraft.

(5) The master of any vessel or aircraft shall issue a receipt in such form as the Postmaster General may require for any mail bag tendered to him under the provisions of subsection (4) of this section "and shall without delay deliver such mail bag at the port or place to which it is consigned."

(6) Notwithstanding any provision of the Customs Ordinance to the contrary, no outward bound vessel or aircraft shall depart from any port or place in the Colony until the master or his agent has delivered to the proper Officer of Customs a written declaration, in such form as may be prescribed by the Postmaster General, showing that the requirements of this section have been complied with.

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(7) Notwithstanding any provision of the Customs Ordinance to the contrary, the proper Officer of Customs shall not allow any outward bound vessel or aircraft to be cleared if he has reasonable grounds for believing that any of the requirements of this section have not been complied with.

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(8) If any person knowingly gives any false notice or makes any false declaration for the purposes of this section he shall be guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars.

(9) In the event of any failure to comply with the provisions of subsection (1), subsection (4), subsection (5) or subsection (6) of this section, proceedings may be taken against either the master or agent of the vessel or aircraft, at the election of the Postmaster General, and such master or agent, as the case may be, shall in respect of such failure be liable on summary conviction to a fine of five hundred dollars; and for

any failure to comply with the provisions of subsection (3) of this section, the master or the agent, at the election of the Postmaster General, shall be liable on summary conviction to a fine of one hundred dollars:

Provided that the commencement of proceedings against any person by virtue of this subsection shall be a bar to proceedings against any other person in respect of the same matter.

(10) Where owing to circumstances beyond the control of both the master and the agent of the vessel or aircraft (the proof whereof shall be on the person charged) it is impracticable for any provision of this section to be complied with, the vessel or aircraft shall be exempt from such provisions.

“(11) Subject to the provisions of subsection (12) of this section, the preceding provisions of this section shall apply only in respect of any vessel or aircraft—

(a) used for the conveyance of mail bags pursuant to contract or continuing arrangement; or

(b) normally used for the conveyance of mail bags, the disproof of which use shall lie on the master or agent of the vessel or aircraft.

(12) Whenever the Postmaster General considers that for the purposes of this section an emergency exists he may publish a notice to that effect in the *Royal Gazette* and in at least one of the newspapers circulating in the Colony and as from the day after the publication of such notice subsections (1) to (10) of this section shall have effect in relation to all vessels and aircraft not mentioned in subsection (11) of this section or to such classes thereof as shall be stipulated by the Postmaster General in the notice referred to in this subsection.”

(13) In this section, the expression “master of an aircraft” includes the pilot or other person in charge of an aircraft; and the terms “agent” and “proper Officer of Customs” have respectively the same meanings as in the Customs Ordinance.”

3. (1) Section 31 of the Principal Ordinance is hereby amended as follows:—

Section 31 of
the Principal
Ordinance
amended.

- (a) in subsection (1), by inserting immediately after the word "packets" occurring in the ninth line thereof the words "together with any mail bags consigned to the Colony";
- (b) in subsections (2) and (3), by inserting immediately after the word "packets" the words "or mail bags"; and
- (c) in subsection (5), by inserting immediately after the word "packets" the words "and mail bags".

(2) The marginal note to section 31 of the Principal Ordinance is hereby amended by inserting the words "or aircraft" immediately after the word "vessel" and by inserting the words "and mail bags" immediately after the word "packets".

Passed in Council this sixth day of December, in the year of Our Lord one thousand nine hundred and fifty-seven.

G. E. L. LAFOREST

Clerk of the Council.