



TRINIDAD AND TOBAGO

No. 7—1954

[L.S.]

I ASSENT,

H. E. RANCE,
Governor.

22nd February, 1954.

AN ORDINANCE to amend the Summary Offences
Ordinance, Ch. 4. No. 17.

[23rd February, 1954.]

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 Summary Offences (Amendment) Ordinance, 1954, and shall be read as one with the Summary Offences Ordinance, in this Ordinance referred to as the Principal Ordinance.

Section 67 of
Principal
Ordinance
amended

2. Section 67 of the Principal Ordinance is hereby amended—

(i) in subsection (2) thereof, by substituting a semi-colon for the full stop at the end of paragraph (c) and by adding immediately after the said paragraph (c) the following new paragraph to be lettered (d):—

“(d) prohibiting, subject to any stated exceptions, any person from having with him in any public place any article, specified in such regulations, which in the opinion of the Commissioner of Police may be used for causing injury to the person.”;

(ii) in subsection (3) thereof by substituting for the words and comma “to a fine of forty-eight dollars, or to imprisonment for three months” the words and comma “to a fine of two hundred and forty dollars, or to imprisonment for six months with hard labour or to both such fine and such imprisonment”; and

(iii) by adding at the end thereof the following new subsections to be numbered (4), (5), (6), (7) and (8):—

“(4) If during the carnival any person shall have with him in any public place any article which by virtue of regulations made under subsection (2) of this section he is prohibited from so having, any member of the Police Force may, if he considers it expedient so to do, without proceeding to arrest such person, seize and take away such article. All articles seized under this subsection shall be forfeited and shall be kept in safe custody by the Police until disposed of in such manner as the Governor may direct.

(5) If during the carnival any person shall have with him in any public place any article which, in the opinion of a member of the Police Force is likely to be used for causing injury to the person, such member of the Police Force, if he considers it in the interest of the safety of members of the public so to do, may, notwithstanding that such article does not fall within the class of articles specifically prohibited by regulations made under subsection (2) of this

section, seize and take away such article. All articles seized under this subsection shall be kept in safe custody by the Police, and if within a period of six months after the carnival at which such articles have been seized any person establishes to the satisfaction of the Commissioner of Police a claim to any such article the Commissioner of Police shall cause such article to be restored to such person: Provided that nothing in this subsection shall authorise or be construed as authorising the restoration to any person of any offensive weapon within the meaning of the Prevention of Crime (Offensive Weapons) Ordinance, 1953; but all such offensive weapons seized under this subsection, and all other articles so seized which are not claimed within the aforesaid period of six months shall be forfeited and shall be kept in safe custody by the Police until disposed of in such manner as the Governor may direct.

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(6) If any person refuses to deliver up any article which a member of the Police Force requires to be delivered up for seizure under the provisions of subsection (4) or subsection (5) of this section, or obstructs any member of the Police Force when acting in pursuance of any provision of the said subsections, he shall be guilty of an offence and shall be liable to a fine of two hundred and forty dollars or to imprisonment for six months with hard labour or to both such fine and such imprisonment.

(7) In this section—

- (a) the expression "Police Force" shall be construed as including reference to the Railway Police Force, the Special Reserve Police, and the Supplemental Police established under the Supplemental Police Ordinance; Ch. 11. No. 2
- (b) the expression "public place" includes any highway and any other premises or place to which at the material time the public

have or are permitted to have access, whether on payment or otherwise.

(8) The provisions of paragraph (d) of subsection (2), and of subsections (4), (5), (6) and (7) of this section shall be additional to, and not in derogation of, the provisions of the Prevention of Crime (Offensive Weapons) Ordinance, 1953; and the validity of regulations duly made under the authority of the said paragraph (d) shall not be questioned by reason only that they are repugnant to the provisions of the said Ordinance.

Validation of
Regulations

3. In order to remove doubts it is hereby declared that the Regulations made by the Commissioner of Police on the 17th day of February, 1954, and entitled the Carnival Regulations, 1954, shall be deemed to have been lawfully and validly made.

Passed in Council this nineteenth day of February, in the year of Our Lord one thousand nine hundred and fifty-four.

T. F. FARRELL
Clerk of the Council