

TRINIDAD AND TOBAGO.

No. // .—1893.

17th April.

AN ORDINANCE for the better protection of the Public Health.

Handwritten signature and text, possibly "Governor" and "17th April 1893".

WHEREAS it is expedient that special powers should be exercised by the Government of the Colony for the protection of the Public Health whenever occasion shall arise therefor: Be it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as "The Public Health Short title. Ordinance, 1893."

2. This Ordinance shall come into operation whenever, Ordinance to come into operation by Proclamation of Governor. and during such time as, the Governor with the advice of the Executive Council shall by Proclamation declare that it is expedient that special powers should be exercised for the protection of the public health.

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Power of Governor in certain cases.

3. The Governor shall have power

(1.) *a.* To order the restraint, segregation, isolation and removal of persons suffering from cholera, yellow fever, small-pox or any other infectious disease.

b. To order the isolation, removal, disinfection and destruction of personal effects, goods, houses, and other property exposed to infection from cholera, yellow fever, small-pox or any other infectious disease, subject to such compensation as the Governor, with the consent of the Legislative Council, may think fit to order.

c. To appoint and to authorise officers to exercise all or any of the aforesaid powers.

(2.) To expend from the public funds of the Colony such sums of money as may be necessary for the purpose of carrying out the provisions of this Ordinance or any regulations made thereunder.

(3.) To do all such other matters and things as the Governor in Executive Council may deem necessary for the protection of the public health.

Governor to order execution of works in certain cases.

4. The Governor may if he shall see fit order that any work or nuisance, which the local authority of any Borough, any Municipal or other Corporation or any person is required by any law relating to the public health to execute or remove, be executed and removed at the charge of the public revenue by any person whom he may for that purpose appoint, and the expenses incurred in the execution of such works and in the removal of such nuisance shall be a debt due to Her Majesty the Queen by

such local authority, Municipal or other Corporation or person as aforesaid.

5. (1.) Where an inmate of any building used for human habitation is suffering from cholera, yellow fever, small-pox or any other infectious disease specified in any regulations made under this Ordinance, then, unless such building is a hospital in which persons suffering from cholera, yellow fever, small-pox or such other infectious disease, as the case may be, are received, the following provisions shall have effect, that is to say,

Notification of
infectious
diseases.

- a. The head of the family to which such inmate (in this Ordinance referred to as the patient) belongs, and in his default the nearest relatives of the patient present in the building or being in attendance on the patient, and in default of such relatives every person in charge of or in attendance on the patient, and in default of any such person the occupier of the building shall, as soon as he becomes aware that the patient is suffering from cholera, yellow fever, small-pox or any other infectious disease as aforesaid, as the case may be, send notice thereof to the Surgeon-General in Port-of-Spain, or to the Medical Officer of the District where such patient resides.
- b. Every Medical Practitioner attending on or called in to visit the patient shall forthwith on becoming aware that the patient is suffering from cholera, yellow fever, small-pox or other infectious disease as aforesaid, as the case may be, send to the Surgeon-General in Port-of-Spain, or to the Medical Officer of the District

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where such patient resides, a certificate stating the name of the patient, the situation of the building and the disease from which, in the opinion of such Medical Practitioner, such patient is suffering.

(2.) Every person required by this Section to give a notice or certificate, who fails to give the same, shall be guilty of an offence and be liable to a fine not exceeding Twenty Pounds nor less than Five Pounds.

Foregoing Section to apply to vessels, tents, &c., &c.

6. The provisions of the foregoing Section shall apply to every ship, vessel, boat, tent, van, shed or similar structure used for human habitation in like manner as nearly as may be as if it were a building.

Interpretation of expression "occupier."

7. The expression "occupier" in Section 5 of this Ordinance includes a person having the charge, management or control of a building or of the part of a building in which the patient is, and in the case of a house the whole of which is let out in separate tenements, or in the case of a lodging-house the whole of which is let to lodgers, the person receiving the rent payable by the tenants or lodgers either on his own account or as the agent of another person, and in the case of a ship, vessel or boat, the master or other person in charge thereof.

Power of Governor to make regulations with regard to public health.

8. The Governor in Executive Council may make regulations for the protection of the public health, and for such purpose may deal with and include therein any such matter and action which the Governor in Council may deem it necessary to deal with or include therein, and such regulations shall prescribe penalties for breaches thereof, such penalties not to exceed a fine of One Hundred Pounds or a term of imprisonment with or without hard labour of more than six months.

9. All regulations made as aforesaid shall be published in the *Royal Gazette*, and when so published shall thenceforth have the same effect and operation as if the same were enacted by and formed part of this Ordinance.

Regulations to have the force of law.

Production of a copy of the *Royal Gazette* containing regulations purporting to have been made under the provisions of this Ordinance shall be received as *prima facie* evidence of such regulations in all Courts of Justice.

10. Any person who unlawfully enters into or approaches any Quarantine Station or who wilfully disobeys any order of any Harbour Master, visiting officer or other officer guarding any such Quarantine Station shall be guilty of an offence and may be arrested at the time of the offence or on completion of such quarantine as he may be liable to and taken before any Stipendiary Justice of the Peace having jurisdiction, and shall on conviction be liable to a fine not exceeding Fifty Pounds or less than Ten Pounds, or to be imprisoned with or without hard labour for any term not exceeding six months, and any vessel, boat or vehicle and the contents thereof and any animal or property used by or in charge of such person at the time of committing any such offence, and the contents thereof, shall be forfeited to Her Majesty the Queen.

Penalty on unlawfully entering Quarantine Station or disobeying guards.

11. If the master or other person in charge of any vessel shall infringe, or shall knowingly suffer or permit any person on board any such vessel to infringe the provisions of this or any other Health or Quarantine Ordinance or any regulations made thereunder, such vessel may by order of a Judge of the Supreme Court be forfeited to Her Majesty the Queen on an application being made to him for this purpose.

Forfeiture of vessel infringing Quarantine regulations.

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Every such application shall be made by summons returnable within such time as the Judge granting such summons shall order.

The rules of procedure of the Supreme Court with respect to summonses in chambers shall apply to summonses under this Section.

Release of vessel forfeited by order of Supreme Court.

12. It shall be lawful for a Judge of the Supreme Court to order that any vessel forfeited by virtue of the provisions in the foregoing Section of this Ordinance be released on payment by or on behalf of the master or other person in charge of such vessel of a penalty of not more than Five Hundred Pounds or less than Fifty Pounds.

Procedure in accordance with Ordinance No. 5 of 1868.

13. All offences under this Ordinance or under any regulations made in pursuance thereof shall be punishable on summary conviction before a Stipendiary Justice of the Peace in the manner prescribed by and according to the Ordinance No. 5 of 1868, intituled "An Ordinance respecting the Summary Administration of Justice."

Repeal of Ordinance No. 16 of 1892.

14. The Ordinance No. 16 of 1892, intituled "An Ordinance for the better protection of the Public Health," is hereby repealed.

Passed in Council this Seventeenth day of April, in the year of Our Lord one thousand eight hundred and ninety-three.

Clerk of the Council.