

TRINIDAD AND TOBAGO.

No. 17.—1919.

I ASSENT,

[L.S.]

W. M. GORDON,  
*Acting Governor.*

11th June, 1919.

AN ORDINANCE to amend the Public Health Ordinance, 1915.

[On Proclamation.]

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

Short Title. 1. This Ordinance may be cited as the Public Health (Amendment) Ordinance, 1919.

Interpretation. 2. In this Ordinance "Principal Ordinance" means the Public Health Ordinance, 1915.

3. The following shall be inserted as Part IXA of the principal Ordinance:—

## PART IXA.

## UNSOOUND FOOD.

85A.—(1.) An Inspector may at all reasonable times <sup>Inspection and destruction of unsound food.</sup> enter any premises and inspect and examine, and may in any street or other public place inspect and examine :

- (a.) any article whether solid or liquid, intended for the food of man and sold or exposed for sale or deposited in any place or in course of transmission for the purpose of sale or of preparation for sale ; or
- (b.) any live animal or dead animal or part thereof intended for the food of man which is sold or exposed for sale or deposited in any place or is in course of transmission for the purpose of sale or of preparation for sale.

(2.) The proof that any article or live animal or dead animal or part thereof was not sold or exposed or deposited or in course of transmission for any purpose in the last preceding sub-section mentioned or was not intended for the food of man shall rest upon the person alleging the same.

(3.) If any such article or live animal or dead animal or part thereof as aforesaid appears to the Inspector to be diseased or unsound or unwholesome or unfit for the food of man, he may seize and carry away the same himself or by his assistants, and may cause the same to be destroyed or may order the same or any part thereof to be kept apart and dealt with according to his directions.

Provided that if the Inspector be not a Medical Practitioner or Veterinary Surgeon he shall have no power to order the destruction of any such article or live animal or dead animal or part thereof.

(4.) The expenses incurred in destroying any such article or live animal or dead animal or part thereof as aforesaid or in having the same kept apart and dealt with according to the directions of the Inspector shall be a debt due by the owner and may be recovered on the information of the Inspector in a summary manner from the owner or from the person who is in possession of such article or live animal or dead animal or part.

(5.) If it appears to a Magistrate that any article or live animal or dead animal or part thereof which has been seized or is liable to be seized under this section is diseased or unsound or unwholesome or unfit for the food of man, the person to whom the same belongs or did belong at the time of sale or exposure for sale, or deposit or transmission for the purpose of sale or of preparation for sale, or in whose possession or on whose premises the same was found, shall be liable on summary conviction to a penalty not exceeding £50 for every such article or live animal or dead animal or part, or if the article consists of fruit, vegetables, corn, bread or flour, for every parcel thereof.

(6.) Where it is shown that any article or live animal or dead animal or part thereof liable to be seized under this section and found in the possession of any person was purchased by him or consigned to him from another person for the food of man, and when so purchased or consigned was in such a condition as to be liable to be seized under this section, the person who so sold the same shall be liable to the fine above mentioned, unless he proves that at the time he sold or consigned the said article or live animal or dead animal or part he did not know and had no reason to believe that it was in such a condition.

(7.) Where a person convicted of an offence under this section has been within twelve months previously convicted of an offence under this section, the Court may, if it thinks fit, and finds that he knowingly and wilfully committed such offences, order that a notice of the facts be affixed, in such form and manner and for such period not exceeding twenty-one days as the Court may order, to any business premises or to any stall in any market occupied by that person, and that the person do pay the cost of such affixing; and if any person obstructs the affixing of such notice or removes, defaces or conceals the notice affixed during the said period, or assaults, obstructs or resists any person duly authorised to affix such notice, he shall be liable to a penalty not exceeding £5.

(8.) If any person licensed to sell meat within the limits of the City of Port-of-Spain or of any Borough, or any butcher or seller of meat in any public market, or any person licensed under Part XVIc of this Ordinance

is convicted of an offence under this section, the Court convicting him may cancel his licence for the sale of meat, or suspend the same for such time as the Court may deem fit, and in the case of butchers and sellers of meat in the public markets, may order that such butcher or seller of meat shall be disqualified from selling meat in any public market.

If any person after cancellation of his licence or disqualification as last aforesaid shall sell or keep or expose for sale any meat, such person shall be liable to imprisonment with or without hard labour for any term not exceeding six months.

(9.) Where a person has in his possession any article which is diseased or unsound or unwholesome or unfit for the food of man, he may, by written notice to the local authority, specifying such article and containing a sufficient identification of it, request its removal, and the local authority shall cause it to be removed; and such person shall pay to the local authority a reasonable sum for such removal.

(10.) Any person who refuses or fails to allow an Inspector to enter any premises or place for the purpose of making an inspection or examination under this section is liable on summary conviction to a penalty not exceeding £10; and the provisions of Sections 158 and 159 of this Ordinance shall apply to an Inspector as if he had been expressly named in those sections.

(11.) In this section "Inspector" includes a Medical Officer of Health and a Sanitary Inspector appointed under the principal Ordinance, and an Inspector of Meat appointed under the Port-of-Spain Corporation Ordinance, 1914.

4. The following shall be inserted as Part IXB of the Principal Ordinance :—

#### PART IXB.

##### IMPORTATION OF FOOD AND DRINK.

85B.—(1.) The Board may make regulations authorising measures to be taken for the prevention of danger arising to public health from the importation into the Colony of articles of food and drink (other than drugs or water) intended for sale for human consumption.

Importation of  
food and  
drink.

(2.) There may be attached to the breach of any such regulations a penalty not exceeding £50, to be recoverable in a summary manner.

(3.) For the purposes of regulations made under this section, articles commonly used for the food and drink of man shall be deemed to be intended for sale for human consumption unless the contrary is proved.

(4.) No compensation shall be payable to any person in respect of any article of food or drink destroyed under any regulation made under this section, nor shall any person acting under the authority of any such regulation be liable to any action at law in respect of such destruction.

5. The following shall be inserted as Part IXc of the Principal Ordinance:—

#### PART IXc.

##### SALE OF OYSTERS AND OTHER SHELL FISH.

Sale of oysters  
and other  
shell fish.

85c. No person shall, except with the licence of the local authority, sell oysters and other shell fish in any urban district.

The Local Authority may make bye-laws with regard to the issue of such licenses, with regard to the places from which oysters or other shell fish may be collected and with regard to the sale thereof.

Any person contravening the provisions of this section or of any bye-law made thereunder shall be liable on summary conviction to a penalty not exceeding £10.

6. Part XV of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

#### PART XV.

##### HOTELS, RESTAURANTS, AND SHOPS WHERE FOOD IS SOLD BY RETAIL.

Hotels,  
restaurants,  
and shops.

155. A Local Authority may make bye-laws for all or any of the following matters, that is to say:—

- (a.) The inspection of hotels, restaurants, retail shops and places where any article, cooked or uncooked, and intended for human consumption, is sold, exposed or offered for sale, or deposited for the purpose of sale or of preparation for sale ;
- (b.) The cleanliness and disinfection of the premises, and of all instruments, appliances, furniture, utensils, fixtures, and accessories used in connection with the business carried on in any hotel, restaurant, retail shop or other such place ;
- (c.) The protection from contamination by dust, flies and otherwise of all articles intended, exposed or offered for sale for human consumption in such hotels, restaurants, retail shops and other places ;
- (d.) The precautions to be taken against the spread of infection or communication of disease from, to or amongst persons on such premises, whether occupiers, employees, employers, guests or customers ;
- (e.) The painting, varnishing, distemping or lime-washing of the inner and outer walls, and of all fixtures, counters, shelves, doors, windows, and partitions of such hotels, restaurants, retail shops and other places ;
- (f.) The duties of owners and occupiers with regard to the removal and disposal of all refuse and waste matters from such hotels, restaurants, retail shops and other places.

#### HUCKSTERS.

155A. A Local Authority may make bye-laws for the protection from contamination by dust, or flies or otherwise of all foodstuffs, cakes, pastry, and other confectionery kept, sold, or offered for sale, outside of any building, or in any street, square, or other public place. Hucksters.

7. The following shall be inserted as Part XVI A of the principal Ordinance :—

## PART XVI A.

## BARBERS' AND SIMILAR SHOPS.

Barbers and  
similar shops.

156A.—(1.) A local authority may make bye-laws as to all or any of the following matters relating to shops, that is to say:—

- (a.) the cleanliness and disinfection of the premises and of all instruments, appliances, furniture, utensils, fixtures and accessories used in or in connection with the business carried on in such premises;
- (b.) precautions against the spread of infection or communication of disease from, to or amongst persons on such premises, whether occupiers, employers, employees or customers;
- (c.) the entry on and examination of such premises by the local authority;

(2.) In this section the term "shop" includes "barber's shop" and any room in any shop used for the purpose of carrying on the business of a barber, and also any other shop or room or class of shop or room which by proclamation in the *Royal Gazette* the Governor in Executive Council may declare to be included in such term.

8. The following shall be inserted as Part XVI B of the principal Ordinance:—

## PART XVI B.

## SLAUGHTER-HOUSES.

Slaughter  
houses.

156B.—(1.) The local authority of any urban district may, if they think fit, provide one or more slaughter-houses in such district, and from and after the provision of any such slaughter-house, it shall not be lawful for any person to slaughter any animal intended for the food of man in any place within the district except in any such slaughter-house, and any person acting in contravention of the provisions of this section is liable to a penalty not exceeding £10 for each animal slaughtered.

(2.) In this section the term "animal" means any bull, cow, ox, steer, bullock, heifer, calf, sheep, lamb, pig or goat and any other animal which by proclamation in the *Royal Gazette* the Governor in Executive Council may declare to be included within such term.

(3.) Any such local authority as aforesaid may make bye-laws for regulating the use of any slaughter-houses provided by them, and of all buildings, stalls, pens, slaughtering places, or other parts thereof, and the approaches thereto and any pastures attached thereto, and specifically for all or any of the following purposes, namely:—

- (a.) For fixing the tolls, rents and other charges to be paid thereat, and for regulating the rights and liabilities of owners of any animals brought therein and the right of access to such slaughter-houses and appurtenant grounds or any part thereof;
- (b.) For regulating the manner of occupying and using such slaughter-houses, and the inspection and slaughtering of animals therein;
- (c.) With respect to the licensing of slaughter-men and the suspension, revocation and cancellation of such licenses;
- (d.) For fixing the hours at which such slaughter-houses shall be opened and closed;
- (e.) For fixing the hours when, and prescribing the conditions and requirements under and subject to which, animals are to be slaughtered therein;
- (f.) For fixing the times when and prescribing the conditions and requirements under and subject to which carcasses and other parts of any animals slaughtered in such slaughter-houses shall be removed therefrom;
- (g.) For prescribing the description and make of the carts to be provided by the owners of carcasses of animals slaughtered in such slaughter-houses for the removal of such carcasses therefrom;

- (h.) For dealing with any animal which may be found to be diseased;
- (i.) For regulating the feeding and watering of animals brought therein and for preventing cruelty therein;
- (j.) For regulating the landing of animals intended to be taken direct from the landing place to any such slaughter-house, and prescribing the precautions to be observed by the owners of such animals in bringing such animals into the slaughter-house or any part thereof;
- (k.) For regulating and fixing the charges for the use of any scales provided by the local authority;
- (l.) For preventing nuisances and obstructions in any such slaughter-houses or any part thereof, or the approaches thereto or the grounds around the slaughter-house buildings, and for the summary ejection from such slaughter-houses, approaches or grounds of any person or persons found fighting or behaving in a disorderly or riotous manner or creating any disturbance therein.

Default of owners in complying with bye-laws.

(4.) Where any owner makes default in complying with any bye-law made under this section imposing any duty on him with respect to any animal belonging to him, it shall be lawful for the local authority, without prejudice to their right to institute summary proceedings for the breach of such bye-law, to undertake the execution of such duty, and the expenses incurred for the purpose shall be a debt due from such owner to the local authority.

Default in payment of expenses.

(5.) Where default is made by any owner in payment of any expenses due to the local authority under this Part of this Ordinance or under any bye-laws made thereunder, it shall be lawful for the local authority to recover the expenses due by summary proceedings before the Magistrate or by sale of any animal of the owner then in the slaughter-house.

(6.) Any sale under this section shall be by public auction, after seven days advertisement thereof. And the local authority shall apply the proceeds of such sale in or towards the payment of the costs and expenses of such sale and secondly in or towards payment of the sums due by the owner to the local authority; and the surplus, if any, shall be paid to the person entered as the owner of the animal in the books of the local authority.

Sale and  
proceeds  
thereof.

9. The following shall be inserted as Part XVIc of the principal Ordinance:—

### PART XVIc.

#### SALE OF FRESH MEAT IN PROCLAIMED AREAS.

156c.—(1.) The Governor in Executive Council may from time to time by proclamation declare any area, to be defined in such proclamation, (hereinafter referred to as a “defined area”), being outside the limits of the City of Port-of-Spain, the Boroughs of San Fernando and Arima and of Princes Town as defined in Ordinance No. 44 of 1917, to be an area in which fresh meat shall not be sold except in premises or places approved and by persons licensed for the purpose by the local authority.

(2.) On the coming into operation of any such proclamation it shall be lawful for the local authority of the district in which a defined area is situate from time to time to approve premises or places in such area in which fresh meat may be sold or offered or exposed for sale, and to grant to any person or persons licenses to sell or offer or expose for sale fresh meat in such premises or places.

(3.) Every such license shall be issued free of charge to the applicant, shall (unless cancelled under Sub-section (5) of this section or under Sub-section (8) of Section 85a of this Ordinance) expire on the succeeding thirty-first day of December and shall be granted on such terms and conditions as the local authority may from time to time determine.

(4.) No license under this section shall be granted to a person suffering from any communicable or infectious disease, or to any person whose state of health is, in the opinion of

the Medical Officer of Health, such as to render him unfit to be concerned in the sale of meat.

(5.) The local authority may cancel any license on a breach of any of the terms and conditions thereof, and shall cancel any such license if the holder thereof is found to be suffering from any communicable or infectious disease or whose state of health is in the opinion of the Medical Officer of Health such as to unfit him to be concerned in the sale of meat.

(6.) Any person who sells or offers or exposes for sale any fresh meat in a defined area except on premises or in a place approved by the local authority or not being the holder of an unexpired license granted under this section shall be liable on conviction to a penalty not exceeding £10.

(7.) In this section "fresh meat" means fresh meat of any bull, cow, ox, steer, bullock, heifer, calf, sheep, lamb, pig, goat or turtle slaughtered for sale, and includes imported fresh meat.

#### MISCELLANEOUS.

10. The Principal Ordinance is hereby amended in the following particulars:—

(a.) Section 15 is hereby repealed, and in lieu thereof shall be read the following:—

Appointment  
of officers  
by Local  
Authority.

15. The local authority in an Urban Sanitary district may and shall, if so required by the Board, appoint a Medical Officer of Health, a Secretary, such Sanitary Inspectors and other officers as may from time to time be necessary.

In Rural Sanitary districts, the District Medical Officer shall be the Medical Officer of Health, and the other officers of the authority shall be appointed by the Governor.

Provided that a Sanitary Inspector in an Urban Sanitary district shall be the holder of a certificate of such body as the Board may from time to time approve, that he

*Repealed by Lic. 3  
of 26/1921* (2)

Qualifications  
of Sanitary  
Inspectors,

has by examination shown himself competent for such office.

Provided also that the Board may in such cases as it thinks fit dispense with such certificates.

(b.) The following shall be inserted after (b) of sub-section (1) of section 17 :— Bye-laws as to Sanitary Inspectors.

(c.) the regulation of the instruction and examination of persons desiring to qualify as Sanitary Inspectors, and the issue of certificates to successful candidates at such examinations.

(c.) The penultimate paragraph of section 42 shall be read with the omission of the words "or their" in the eighth line thereof. Verbal amendment of Section 42.

(d.) In Section 51, in lieu of "whitewashing" and "whitewash" shall be read "limewashing" and "limewash" respectively. Verbal amendment of Section 51.

(e.) Section 61 is hereby repealed, and in lieu thereof shall be read the following :— Privies, drains and ashpits.

61. A local authority may make bye-laws for the whole or any part of their district with respect to privies, drains, and ashpits, and the proper accessories thereof in connection with buildings, whether constructed before or after the commencement of this Ordinance.

(f.) In lieu of Sub-section (3) of Section 62 shall be read the following :— Cleansing and disinfection.

(3.)—(a) the cleansing and disinfection of buildings or parts thereof;

(b) the cleansing and disinfection of privies, dustbins and drains; and

(c) the collection, removal and disposal of night soil

upon such charges as the Local Authority may from time to time fix.

Abatement of  
nuisance in  
urgent cases.

(g.) The following shall be read as Sub-section (5) of Section 72 :—

(5.) Provided that in the event of immediate action becoming in the opinion of the Chairman of the local authority necessary to deal with a nuisance the abatement of which is certified by the Medical Officer of Health to be urgent, the Chairman of the local authority may take all such steps and do all such things as the local authority is empowered to do for the purpose of abating a nuisance under this Part of the Ordinance.

Power to  
cancel licenses  
relating to  
milk.

(h.) Section 83 is hereby amended as follows :—

In Sub-section (1) in the fifth line of paragraph (l), in lieu of the word "regulations" shall be read the words "bye-laws."

After paragraph (l) shall be read the following :—

(m) for the cancellation of licenses for breaches of bye-laws.

Sub-section (3) shall be read with the insertion of the words "unless cancelled under the provisions hereof" after the word "shall" in the second line.

Water supply  
for schools

(i.) The following shall be inserted as sub-section (3) of Section 93 :—

(3.) This section shall not apply to any school house or building built for the purposes of public entertainment which is situated in a district in which there is an adequate pipe-borne water supply.

(j.) Section 104 is hereby amended as follows :—

Verbal  
amendment of  
Section 104.

In the fifth line of paragraph (b) of sub-section (1), after the word "Officer" shall be read the words "of Health."

In lieu of the words "to the Surgeon-General and to the Board" in paragraphs (a) and (b) of Sub-section (1) shall be read the words "to the Secretary of the Board."

(k.) In Section 109, in the third line of Sub-section (1) "~~(No. 161)~~" shall be struck out; and after the word <sup>Verbal amendment of Section 109.</sup> "disease" in the ninth line shall be read the words "or is lodged in any common lodging house," and the words "and any person so suffering who is lodged in any common lodging house may on a like certificate and with the like consent be so removed" shall be struck out.

*Referred by Sec.  
9 and 16/1920*

(l.) In Sub-section (1) of Section 112, after the word "disease" in the second line thereof shall be read the words <sup>Infected person not to carry on certain occupations.</sup> "or who is nursing or attending on a case of infectious disease."

(m.) Section 113 is hereby amended as follows:—

In Sub-section (1) after the word "infectious" shall be read the words <sup>Infected clothes not to be sent to laundry.</sup> "or communicable."

In Sub-section (2) in lieu of the words "take or send" in the first line shall be read the words "take send or deliver;" after the words "laundry or" shall be read the word "give" and after the word "infectious" shall be read the words "or communicable."

(n.) In the last line of the second paragraph of section 115, in lieu of the words "at the cost of the local authority" shall be read the words <sup>Verbal amendment of Section 115.</sup> "at the cost of such owner or occupier."

(o.) The following sub-section shall be added to Section 118: <sup>Definition of "book."</sup>

(6.) In this section the term "book" includes newspapers, magazines and other periodicals.

(p.) In Section 122, after the word "vehicle" in the first line shall be read the words <sup>Disinfection of public vehicles.</sup> "other than a hearse."

(q.) In paragraph (g) of Section 140, in lieu of the words "white-washing or colour-washing" shall be read <sup>Bye-laws for barracks, &c.</sup> the words "or limewashing."

(r.) In Section 152, in lieu of the word "contagious" shall be read the word "communicable."

Power of  
entry of  
Medical  
Inspector of  
Health.

11. The following shall be read as Section 19a of the Principal Ordinance:

19A. It shall be lawful for the Medical Inspector of Health, with the written authority of the Board, to enter any premises at any reasonable time for the purpose of making enquiries in relation to matters connected with the public health or with respect to which the sanction, approval or consent of the Board is required under this Ordinance.

Repeal.

12. Sections 1, 2, 3, 18, 22, 35 and 36 of the Food and Drugs Ordinance (No. 162), the Importation of Food Ordinance, 1906 (18 of 1906) and sections 252, 269 (1), 271, and 272 of the Port-of-Spain Corporation Ordinance, 1914, Sections 32 and 34 of the Port-of-Spain Corporation (Amendment) Ordinance, 1918, all the words after the words "*Royal Gazette*" in Section 163 of the Public Health Ordinance, 1915, and the Public Health (Regulations as to Food) Ordinance, No. 40 of 1917 are hereby repealed.

13. This Ordinance shall commence on a day to be fixed by the Governor by proclamation in the *Royal Gazette*.

Passed in Council this Thirtieth day of May, in the year of Our Lord one thousand nine hundred and nineteen.

J. M. FARFAN,  
*Acting Clerk of the Council.*

Repealed by  
Sec: 4 (2) of  
26 of 1921.

Commence-  
ment.  
Proc. 51 of 1919  
as from 1.10.19.