



TRINIDAD AND TOBAGO

No. 28—1949.

[L.S.]

2nd COURT

I ASSENT, ✓

P. M. RENISON,
Acting Governor.

30th November, 1949

AN ORDINANCE to amend the Arima Corporation Ordinance, Ch. 39. No. II.

[3rd December, 1949]

Commencement.

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

1. This Ordinance may be cited as the Arima Corporation (Amendment) Ordinance, 1949, and shall be read as one with the Arima Corporation Ordinance, hereinafter referred to as the Principal Ordinance. Short title Ch. 39. No. II.

Section 107
of Principal
Ordinance
amended.

2. Section 107 of the Principal Ordinance is hereby amended—

(a) by deleting from subsection (3) the words “and the decision of the Magistrate shall be final and binding on all parties” and the comma immediately preceding those words ;

(b) by deleting subsection (5).

New sections
added to
Principal
Ordinance.

3. The following sections are hereby added to the Principal Ordinance immediately after section 107 :—

“Appeal from
decision of
Magistrate. 107A. (1) In case the Council or any owner shall be dissatisfied with the decision of the Magistrate on any appeal to such Magistrate against the decision of the Council on such owner’s objection to any assessment made by the Council, the Council or such owner may appeal from the decision of the Magistrate to the Full Court : Provided that unless such notice of appeal shall be given within fourteen days of the date of such decision, the decision of the Magistrate shall be final and binding and conclusive against all parties.

(2) The notice of appeal shall be signed by the appellant or his counsel or solicitor, shall state the grounds on which the appeal is based, and shall be according to the form I or the form J in the Fourth Schedule.

Appellant to
enter into
recognizance.

107B. Within five days after giving such notice, the appellant shall enter into a recognizance before some Justice with a surety or sureties in the sum of one hundred and forty-four dollars at least conditioned to appear and prosecute such appeal at the next sitting of the Full Court and to abide the order of and to pay such costs as shall be awarded by such Court at such sitting or any adjournment thereof. Such recognizance shall be according to the form K in the Fourth Schedule hereto : Provided that in the event of any appeal by the Council it shall not be necessary for the Council to enter into any recognizance whatsoever.

Copy of
notice of
appeal to
be sent to
respondent.

107C. The Clerk of the Peace shall cause to be served upon the respondent or his solicitor a copy certified under his hand of the notice of appeal, and shall notify the appellant and the respondent or their solicitors respectively of the day on which the appeal will in the ordinary course of business be on the list for hearing before the Full Court.

Altered valuations to be entered in House Rate Book.

107D. Where the valuation of any rateable hereditament has been altered or amended by a Court of competent jurisdiction, or where the Council has, under the powers conferred by this Part of this Ordinance, altered the valuation of any rateable hereditament, the Council shall cause such alteration or amendment to be made and entered in the House Rate Book in such places therein, and in such manner and form and with such references across or opposite any entry or entries therein, as they may consider necessary or convenient."

4. The forms contained in the Schedule to this Ordinance are hereby added to the Fourth Schedule to the Principal Ordinance immediately after Form H :—

New forms added to Fourth Schedule to Principal Ordinance.

SCHEDULE

FORM I.

(Section 107A (2))

NOTICE OF APPEAL BY COUNCIL

2nd COURT

TRINIDAD AND TOBAGO

In the matter of the objection by assessment of the premises known as No.

to the Street.

To A.B.,

Clerk of the Peace.

TAKE NOTICE that the Mayor, Aldermen and Burgesses of Arima, being dissatisfied with the decision of the Magistrate in the above matter fixing the annual rateable value of the premises No.

at \$ do appeal against such decision on the following grounds :

(Here state grounds of appeal.)

Dated

19

.....
Counsel or Solicitor for the Council.

FORM J.

(Section 107A (2))

NOTICE OF APPEAL BY RATEPAYER

TRINIDAD AND TOBAGO

In the matter of the objection by _____ *to the*
assessment of the premises known as No. _____ *Street.*

To A.B.,
Clerk of the Peace.

TAKE NOTICE that I, C.D., being dissatisfied with the decision of the Magistrate in the above matter.

(Here state decision appealed against.)

do appeal against such decision on the following grounds :—

(Here state grounds of appeal)

Dated

19

.....
Counsel or Solicitor for C.D.

FORM K.

(Section 107B)

FORM OF RECOGNIZANCE TO BE ENTERED INTO BY
APPELLANT (RATEPAYER)

Be it remembered that on the _____ day of

in the year 19 _____, A.B. (Appellant) and C.D. and E.F. of (Surety or Sureties as the case may be) came before me the undersigned Justice of the

Peace for the _____ (district) and severally acknowledge themselves to owe to Our Sovereign Lord the King the several

sums following, that is to say, the said A.B. the sum of \$

the said C.D. the sum of \$ _____ and the said E.F. the sum of \$

Whereas on the _____ day of _____ in the year 19 _____, in the matter of the objection of _____ to the assessment of the house or parcel of land known as No. _____ at

the annual rateable value of \$
(*here state decision of the Magistrate*)

the Magistrate

2nd COURT

And Whereas the said A.B., being dissatisfied with the said decision has appealed against the same.

Now the condition of this recognizance is such that if the said A.B. shall personally appear at the sittings of the Full Court when his appeal comes on to be heard and shall then and there duly prosecute his appeal and shall abide by the judgment of the said Full Court, and pay all such costs as shall be awarded against him by the said Court, then this recognizance shall be void, but otherwise shall be in full force and effect.

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.....
.....

Taken and acknowledged before me,

.....
Justice of the Peace.

Passed in Council this eighteenth day of November, in the year of Our Lord one thousand nine hundred and forty-nine.

T. F. FARRELL,
Clerk of the Council.