

CHAPTER 30. No. 1.

ADVERTISEMENTS REGULATION.

Ordinance No. 16—1931. AN ORDINANCE TO CONTROL THE ERECTION AND USE OF HOARDINGS AND THE EXHIBITION OF ADVERTISEMENTS.

Commencement.

[1st July, 1932.]

Short title.

1. This Ordinance may be cited as the Advertisements Regulation Ordinance.

Interpretation.

2. In this Ordinance,—

“advertisement” includes any notice, bill, placard, poster and similar publication;

“hoarding” includes any structure used as an advertisement or used for exhibiting any advertisement.

Erection of hoardings and exhibition of advertisements to be subject to control.

3. No hoarding shall be erected and no advertisement shall be exhibited upon any hoarding or on any wall, tree, pole, fence, gate or other place in the Colony except in accordance with this Ordinance and the bye-laws or regulations made thereunder.

Erection of hoardings by or with permission of local authority or Warden.

4. In a City or Borough, the City or Borough Council, and elsewhere, the Warden, may erect hoardings or authorise the erection thereof and may, on the written application of the person responsible therefor, authorise the use of hoardings and advertisements existing at the date of the coming into force of bye-laws or regulations, as the case may be, made under this Ordinance. Every such authorisation shall be given for such period not exceeding five years as the Council or Warden, as the case may be, may determine.

5. Notwithstanding the provisions of the last preceding section, any person may exhibit in or upon his own premises, or in or upon any premises in his occupation, advertisements relating to the business, profession, or trade carried on in or upon those premises, and further may exhibit any advertisements upon any building used by him for business purposes in or upon such premises:

Exemption of advertisements on business premises.

Provided that any advertisement so exhibited shall not be suspended across the street or in any way suspended or projected outwards from such premises:

Nothing in this section shall be deemed to derogate from or affect any of the powers conferred on the Port-of-Spain City Council by the Port-of-Spain Corporation Ordinance.

6. (1) For a City or Borough, the City or Borough Council may make bye-laws, and for other parts of the Colony, the Governor in Council may make regulations,—

Power to make bye-laws and regulations.

(a) for regulating, restricting or prohibiting the erection of hoardings and the exhibition of advertisements (other than advertisements exhibited in accordance with the provisions of section 5) in such places and in such manner, or by such means, as to affect injuriously the amenities of a public park or pleasure promenade, or any place frequented by the public solely or chiefly on account of its beauty, or to disfigure the view of rural scenery from a highway or railway, or from any public place or water;

(b) for levying a charge upon the exhibition of advertisements on hoardings erected by such City or Borough Council or by a Warden, as the case may be, in accordance with section 4.

(2) Bye-laws and regulations made under this section shall have no force or effect until they have been approved by the Legislative Council.

7. If any person is aggrieved by the refusal of a Warden to authorise the erection of any hoarding or the use of any hoarding or advertisement as provided in section 4, such person may appeal to the Governor, and if it be made to appear to the Governor that the erection of such hoarding or the use of any hoarding or advertisement should be authorised under this

Appeal from decision of Warden.

Ordinance, the Governor may give directions to the Warden to that effect.

Removal of unauthorised hoardings and advertisements.

8. (1) Unless authorised under section 4 or exempted under section 5, any hoarding erected and any advertisement exhibited at the date of the coming into force of regulations or bye-laws, as the case may be, made under this Ordinance, shall be removed by the person responsible therefor within six months from such date, and if not so removed as aforesaid such person shall be served with a notice in writing by the City or Borough Council or the Warden concerned to remove the hoarding or advertisement within one month, and on failure to comply with such notice, such person shall be deemed to have committed a contravention of the provisions of this Ordinance and shall be liable to the penalties hereinafter prescribed.

(2) If no person responsible therefor can be found within six months from the date of the coming into force of such regulations or bye-laws, the City or Borough Council, or the Warden, as the case may be, may remove or cause to be removed any such hoarding or advertisement and may do all such other acts and things as may be deemed necessary for the removal of the same.

Penalties.

9. (1) Any person committing a contravention of the provisions of this Ordinance or of any regulations or bye-laws made thereunder shall be liable, on summary conviction, to a fine of twenty-four dollars, and to a further fine of five dollars for every day during which the offence is continued after his conviction thereof.

(2) All penalties recovered under this Ordinance for offences committed within a City or Borough shall be paid to the funds of the local authority concerned.

Saving.

10. Nothing in this Ordinance shall apply to hoardings erected and advertisements exhibited by any Department of the Government or by any Military or Naval or Air Force authority, or by any Judicial authority, or by any Municipal authority, or to any notice relating to any service in a church, chapel, temple or mosque.