

TRINIDAD AND TOBAGO.

No. 36.—1914.

13th November.

AN ORDINANCE to amend the Trading with the
Enemy Ordinance, 1914.

[L.S.]

GEORGE R. LE HUNTE,

GOVERNOR.

23rd November, 1914.

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

Short Title
and Interpretation.

1.—(1.) This Ordinance may be cited as the Trading with
the Enemy (Amendment) Ordinance, 1914.

(2.) In this Ordinance the expression “Principal
Ordinance” means the Trading with the Enemy Ordinance,
1914.

Amendment of
S. 2 of O. 27—
1914.

2. Section 2 of the principal Ordinance is amended by
striking out the definition of the expression “Trading with
the enemy” and inserting in lieu thereof the following :—

The expression “Trading with the Enemy” and
cognate expressions, mean any transaction or
act which at the time such transaction was
entered into or act done was prohibited by or
under any proclamation issued by His Majesty or

by the Governor in Executive Council dealing with trading with the enemy for the time being in force, or which at common law or by Ordinance or by any statute of the Imperial Parliament in operation in the Colony constitutes an offence of trading with the enemy: provided that any transaction or act permitted by or under any such proclamation shall not be deemed to be Trading with the enemy.

3. Section 3 of the principal Ordinance is amended:— Amendment of S. 3 of O. 27—1914.

(a.) By striking out all before “trades” in Sub-section (1) (a) and inserting in lieu thereof the words “during the present war.”

(b.) By striking out Sub-section (3) and inserting in lieu thereof the following:—

(3.) Where a company has entered into a transaction or has done any act which is an offence under this section, every director, manager, secretary or other officer of the company who is knowingly a party to the transaction or act shall also be deemed guilty of the offence.

(c.) By inserting at the end of Sub-section (4) the following:—

Provided that the person charged with such an offence may be arrested and a warrant for his arrest may be issued and executed, and such person may be remanded in custody or on bail notwithstanding that the consent of the Attorney-General to the institution of the prosecution for the offence has not been obtained, but no further or other proceedings shall be taken until that consent has been obtained.

4. Section 4 of the principal Ordinance is amended:— Amendment of S. 4 of O. 27—1914.

(a.) By inserting at the end of Sub-section (f) (c) the words, “and to seize any such books or documents as aforesaid; ”

(b.) By inserting as Sub-sections (3) and (4) the following :

(3.) Where it appears to the Governor—

(a.) In the case of a firm, that one of the partners in the firm was immediately before or at any time since the commencement of the present war a subject of, or resident or carrying on business in a state for the time being at war with His Majesty ; or

(b.) in the case of a company, that one-third or more of the issued share capital or of the directorate of the company immediately before or at any time since the commencement of the present war was held by or on behalf of or consisted of persons who were subjects of or resident or carrying on business in a state for the time being at war with His Majesty ; or

(c.) in the case of a person, firm or company, that the person was or is, or the firm or company were or are, acting as agent for any person, firm or company trading or carrying on business in a state for the time being at war with His Majesty ;

the Governor may, if he think it expedient for the purpose of satisfying himself that the person, firm or company is or are not trading with the enemy, by written order, give to a person appointed by him, authority to inspect all books and documents belonging to or under the control of the person, firm or company, and to require any person able to give information with respect to the business or trade of that person, firm or company, to give that information.

For the purposes of this Sub-section, any person authorised in that behalf by the Governor may inspect the register of members of a company at any time, and any shares in a company for which share warrants to bearer have been issued shall not be reckoned as part of the issued share capital of the company.

(4.) If any person having the custody of any book or document which a person is authorised to inspect under this section refuses or wilfully neglects to produce it for

inspection, or if any person who is able to give any information which may be required to be given under this section refuses or wilfully neglects when required to give that information, that person shall on summary conviction be liable to imprisonment with or without hard labour for a term not exceeding six months, or to a fine not exceeding fifty pounds, or to both such imprisonment and fine.

Passed in Council this Thirteenth day of November, in the year of Our Lord one thousand nine hundred and fourteen.

HARRY L. KNAGGS,
Clerk of the Council.
