

GOVERNMENT NOTICE NO. 189

TRINIDAD AND TOBAGO

PUBLIC MARKETS BYE-LAWS

IN exercise of the powers conferred upon the Governor by section 4 of the Country Markets Ordinance (Ch. 40. No. 4), the following Bye-laws are, with the advice of the Executive Council, hereby made:—

1. These Bye-laws may be cited as the Public Markets Bye-laws, 1953, and shall apply to any market proclaimed by the Governor in Council to be a public market within the meaning of the Country Markets Ordinance.

2. (a) In these Bye-laws—

“ the Clerk ” means the Clerk of the market appointed by the Governor to be in charge of and to keep the market and includes any assistant or other person appointed by the Chief Executive Officer to act for the Clerk ;

“ the Chief Executive Officer ” means the Warden of the County in which the market is situated ;

“ County Council ” means the County Council for the County in which the market is situated ;

“ District ” means the rural sanitary district in which the market is situated ;

“ fresh meat ” means fresh meat of any cattle, sheep, goat, pig or turtle slaughtered for sale and includes imported fresh meat ;

“ the market ” means any public market declared as such by proclamation of the Governor in Council ;

“ sale ” and “ sell ” include offering and exposing for sale.

(b) The Island-Ward of Tobago shall for all purposes of these regulations be deemed to be a County.

3. (1) The Governor shall appoint a Clerk to be in charge of the market. Such Clerk shall be under the control and direction of the Chief Executive Officer, shall cause the market to be opened and closed at the approved times and shall be in attendance every day during the hours when the market is open.

(2) The Chief Executive Officer may appoint a fit and proper person to act as Clerk whenever the Clerk is ill or absent or there is a vacancy in the office of Clerk arising from any other cause. Such person so appointed shall perform the duties of the Clerk.

4. The County Council shall in their discretion set aside such part of the market as to them may seem proper for use as a wholesale market.

5. The market shall be opened at 6 a.m. and shall be closed at 4 p.m. daily, except on Sundays and Public Holidays when it shall be opened at 6 a.m. and closed at 9 a.m.:

Provided that it shall be lawful for the Clerk to permit any licensed vendor of fish to use the market after the closing hour in order to dispose of any fresh fish brought to the market after such closing hour.

6. (1) Otherwise than as provided in the preceding bye-law, no person shall remain in the market after the closing hour. Every person who shall be in the market after the closing hour, and who after being requested to leave by the Clerk or by any constable, shall not leave immediately, may be removed therefrom by the Clerk or by any constable.

(2) Every person when leaving the market shall carry away all unsold goods and all articles whatsoever which he shall have placed within the market. Any such goods or articles left in the market after the closing thereof shall be at the sole risk of the person leaving the same.

(3) No fresh meat or fish offered for sale on any one day in the market shall be brought back to, or offered for sale in, the market on the next or any subsequent day.

7. (1) No person shall sell fresh meat or fish in the market unless he is in possession of a licence to do so issued by the Clerk. Every application for a licence shall be in writing addressed to the Clerk and signed by the applicant, and shall state the name and address of the applicant in full and be accompanied by satisfactory evidence of the good character of the applicant and by a certificate from a registered medical practitioner stating that the applicant is free from infectious or contagious disease.

(2) The Clerk shall, on the production of such evidence and certificate and on the payment by the applicant of the sum of twenty-four cents, issue a fresh meat, game or fish salesman's licence stating that the holder is authorised to sell fresh meat, game or fish in the market for six months from the date of issue of such licence.

(3) No licence shall be granted to any person under the age of seventeen years ; and no female shall sell or assist in selling as a meat or game vendor or perform any other office equivalent to that of a meat or game vendor or meat or game vendor's assistant in the market.

(4) Tripe and other offal meat shall be sold at such places in the market as the Clerk shall appoint.

(5) The County Council may, on the representation of the Chief Executive Officer, cancel the licence of any person who conducts himself in a disorderly or improper manner within the precincts of the market.

8. Every person selling in the market shall be dressed in clean clothes and in addition, every person selling fresh meat, game or fish in the market shall be properly shod and shall wear a clean apron or other protective garment which shall be replaced every morning by another clean garment.

9. (1) If the Clerk suspects that any person selling in the market is suffering from infectious or contagious disease he shall make a report to the Chief Executive Officer, and the Chief Executive Officer may require such person to obtain a certificate from the Medical Officer of Health of the District stating whether such person is free from infectious or contagious disease. The Clerk shall refuse admittance to the market, or remove or cause to be removed from the market, any such person failing to produce such certificate.

(2) The Clerk shall refuse admittance to the market, or remove or cause to be removed from the market, any person suffering from any infectious or contagious disease or from any skin or other disease which in the opinion of the Clerk renders such person unfit to sell in the market.

10. (1) No person shall bring into the market the meat of any animal (other than game) unless the said meat is accompanied by a certificate from

the Clerk of a Government or Municipal Abattoir stating that the animal was slaughtered in such abattoir or, in case the animal is slaughtered outside a Government or Municipal Abattoir, by a certificate from a Medical Officer of Health or registered veterinary surgeon or, in case of inability to obtain such certificate, from a sanitary inspector of the District, stating that the animal was examined by such Medical Officer of Health, registered veterinary surgeon or sanitary inspector, as the case may be, before and after being slaughtered.

(2) Every such certificate shall, in every case, state whether the meat of the slaughtered animal is free from disease and fit for human consumption and shall be handed over to the Clerk.

(3) No person shall bring fresh meat imported into the Colony into the market unless the said meat is accompanied by a certificate from a Medical Officer of Health or a registered veterinary surgeon stating that the meat is fit for human consumption.

(4) No person shall bring into or keep for sale in the market any fresh meat unless the same is properly protected by clean cheese cloth or other material approved by the Chief Executive Officer.

(5) The Clerk shall remove or cause to be removed from the market any marketable commodity which is unfit for human consumption.

11. All applications for tables, spaces, or stands in the market shall be dealt with by the Clerk, and it shall be lawful for the Clerk to refuse applications the granting of which would tend unduly to exclude other sellers of similar articles.

12. No vendor shall occupy any table or stall without the consent of the Clerk having been first obtained and in the case of two or more vendors applying for the same table or stall the Clerk shall decide to whom such table or stall shall be let.

13. (1) No vendor of any marketable commodity in the market shall be allowed to rent more than one table or stall for his own use unless there are vacant tables or stalls not rented.

(2) Every person to whom any meat table inside the market is allotted shall be entitled, without any fresh application being made by him, to continue to be the occupier thereof, and shall be liable to pay the rent for the same, from day to day until he shall formally in writing or verbally, notify the Clerk that he no longer desires to be the hirer thereof or until the expiration of two clear days notice given him in writing by the Clerk.

14. There shall be paid by every person who shall sell any marketable commodities or other articles in the market, dues according to the Schedule hereto ; and such dues shall be paid to the Clerk for the use of the Crown previous to sale of any marketable commodities in respect of which the same are payable. Every person who shall remove or attempt to remove from the market or who shall sell any marketable commodity in respect of which the dues shall not have been paid in manner aforesaid shall be guilty of an offence against these Bye-laws.

15. No person shall, except with the consent of the Clerk use any stall, table, stand or space in the market except as the immediate occupier thereof. No person shall be allowed to stand behind the tables or stalls of the market, except the vendor and his assistants, the owners of the commodities, the Clerk, the Chief Executive Officer or member of the County Council duly authorised, or any of the staff of the market.

16. Every person selling any article in the market, who shall fail to produce his rent or toll ticket when required to do so by the Clerk shall, in addition to any penalty for the breach of this Bye-law which he may incur, pay the rent or toll payable, according to the Schedule hereto in respect of the stall, table, stand or space occupied by him.

17. No person not being the immediate occupier, or a servant of the immediate occupier of any stall, table, stand or space in the market shall sell or deposit for sale or otherwise, any article in or upon such stall, table, stand or space.

18. No person resorting to the market for the sale of any marketable commodity shall place such marketable commodity for the purpose of sale in any part of the market other than such part as shall have been set apart for the reception, deposit or exposure for sale of the same respectively.

19. No person shall sell, or deposit for sale or otherwise, any marketable commodity in the market, or in any part thereof, other than in, at, or upon a stall, table, stand or space which at the time of such sale or of such depositing, is let and allotted to such person by the Clerk.

20. No occupier of any stall, table or stand shall cause or allow any marketable commodity to be deposited or exposed for sale in or upon such stall, table or stand so that such marketable commodity or any part thereof shall remain in front of, or project beyond, such stall, table or stand ; and no goods shall be allowed to stand or to be piled upon any stall, table, stand or space beyond a maximum height of four and a half feet from the floor.

21. (1) There shall be kept by the Clerk a book in which shall be entered daily a statement of the amount of fresh meat, game and fish brought to the market for sale, the names of the persons by whom the same have been brought, the weight thereof, and the number of tables or stalls used, the names of the persons by whom the same were used, and the amount paid and payable for the use thereof. Such book shall be exhibited daily to and the correctness thereof certified by the Chief Executive Officer or his Chief Clerk ; and all monies collected by the Clerk shall be paid daily in to the Chief Executive Officer in accordance with the terms and conditions laid down by the Chief Executive Officer.

(2) Any person who shall introduce any commodity into the market with a view to defraud the revenue thereof, by not reporting the same, shall be guilty of an offence against these Bye-laws.

22. The Clerk shall not have any pecuniary interest in the sale of any marketable commodity or in any animal slaughtered for sale in the market.

23. No carcase or part of the carcase of any animal shall be sold in the market as the carcase or part of any other animal, or as being a description of meat other than the true and proper description thereof.

24. Every article retailed by weight shall be properly weighed and in all cases of dispute in respect of weight, the seller shall, if required so to do by the purchaser or intended purchaser cause the article about which such dispute arises to be weighed in the presence of the Clerk or his Assistant or a constable.

25. No person shall sell or deliver any articles in the market of less weight, measure, or number than has been bargained for.

26. All scales used or intended to be used for weighing any articles sold in the market shall be hung at least four inches above the tables.

27. No person shall by any contrivance or device, or in any manner whatever tamper with any scale, balance, beam or weight in the market, whether such scale, balance, beam or weight be the property of, or in the possession of, or under the control of, such person or not.

28. The paper used by every vendor in the market for the purpose of wrapping up any article sold by him shall be clean paper, not previously used for any purpose.

29. No person shall hawk, carry about or cry any articles whatever for sale in the market, or cry out the price of any meat or other article for sale at any stall, table or stand, but shall have the same marked on a label or price list hung in front of his stall. No person shall use any bell or other instrument in the market, and no goods shall be sold by auction in any part of the market.

30. No person shall use any other instruments than saws, knives and hatchets, for cutting bones in the market.

31. No meat shall be chopped on any table, stall or other place in the market except on the block provided for the purpose.

32. No person shall in any way damage any table, stall, bench or furniture, appliance or thing in the market.

33. No person shall spit on the floor or walls of the market, or in or upon anything in the market, or throw or drop on the floor or ground of the market any offal, garbage or any refuse whatsoever ; nor shall any person smoke in the market.

34. Every occupier of any stall, table or stand in the market shall keep the same in a thoroughly clean condition and shall not allow any refuse or garbage to remain on or about it, but shall deposit the same in the receptacle provided for that purpose.

35. Every vendor of any marketable commodity, as soon as he shall have finished for the day, shall thoroughly clean the table, scales, weights, appliances and other articles which he has used, to the satisfaction of the Clerk. So soon as the selling of any marketable commodity shall cease, the Clerk shall cause the whole market to be cleaned and washed.

36. If any person shall use violence or obscene language or misbehave or misconduct himself in the market, such person shall be guilty of an offence against these Bye-laws.

37. All persons selling in the market shall obey the lawful orders of the Clerk or Chief Executive Officer ; and no person who in the opinion of the Chief Executive Officer conducts himself in a disorderly or improper manner shall be allowed to sell in the market until such time as the County Council determines.

38. No person shall molest, hinder or obstruct the Clerk or any other officer of the market in the performance of his duties.

39. No fires or cooking shall be allowed in the market.

40. No person shall sing or whistle or play any musical instrument in the market.

41. No person shall loiter in the market, or stand in the passages of the market or its immediate approaches to the annoyance or obstruction of any other person.

42. No person shall bring a dog or permit any dog to follow him into, or be with him in the market.

43. No person shall introduce any intoxicating liquor within the precincts of the market.

44. No animal of draught or burden, and no cart or vehicle shall be allowed to remain within the market premises longer than the time necessary for loading and unloading.

45. No bicycles shall be parked within the market.

46. It shall not be lawful to sell any marketable commodity within a radius of one mile and a half of the market except within, or on the land of, the market ;

Provided that the provisions of this bye-law shall not be deemed to apply in relation to—

(a) any marketable commodity sold within the aforesaid area in any shop premises (excluding any gallery or other open place occupied in connection with such shop) ;

(b) any ground provisions, vegetables or fruit sold by wholesale within the area aforesaid, to a registered co-operative society, by any of its members, or by a registered co-operative society, in any building occupied by any such society for the purpose of such business with the prior approval of the Governor.

(c) any marketable commodity sold on any land within the aforesaid area when such commodity has been produced on such land.

47. Every person who commits any offence against any of these Bye-laws shall be liable to a fine of ten dollars.

48. Any person having complaints about the administration of the market may make these in writing addressed to the Clerk of the County Council. The County Council or the appropriate Committee thereof shall consider the representation and subject to these Bye-laws the County Council shall give such instructions to the Chief Executive Officer of the County as they think necessary or desirable.

49. The Chief Executive Officer shall submit quarterly returns of all business transacted at each market in the County, along with any other relevant information, to the County Council. The County Council may take such returns and information into consideration and subject to these Bye-laws may issue such instructions as seem to the Council to be necessary or desirable.

50. The Public Markets Bye-laws are hereby revoked.

SCHEDULE

MARKET DUES

				\$	c.
1. Table or stall for sale of beef or veal	...			48	per day.
do. do. do.	...			1 80	per week, payable in advance.
do. do. do.	...			4 80	per month, or \$2.40 per half month, payable in advance.
2. Table or stall for sale of pork, mutton, goat, venison, or turtle	...	...	...	24	per day
do. do. do.	...			72	per week, payable in advance.
do. do. do.	...			2 40	per month, payable in advance.
3. Stall for fish	...	...	...	06	per day.
do.	...	...	...	24	per week, payable in advance.
do.	...	...	...	36	per month, payable in advance.
4. Permission to sell tripe or offal	...	...	...	12	per day.
do. do.	...			72	per month, payable in advance.
5. Table or stall for marketable commodity not mentioned above	...	...	...	06	per day.
do. do. do.	...			24	per week, payable in advance.
do. do. do.	...			36	per month, payable in advance.
6. Permission to sell turtle, livestock, ground provision or fruit on land of market, but outside the precincts of market building	...			03	per day.

Made by the Governor in Council this 6th day of October, 1953.

J. O'CONNOR
Clerk, Executive Council

(M.P. L.G.645/T2)