
Third Session First Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 48 of 1978

[L.S.]

AN ACT to provide for the demolition of unsafe structures.

[Assented to 13th December, 1978]

WHEREAS it is enacted *inter alia* by subsection (1) of section 13 of the Constitution that an Act of Parliament to which that section applies may expressly declare that it shall have effect even though inconsistent with

sections 4 and 5 of the Constitution and, if any such Act does so declare, it shall have effect accordingly:

And whereas it is provided by subsection (2) of the said section 13 of the Constitution that an Act of Parliament to which that section applies is one the Bill for which has been passed by both Houses of Parliament and at the final vote thereon in each House has been supported by the votes of not less than three-fifths of all the members of that House:

And whereas it is necessary and expedient that the provisions of this Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution:

Enactment

Now, THEREFORE, BE IT ENACTED by the Parliament of Trinidad and Tobago as follows:—

Short title

1. (1) This Act may be cited as the Demolition of Unsafe Structures Act, 1978.

Act at variance with Ch. 1 of the Constitution

(2) This Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution.

Interpretation

2. In this Act—

“Industrial Inspections Supervisor” means the chief inspector of factories within the meaning of the Factories Ordinance;

Ch. 30. No. 2

“Minister” means the member of the Cabinet to whom responsibility for public works and buildings is assigned.

Minister may demolish structures

3. (1) Notwithstanding any law to the contrary, the Minister may after giving twenty-four hours public notice and on the unanimous advice of the Chief Technical Officer in his Ministry, a professional engineer nominated for the purpose by the Association of Professional Engineers of Trinidad and Tobago and the Industrial Inspections Supervisor cause to be demolished without the consent of the owner or occupier any structure or part of the structure that is in a ruinous, dilapidated or otherwise unsafe condition and

constitutes an immediate danger to persons in the vicinity and the cost of such demolition shall be recoverable from the owner as a civil debt.

(2) Where the unsafe condition of a structure is the result of a fire, demolition may be effected only if, in addition to the advice referred to in subsection (1), the Chief Fire Officer also so advises.

Passed in the House of Representatives this 5th day of December, 1978.

J. E. CARTER
Clerk of the House

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed by the House of Representatives and at the final vote thereon in the House has been supported by the votes of not less than three-fifths of all the members of the House, that is to say the votes of 29 members of the House.

J. E. CARTER
Clerk of the House

Passed in the Senate this 5th day of December, 1978.

R. GRIFFITH
Clerk of the Senate

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed by the Senate and at the final vote thereon in the Senate has been supported by the votes of not less than three-fifths of all the members of the Senate, that is to say the votes of 23 Senators.

R. GRIFFITH
Clerk of the Senate