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Fifth Session Third Parliament Trinidad and Tobago  
24 Elizabeth II

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TRINIDAD AND TOBAGO

**Act No. 54 of 1975**

[L.S.]

AN ACT to amend the Public Health Ordinance,  
Ch. 12. No. 4.

*[Assented to 1st December, 1975]*

BE IT ENACTED by the Queen's Most Excellent Majesty, <sup>Enactment</sup>  
by and with the advice and consent of the Senate and  
House of Representatives of Trinidad and Tobago, and  
by the authority of the same, as follows:—

1. This Act may be cited as the Public Health <sup>Short title</sup>  
(Amendment) Act, 1975.

Public Health  
Ordinance  
amended.  
Ch. 12. No. 4

## 2. The Public Health Ordinance is amended—

(a) by adding immediately after section 50 the following new sections—

“Medical  
Officer  
of Health  
may serve  
notice on  
occupier of  
a public  
building

50A. (1) A Medical Officer of Health, if he is satisfied that as a result of the insanitary conditions existing in any place used as a public building the health of the public is or is likely to be impaired, may, by notice in writing served on the occupier of such place, require him to execute such works as may be specified in the notice and within the period therein specified in order to remove the danger or the likelihood thereof to the health of the public.

(2) Notwithstanding the provisions of subsection (1), the Medical Officer of Health may, on an application in writing by the occupier, extend in writing the period specified in subsection (1).

(3) An application under subsection (1) must—

- (a) state the reason for seeking an extension of time; and
- (b) give the proposed date on which the requirements of the notice may be met.

(4) A person who fails to comply with the requirements of a notice issued under subsection (1), including in so far as the notice relates to a specified period, any extension thereof under subsection (2), is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment and in the case of a continuing offence to a fine of

one hundred dollars for each day during which the offence continues after conviction therefor.

Application  
for order  
for closure  
of a public  
building

50B. (1) Without prejudice to any liability for an offence under subsection (4) of section 50A, where a person fails to comply with the requirements of a notice issued pursuant to subsection (1) thereof, the Medical Officer of Health may make an application to a Court of Summary Jurisdiction (hereinafter referred to as "the Court") having jurisdiction in the district in which the public building is situated for an order under this section.

(2) An application under subsection (1) shall—

- (a) be supported by an affidavit setting out the particulars on which it is alleged that the insanitary conditions have impaired or are likely to impair the health of the public;
- (b) be accompanied by a copy of the notice issued pursuant to subsection (1) of section 50A; and
- (c) allege the fact that the requirements of the notice have not been met.

(3) In addition to any application that may be made under sections (1) and (2), where the Medical Officer of Health is satisfied in his own deliberate judgment that from the nature of the insanitary conditions existing in any place used as a public building, that the impairment of the health of the public is imminent,

he may, without first serving any such notice as is required under subsection (1) of section 50A, make an application to the Court for an Order under this section and the Court may proceed upon such application in accordance with subsections (4) to (7).

(4) Where the Court is satisfied as to any application made under this section, it may *ex parte* make an interim order for the closure of any place used as a public building so long as the Order remains in force.

(5) The Court shall in a summary manner hear and determine any application made under this section, and may after the hearing and determination thereof—

- (a) make an Order revoking the Order made under subsection (4);
- (b) make a final Order for the closure of the place used as a public building; or
- (c) make such other Order as the justice of the case requires.

(6) An order made under paragraph (c) of subsection (5) of section 50B may direct the person to whom it is addressed to execute such works as may be necessary to remove the cause of the danger to the public health within the period specified in the Order.

(7) The Court may, on an application extend the period specified in the Order made under subsection (6).

## Appeal

50c. A person who is aggrieved by any final Order made by the Court under paragraph (b) of subsection (5) of section 50B may, within one month of the date of the making of the Order, appeal to a Judge in Chambers who shall make such Order or other determination in the premise as the justice of the case requires.

Interpre-  
tation

50D. In sections 50 to 50c "public building" means any building to which the public has access either generally or conditionally and whether on payment or otherwise.";

- (b) by substituting the words "five hundred dollars or to imprisonment for a term of six months and to a further fine of one hundred dollars for each day during which the offence continues after conviction therefor" for the words "twenty-four dollars" occurring respectively in lines 3 and 4 of subsection (3) of section 147;
- (c) by substituting the words "five hundred dollars or to imprisonment for a term of six months" for the words "forty-eight" dollars occurring in the last line of subsection (2) of section 148;
- (d) by substituting the words "five hundred dollars or to imprisonment for six months" and the words "twenty-five dollars" for the words "twenty-four dollars" and the words "one dollar" occurring respectively in lines 3 and 4 of subsection (2) of section 149;
- (e) by substituting the words "two hundred and fifty dollars or to imprisonment for a term of six months" and the words "five hundred dollars" for the words "twenty-four dollars" and the words "forty-eight dollars" occurring respectively in lines five to seven of subsection (1) of section 151;

- (f) by substituting the words "one hundred dollars" for the words "five dollars" occurring in line five of subsection (3) of section 151;
- (g) by substituting the words "two hundred and fifty dollars" and the words "five hundred dollars" for the words "five dollars" and the words "twenty-four dollars" occurring respectively in lines 3 and 4 of subsection (2) of section 152;
- (h) by substituting the words "two hundred and fifty dollars" and the words "five hundred dollars" for the words "forty-eight dollars" and the words "ninety-six dollars" occurring respectively in lines 3 and 4 of subsection (2) of section 153;
- (i) by substituting the words "five hundred dollars or to imprisonment for a term of six months" and the words "one hundred dollars" for the words "ninety-six dollars" and the words "ten dollars" occurring respectively in lines 6 and 7 of subsection (1) of section 164;
- (j) by substituting the words "five hundred dollars" and the words "one thousand dollars" for the words "ninety-six dollars" and the words "two hundred and forty dollars" occurring respectively in lines 6 and 7 of subsection (2) of section 164;
- (k) by substituting the words "five hundred dollars" and the words "one hundred dollars" for the words "twenty-four dollars" and the words "ten dollars" occurring respectively in lines 4 and 6 of section 166;
- (l) by substituting the words "five hundred dollars" and the words "one hundred dollars" for the words "forty-eight dollars" and the words "ten dollars" occurring respectively in lines 9 and 10 of subsection (4) of section 170;
- (m) by renumbering section 180 as section 180(1);

(n) by adding immediately after subsection (1) of section 180, the following subsection:—

“(2) All costs, including costs awarded by any competent court, charges and other expenses, incurred by any officer of the Local Authority in the performance of any duty under this Ordinance shall be met by the Local Authority out of moneys provided for the purpose.”.

Passed in the House of Representatives this 24th day of October, 1975.

J. E. CARTER  
*Clerk of the House*

Passed in the Senate this 11th day of November, 1975.

R. GRIFFITH  
*Clerk of the Senate*