
Second Session First Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 23 of 1978

[L.S.]

AN ACT to provide for the registration of retailers of foodstuffs for the purposes of a Food Stamp Programme.

[Assented to 19th July, 1978]

ENACTED by the Parliament of Trinidad and Tobago as Enactment follows:—

1. This Act may be cited as the Food Stamp Programme (Registration of Retailers) Act, 1978.

Interpretation

2. In this Act—

“authorised officer” means an officer authorised by the Minister under section 11;

“foodstuffs” includes meat, fish, milk, butter, cheese, peas, beans, sugar, rice, flour, fruit and vegetables but does not include cooked food and alcoholic beverages;

“Minister” means the member of the Cabinet to whom responsibility for the subject of social welfare is assigned;

“retailer” means a person in whose name the business of selling foodstuffs by retail in a shop is carried on;

“shop” means a building or a self-contained part of a building used for the purpose, whether exclusively or otherwise, of carrying on a retailer’s business but does not include a stall whether in a market or elsewhere.

Minister responsible for administration of Act—delegation

3. The administration of the provisions of this Act shall be the responsibility of the Minister who may, in relation to any matter or class of matters, by writing under his hand, delegate to an officer or officers within the Ministry all or any of his functions under this Act, except this power of delegation.

Persons to be registered

4. (1) Every retailer shall register under this Act for the purpose of the establishment and implementation of the Food Stamp Programme.

(2) The Food Stamp Programme is a programme to be established by Government for the purpose of providing additional benefits for persons who receive benefits under the Old Age Pensions Ordinance or the Public Assistance Ordinance.

Ch. 51. No. 2
Ch. 31. No. 1

Retailer to furnish particulars. First Schedule

5. (1) For the purposes of registration every retailer shall, before 1st August, 1978 or such other date as the Minister may by Order declare, furnish the Minister with the particulars specified in the First Schedule.

(2) Particulars specified in the First Schedule are deemed to be given by a retailer to the Minister where the appropriate information in writing signed by the retailer or the manager of the retailer’s shop is given

to an authorised officer or is delivered at the office of the Local Public Assistance Board in the district in which the retailer's shop is located.

(3) In this section "Local Public Assistance Board" means a Local Public Assistance Board established under the Public Assistance Ordinance.

Ch. 31. No. 1

6. The Minister shall issue to every retailer who complies with section 5 a certificate of registration in the form set out in the Second Schedule.

Certificate of registration to be issued.
Second Schedule

7. The Minister may by Order published in the *Gazette* amend the First or Second Schedule.

Schedule amended by Order

8. A certificate of registration shall be prominently displayed in the shop of the retailer to whom it is issued.

Certificate of registration to be kept in safe custody

9. During the month of August in each year, the Minister shall, by notice in the *Gazette* and in at least one newspaper in circulation in Trinidad and Tobago, publish a list of retailers to whom certificates of registration have been issued.

List of Retailers to be published

10. (1) Where a retailer who is an individual—

Procedure on ceasing to be a retailer

(a) ceases to be retailer, he shall so inform the Minister and return his certificate of registration;

(b) dies or is declared a bankrupt, his personal representative or his trustee in bankruptcy shall so inform the Minister and return his certificate of registration within one month of the grant of probate or letters of administration or bankruptcy as the case may be.

(2) Where a retailer who is not an individual ceases to be a retailer by reason of a winding-up or dissolution or any other cause, then—

(a) in the case of a body corporate, its secretary or liquidator shall so inform the Minister and shall return the certificate of registration;

(b) in the case of an unincorporated association of persons, the secretary or former partners shall so inform the Minister and shall return the certificate of registration.

(3) The persons responsible for complying with the provisions of subsection (2), shall do so within one month of the removal of the name of the company from the register of companies or the dissolution of the partnership or the occurrence of the event which caused the company or the partnership as the case may be to cease to be a retailer.

Powers of
inspection
of records

11. Any officer in the Ministry authorised by the Minister in writing, may for any purpose related to the administration of this Act require a retailer or any person authorised by the retailer, except a person engaged in a confidential professional relationship with the retailer or such person—

- (a) to give him information with respect to the retailer or his business; or
- (b) to permit him to inspect the retailer's shop.

Powers of
entry for certain
purposes

12. (1) For the purposes of this Act an authorised officer may at all reasonable times, enter any shop and—

- (a) examine the books or records or stock-in-trade of the business and any document that relates or may relate to the information that is in such books or records;
- (b) where, having entered a shop, it appears to the authorised officer that there has been a violation of this Act, seize and take away any of the books or records and such other documents and retain them until they are produced in any proceedings;
- (c) require the retailer or any person employed in the shop to give him all reasonable assistance with, and to answer all questions relating to the operation of the business.

(2) Admission to any shop shall not be demanded except upon the warrant of a magistrate for the purpose, so however that if it is shown to the satisfaction of a magistrate on sworn information in writing—

- (a) that admission to any shop has been refused, or that refusal is apprehended,

or that an application for admission would defeat the object of the entry; and

- (b) that there is reasonable ground for entry into the shop for any purpose as is mentioned in subsection (1),

the magistrate may by warrant under his hand authorise the authorised officer to enter the shop, except that such a warrant shall not be issued unless the magistrate is satisfied either that notice of the intention to apply for a warrant has been given to the retailer, or that the giving of such notice would defeat the object of the entry.

(3) An authorised officer entering any shop by virtue of this section may take with him such other persons as may be necessary.

(4) Every warrant granted under this section shall continue in force until the purpose for which the entry is necessary has been satisfied.

(5) Every person who hinders or molests or interferes with any person doing anything that he is authorised by subsection (1) to do or prevents or attempts to prevent any person from doing any such thing and any person who unless he is unable to do so fails or refuses to do anything he is required by or pursuant to this section to do is guilty of an offence and liable on summary conviction to a fine of one thousand five hundred dollars or to imprisonment for two years or to both such fine and imprisonment.

13. A person who in furnishing the particulars for any of the purposes of this Act makes any statement which he knows to be misleading, false or deceptive, or by any dishonest concealment of material facts, or by the reckless making of any statement (dishonestly or otherwise) misleads or attempts to mislead any other person, is guilty of an offence and liable on summary conviction to a fine of one thousand five hundred dollars or to imprisonment for two years or to both such fine and imprisonment.

14. A retailer who contravenes or fails to comply with any of the provisions of this Act is guilty of an offence and liable on summary conviction to a fine of one

thousand dollars and in the case of a continuing offence to a further fine of fifty dollars for each day on which the offence continues after conviction.

FIRST SCHEDULE

(Section 5)

- (1) Name of Retailer
- (2) Address of Retailer
- (3) Name of Shop if different from (1)
- (4) Address of Shop
- (5) Name of Manager of Shop.

SECOND SCHEDULE

(Section 6)

CERTIFICATE OF REGISTRATION

FOOD STAMP PROGRAMME

Issued by the Minister responsible for Social Welfare under the Food Stamp Programme (Registration of Retailers) Act, 1978.

Registration No.

THIS IS TO CERTIFY that

Name of Retailer
of

Address of Shop
is a registered retailer for the purposes of the Food Stamp Programme.

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Date.....
Minister

Passed in the House of Representatives this 30th day of June, 1978.

J. E. CARTER
Clerk of the House

Passed in the Senate this 4th day of July, 1978.

E. WILLIAMS
Acting Clerk of the Senate