



TRINIDAD AND TOBAGO

No. 36—1952

[L.S.]

I ASSENT,

P. M. RENISON,

Acting Governor

31st May, 1952.

AN ORDINANCE to amend the Mines, Borings and Quarries
Ordinance, Ch. 26. No. 4.

[5th June, 1952]

Commence-
ment

ENACTED by the Governor of Trinidad and Tobago with the Enactment
advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Mines, Borings and Short title
Quarries (Amendment) Ordinance, 1952, and shall be read as
one with the Mines, Borings and Quarries Ordinance, herein- Ch. 26. No. 4
after referred to as the Principal Ordinance.

Section 23 of
Principal
Ordinance
repealed and
replaced

2. Section 23 of the Principal Ordinance is hereby repealed and replaced by the following section:—

“Power of
court of
summary
jurisdiction to
make orders as
to dangerous
conditions and
practices

23. (1) If on complaint by the Inspector a court of summary jurisdiction is satisfied either—

- (a) that any part of the ways, works, machinery or plant used in any mine, boring or quarry is in such a condition or is so constructed or is so placed that it cannot be used without risk of bodily injury; or
- (b) that any work is carried on or anything is or has been done in any mine, boring or quarry in such a manner as to cause risk of bodily injury; or
- (c) that any mine, boring or quarry is in such a condition that any work carried on therein cannot be so carried on without risk of bodily injury, the court shall, as the case may require, by order—
 - (i) prohibit the use of that part of the ways, works, machinery or plant, or, if it is capable of repair or alteration, prohibit its use until it is duly repaired or altered; or
 - (ii) require the owner, agent or manager to take such steps as may be specified in the order for remedying the danger complained of; or
 - (iii) prohibit the use of the mine, boring or quarry or any part thereof until such works have been executed as are in the opinion of the court necessary to remove the danger.

(2) When a complaint is or has been made under the last foregoing subsection, the court may on application ex-parte by the Inspector and on receiving evidence that the use of any such part of the ways, works, machinery or plant or, as the case may be, the carrying on of any work or the doing of anything in such a manner as aforesaid, or the use of any

mine, boring or quarry or any part thereof in such a condition as aforesaid, involves imminent risk of serious bodily injury, make an interim order prohibiting either absolutely or subject to conditions the use, carrying on or doing thereof, until the earliest opportunity for hearing and determining the complaint.

Passed in Council this sixteenth day of May in the year of Our Lord one thousand nine hundred and fifty-two.

T. F. FARRELL
Clerk, Legislative Council