



P.V.
Pm No VI 469

TRINIDAD AND TOBAGO

No. 36—1955

[L.S.]

I ASSENT.

M. H. DORMAN
Acting Governor.

15th June, 1955.

AN ORDINANCE to amend the Port-of-Spain Corporation
(Electricity) Ordinance, Ch. 39. No. 6.

[17th June, 1955.]

Commencement

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

1. This Ordinance may be cited as the Port-of-Spain
Corporation (Electricity) (Amendment) Ordinance, 1955, and
shall be read as one with the Port-of-Spain Corporation
(Electricity) Ordinance, hereinafter referred to as the Principal
Ordinance. Short title
Ch. 39. No. 6
Laws
(1951-1953).
Vol. 1, p. 456

Authority for Corporation to cease operating public service vehicles

2. Notwithstanding anything contained in the Principal Ordinance it shall be lawful for the Governor in Council, on the application of the Corporation, by order to authorise the Corporation to discontinue the operation of public service vehicles (including trolley buses) in the City of Port-of-Spain, as from a date to be specified in such order, and as from such date, except as hereinafter provided, the powers of the Corporation to acquire, construct, maintain, and operate public service vehicles shall cease and sections 25, 26 and Part VIII of the Principal Ordinance shall cease to have effect.

Authority for Corporation to dispose of their transport equipment and consequential provisions

3. (1) The Corporation are hereby authorised, as they consider expedient—

- (a) to sell all or any of their trolley buses and all or any of the works and appliances maintained for the working of such trolley buses;
- (b) to sell all or any of their other public service vehicles;
- (c) from time to time to hire all or any of their trolley buses to any person approved for the grant of a concession under section 79 of the Motor Vehicles and Road Traffic Ordinance to operate such trolley buses in the City of Port-of-Spain:

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Provided that no such sale or hiring shall take effect before the date specified in the order mentioned in section 2 of this Ordinance.

(2) Where the Corporation hire their trolley buses to any person under and in pursuance of paragraph (c) of subsection (1) of this section, then during such hiring,

- (a) it shall be lawful for the Corporation to construct, maintain and operate all such works and appliances as are necessary for the due and efficient working of such trolley buses, and for such purposes the relevant provisions of sections 26, 60, 61, 62, 63, 65, 67, 68, 74 and 76 of the Principal Ordinance shall continue to apply;
- (b) it shall be lawful for such person to operate such trolley buses, subject to the terms of the concession granted under section 79 of the Motor Vehicles and Road Traffic Ordinance and to the provisions of that Ordinance, on and along the routes on which the Corporation operated trolley buses immediately prior to the date specified in the order mentioned in section 2 of this Ordinance, and for such purpose to connect such trolley buses with the works and

appliances of the Corporation maintained for the purpose of supplying electrical energy to such trolley buses;

(c) it shall be the duty of the Corporation to maintain in an efficient state of repair all such works and appliances as are necessary for the due and efficient working of such trolley buses;

(d) the area of supply of electrical energy to consumers shall include all routes along which such trolley buses are authorised to operate.

(3) So long as any of their public service vehicles or works and appliances for the due and efficient working of their trolley buses remain unsold it shall be lawful for the Corporation to maintain the same.

(4) Where the Corporation in pursuance of paragraph (a) of subsection (1) of this section have sold any works or appliances which had been maintained by them for the working of trolley buses, it shall be lawful for the Corporation, subject to the provisions of this Ordinance, to remove such works and appliances for delivery to the purchaser thereof.

(5) If during any period of six months subsequent to the date specified in the order mentioned in section 2 of this Ordinance the trolley buses operated by the Corporation immediately before such date have not been operated by a hirer thereof as contemplated by paragraph (c) of subsection (1) of this section and the works and appliances for working the same have not been removed, the Governor in Council may by order require the Corporation to remove all such works and appliances by a date to be specified in such order and the Corporation shall remove such works and appliances or cause the same to be removed on or before such date.

(6) If the Corporation fail to remove any works or appliances in accordance with the requirements of an order under subsection (5) of this section, the Governor in Council, after giving such notice to the Corporation as he considers reasonable in the circumstances, may cause such works and appliances to be removed and the Corporation shall pay to the Accountant General the cost of and incidental to such removal including the cost of making good any street opened or broken up for the purpose, such cost to be certified by the Director of Works and Hydraulics, whose certificate shall be final and conclusive, and if the Corporation fail to pay the amount so certified within one calendar month after delivery to them of such certificate or a

copy thereof, such amount shall be recoverable in a court of competent jurisdiction from the Corporation as a civil debt at the suit of the Attorney General.

Provisions relating to removal of works and appliances for working trolley buses

4. (1) Where in pursuance of this Ordinance the Corporation remove any works or appliances previously maintained by them for the working of trolley buses the relevant provisions of sections 62, 63, 65, 66 and 68 of the Principal Ordinance shall apply in respect of the removal of the same as they applied in respect of the removal of works and appliances for the working of tramways.

(2) Where in pursuance of subsection (6) of section 3 of this Ordinance the Governor in Council causes any works or appliances to be removed then, so far as may be necessary to secure the removal of the same, any person acting under the directions of the Governor may—

(a) enter upon any lands;

(b) open or break up any streets.

In exercising any powers conferred by this section any such person shall cause as little damage as may be and shall, without delay, make good any street which he causes to be opened or broken up.

Transfer of operation of public service vehicles

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5. In order to facilitate the transfer from the Corporation to another person of the operation of public service vehicles, and to ensure that such transfer may be effected with as little interruption as possible of the transport services in the City of Port-of-Spain, the Licensing Authority, in advertising for tenders for the grant of a concession under section 79 of the Motor Vehicles and Road Traffic Ordinance to operate motor omnibuses in the said City or any area thereof or on any road or route therein, shall, if directed by the Governor in Council so to do, make it a condition of the grant of such concession that the prospective grantee of the concession shall have purchased all such public service vehicles other than trolley buses of the Corporation as the Licensing Authority has certified to be in good working order.

Passed in Council this third day of June, in the year of Our Lord one thousand nine hundred and fifty-five.

G. E. L. LAFOREST

Clerk of the Council.

See 2: 129/55 (1955)