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1st Session Second Parliament Trinidad and Tobago  
16 Elizabeth II

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TRINIDAD AND TOBAGO

**Act No. 6 of 1967**

[L.S.]

AN ACT to amend the Industrial Stabilisation Act, 1965

*[Assented to 6th May, 1967]*

BE IT ENACTED by the Queen's Most Excellent Majesty, Enactment.  
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 Industrial Stabilisation Short title.  
(Amendment) Act, 1967.

Industrial  
Stabilisation  
Act  
amended.  
Act. No. 8  
—1965.

2. The Industrial Stabilisation Act, 1965, is hereby amended—

(a) in section 6—

(i) by inserting immediately after the word “Minister” occurring in the fourth line of paragraph (a) of subsection (1) thereof the following words:—

“: provided that a Judge so designated shall not by reason of such designation cease or be deemed to have ceased to hold his substantive office of Judge of the Supreme Court of Judicature;”;

(ii) by deleting the word “other” and the words “by the Governor-General for such period and on such terms and conditions as he thinks fit,” occurring in paragraph (b) of subsection (1) thereof;

(iii) by substituting for the fullstop at the end of subparagraph (iv) of the said paragraph (b) the word “; and” and by adding thereafter the following paragraph:—

“(c) such number of other members as may be determined by the Governor-General from time to time and chosen from among persons experienced in industrial relations or duly qualified in economics or accountancy or as barristers or solicitors.”;

(iv) by adding immediately after subsection (1) the following subsection:

“(1A) The Vice-President and members of the Court other than the President shall be appointed by the Governor-General for such period and on such terms and conditions as he thinks fit.”;

(v) by substituting for subsection (2) thereof the following—

“(2) For the purpose of exercising its jurisdiction the Court may sit in such number of divisions and at such places as the President may consider necessary for the expedient despatch of its business.

A division shall consist of three members selected by the President, so, however, that the chairman of a division shall be either the President, the Vice-President or a member who is a barrister or solicitor.

(2A) Notwithstanding anything contained in this section, the jurisdiction of the Court with respect to any matter of practice or procedure may be exercised by any member of the Court qualified in law designated by the President for that purpose.”;

(vi) by inserting immediately after subsection (3) the following—

“(3A) Where for any reason any member of the Court other than the President is unable to carry out his functions under this Act, the Governor-General may appoint some other duly qualified person to be a member of the Court for the period of such inability.”;

(vii) by inserting immediately after subsection (6) the following—

“(7) The Court shall be deemed to be duly constituted notwithstanding any vacancy in any of the offices aforesaid.”;

(b) by inserting immediately after the words “the Court” occurring in subsection (4) of section 9 the words “or a member thereof designated by the President under subsection (2A) of section 6”;

(c) in section 10—

(i) by deleting the words “to enter upon business premises of any employer, trade union or other organisation at any reasonable time and” occurring at the beginning of paragraph (a) of subsection (2) thereof and the words “existing or anticipated” occurring at the end of the said paragraph;

- (ii) by inserting after the word "information" occurring in the fourth line of subsection (3) the following words "to any person not authorised by the Attorney General to receive it";
- (iii) by substituting for the word "Commissioner" occurring in subsection (5) thereof the word "Board";

(d) by inserting after section 10 the following:—

"Attorney  
General  
not party  
to a  
dispute.

10A. Nothing in this Act shall be construed as requiring the Attorney General to be or to be deemed to be a party to a trade dispute, and the Attorney General may in his discretion at any stage of the hearing of any matter before the Court intervene by giving notice in writing to the Registrar of the Court of his intention so to do."

(e) in section 11—

- (i) by deleting all the words occurring after the word "orders" in the sixth line of subsection (1) and by adding thereafter the following subsection to be numbered (1A)—

"(1A) If any person—

- (a) refuses or omits without sufficient cause to attend the Court at the time and place mentioned in the summons; or
- (b) having attended the Court in answer to such summons leaves the Court without its permission; or
- (c) refuses without sufficient cause to answer, or to answer to the best of his knowledge and belief, all questions put to him by or with the concurrence of the Court; or

(d) refuses or omits without sufficient cause to produce any books, plans or documents in his possession, or under his control, and mentioned or referred to in the summons served on him; or

(e) does any act or thing which in the opinion of the Court constitutes a contempt,

the Court may in any such case exercise such powers as are exercisable by the Supreme Court of Judicature in a like case:

Provided that no person giving evidence before the Court shall be compellable to criminate himself, and every such person shall, in respect of any evidence given by him before the Court, be entitled to all privileges to which a witness giving evidence before the High Court of Justice is entitled in respect of evidence given by him before such Court.”;

(ii) by substituting for subsection (2) thereof the following—

“(2) For the purpose of dealing with any matter before it, the Court may on its own motion summon any person who in the opinion of the Court is able to give such information as it may consider necessary and may, notwithstanding anything contained in the Income Tax Ordinance or in any law, require the Board of Inland Revenue or any member thereof to produce or make available any information which

the Court may consider necessary and the Court may, in its discretion, disclose so much as it thinks fit of the information so produced or made available and may also prohibit the publication of any portion thereof.”;

- (iii) by substituting for the words “trade dispute” occurring in the first line of paragraph (d) of subsection (4) thereof the word “proceedings”;
- (iv) by inserting immediately after paragraph (d) of subsection (4) as paragraphs (e) and (f) thereof the following:—
  - “(e) order any person to be joined as a party to the proceedings under consideration on such terms and conditions as may be prescribed by Rules made by the Court;
  - (f) proceed to hear and determine a trade dispute in the absence of any party who has been duly summoned to appear before the Court and has failed to do so.”;
- (v) by relettering paragraph (e) thereof as paragraph (g);
- (f) by substituting for section 13 thereof the following—

“13. In the hearing or determination of a trade dispute—

  - (a) the Court may, subject to this Act, regulate its procedure and its proceedings as it thinks fit;
  - (b) the Court may take into consideration such facts as it considers relevant and material notwithstanding that such facts would be otherwise inadmissible as evidence or would have been

required to be proved in a manner prescribed by law; but in any such case, the parties to the proceedings shall be informed of the substance of such facts and given the opportunity, if they so desire, of adducing evidence in regard thereto."

Passed in the House of Representatives this 21st day of April, 1967.

G. R. LATOUR  
*Clerk, House of Representatives*

Passed in the Senate this 11th day of April, 1967.

J. E. CARTER  
*Clerk of the Senate*