

TRINIDAD AND TOBAGO.

Port-of-Spain Markets.

No. 12.—1906.

14th May.

AN ORDINANCE to amend and consolidate the law relating to Markets in Port-of-Spain, and the sale of fresh meat, fish and other marketable commodities in the said Town.

[L.S.]

HUGH CLIFFORD,

ACTING GOVERNOR.

28th May, 1906.

WHEREAS it is expedient to amend and consolidate the law relating to Markets in Port-of-Spain and the sale of Meat, fish and other marketable commodities in the said Town: Be it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:

1. This Ordinance may be cited as the Port-of-Spain Short title. Markets Ordinance, 1906.

2. In this Ordinance the following expressions and words Interpretation. shall have the meanings assigned to them by this section, unless there be something in the subject or context inconsistent therewith:—that is to say,

(a.) "The Commissioners" means the Commissioners appointed under Section 4 of the Port-of-Spain Ordinance, No. 211. "The Town" means the town of Port-of-Spain

as defined by the said Ordinance. "The Town Clerk" means the Town Clerk and Treasurer appointed under the said Ordinance, and any other person for the time being performing the duties of the Town Clerk and Treasurer with the authority of the Commissioners.

(b.) "Fresh Meat" means fresh meat of any cattle, sheep, goat, pig or turtle slaughtered for sale, and includes imported fresh meat.

(c.) "Public Market" means any place appointed a Public Market by the Commissioners under this Ordinance for the sale of any marketable commodities, and includes all buildings, works, sheds, covered and open spaces and grounds comprised within the place so appointed.

(d.) "Marketable Commodities" means fresh meat, fish, ground provisions, vegetables and fruit.

(e.) "Keeper" means the person appointed by the Commissioners to keep any Market, or any other person for the time being performing the duties of the keeper under authority from the Commissioners.

(f.) "Street" includes any highway, road, lane, alley, square, footway or public passage or place within the Town.

(g.) "Lands" includes messuages, easements and hereditaments of any tenure.

Markets to
be held only
in places
appointed.

3. It shall not be lawful to hold any Public Market for the sale of fresh meat, fish and other marketable commodities in any place in the town not being one of the places mentioned in Section 4 of this Ordinance or a place appointed a Public Market by the Commissioners under this Ordinance.

Existing
Markets.

4. The Markets already established and provided by the Commissioners and known respectively as the "Eastern Market" and the "Southern Market" shall be deemed to be and are hereby declared to be Public Markets within the meaning of this Ordinance, and Markets may be held therein respectively on such days and during such hours each day

as at the time of the passing of this Ordinance have been fixed by the Commissioners for the purpose, or on such days and during such hours as they may hereafter from time to time fix by resolution.

5.—(1.) It shall be lawful for the Commissioners with the consent of the Governor in Executive Council to appoint any place or places within the Town to be a Public market or Public markets, and to construct such market house or houses and other conveniences in connexion therewith, and to provide all such matters and things as may be necessary for the convenient use of such Market House or Houses.

Power to
appoint places
as Public
Markets.

(2.) For all or any of the purposes in this section mentioned, and also for the purpose of enlarging or improving any existing or future Public Markets, it shall be lawful for the Commissioners to set apart and appropriate any land belonging to them which they may deem fit and proper for such purposes or any of them, and with the consent of the Governor in Executive Council to take on lease any lands which they may deem necessary for such purposes or any of them.

Setting apart
and acquisition
of land.

6.—(1.) Before any Public Market other than the Markets mentioned in Section 4 shall be opened for public use, the Commissioners shall give not less than seven days' notice of the time when the same will be opened, and such notice shall be given by the publication thereof in the *Royal Gazette* and also in at least one newspaper circulating in the town.

Notice of
opening new
market.

(2.) The Commissioners may from time to time appoint and fix the days on which and the hours during which such Markets shall be opened and kept open, and also the commodities which may be sold or offered or exposed for sale therein.

Fixing market
hours and
goods to be
sold.

7. It shall be lawful for the Commissioners at any time or times to discontinue the use of any existing or future Public Market or Markets or any part thereof as such, and with the consent of the Governor to sell and dispose of the same or any part thereof, or to use and convert the same or any part thereof to or for any other purpose whatsoever.

Power to
discontinue
Markets.

Keeper and
other Officers.

8. The Commissioners may from time to time appoint a fit and proper person to be keeper of any Public Market, and such other officers and servants as the Commissioners may consider necessary for the proper and efficient working and management of any such Market, and any keeper and other officers or servants so appointed shall hold office during the pleasure of the Commissioners.

Assaulting or
obstructing
officer.

9. Every person who shall assault or obstruct the keeper of any Public Market or other person authorized by the Commissioners to receive any stallages, rents, tolls and charges payable in respect of such market, or any person employed to superintend such market or to keep order therein whilst in the execution of his duty, shall for every such offence be liable on conviction to a penalty not exceeding five pounds.

Stallages,
rents, tolls.

10.—(1.) It shall be lawful for the Commissioners to demand and take from every person occupying or using any stall, stand, table, shed or place in any Public Market or bringing into any such Market any marketable commodities or any other article or thing which the Commissioners may permit to be sold therein, or using any weighing machine kept in such Market, such stallages, rents, tolls and charges as the Commissioners shall from time to time appoint and fix by resolution.

When and to
whom to be
paid.

(2.) The several stallages, rents, tolls and charges payable in respect of any Public Market shall be paid at such times and in such manner as the Commissioners shall from time to time prescribe to the keeper or any other person authorized by the Commissioners to receive the same.

Recovery of
stallages,
rents, &c.

(3.) If any person liable for the payment of any stallage, rent, toll or charge, does not pay the same when required by the keeper or other person duly authorized to receive the same, the keeper or other person so authorized may recover the same by distress and sale of a sufficient part of any marketable commodities in the market which belong to the person liable to pay such stallage, rent, toll or charge; or such stallage, rent, toll or charge may be recovered as a debt due to the Commissioners in any Court of competent jurisdiction.

11. The Commissioners may from time to time make such ^{Bye-laws.} Bye-laws as they may think fit for all or any of the following purposes, that is to say:—

- (a.) For regulating the use of Public Markets and directing the manner of occupying and using the several stalls, stands, tables, sheds, and places therein respectively.
- (b.) For prescribing the conditions subject to which the several stalls, stands, tables, sheds, and places in any such Markets shall be held occupied or used by any person hiring or using the same respectively.
- (c.) For regulating the use of weighing machines belonging to the Commissioners and used in any such markets, and preventing the use of false or defective weights, scales or machines by any person selling in any such market or markets.
- (d.) For preventing nuisances or obstructions in any such Markets, or in the immediate approaches thereto.
- (e.) For maintaining order and preventing any disturbance in any such Markets by fighting or disorderly behaviour.
- (f.) For excluding and removing from any such Markets any person suffering from any infectious or contagious disease.
- (g.) And generally such other bye-laws as may be deemed necessary for the good government of such Markets, and for carrying into effect the provisions of this Ordinance.

And it shall be lawful for the Commissioners from time to time as they shall think fit by subsequent bye-laws made pursuant to the provisions of this Ordinance to repeal, alter or amend any such bye-laws, or any bye-laws in force at the time of the commencement of this Ordinance.

Bye-laws to be enforced under penalty. **12.** The Commissioners may by any bye-laws made by them under this Ordinance impose on offenders against the same such reasonable penalties as they think fit, not exceeding £5 for each offence.

Approval of Bye-laws. **13.** Bye-laws made under this Ordinance shall not take effect unless and until they have been submitted to and approved by the Governor in Executive Council.

Publication of Bye-laws in *Royal Gazette*. **14.** All bye-laws made under this Ordinance shall, when approved by the Governor in Executive Council, be published in the *Royal Gazette*, and production of a copy of the *Royal Gazette* purporting to contain any such Bye-laws shall be sufficient evidence of the tenor, due making and approval of such Bye-laws.

Recovery of penalties. **15.** All penalties imposed under this Ordinance or under any Bye-Laws made thereunder shall be recoverable in a summary manner upon complaint made in the name of the Commissioners or of the Keeper or of any Town Constable, and shall be payable to the Commissioners for the use of the Town; and the form of procedure in all cases against persons offending against the provisions of this Ordinance or of any Bye-laws made thereunder shall be that prescribed by the Summary Conviction Offences (Procedure) Ordinance No. 1, or any Ordinance or Ordinances amending or replacing the same.

Bye-laws to be exhibited in Market. **16.** All bye-laws made by the Commissioners under this Ordinance shall be printed and a copy thereof exhibited in a conspicuous part of every public market to which such bye-laws respectively relate.

Existing Market bye-laws to continue in force. **17.** All such bye-laws made by the Commissioners with respect to each of the Markets mentioned in Section 4 of this Ordinance as are in force at the time of the commencement of this Ordinance shall so far as the same are not inconsistent with the provisions of this Ordinance, continue in force as if such bye-laws had been made under this Ordinance; and the stallages, rents, tolls and charges fixed by the Commissioners and payable at the time of the commencement of this Ordinance in respect of each of the said Markets shall continue in force and be payable in respect of such

Markets respectively as if such stallages, rents, tolls and charges had been fixed under this Ordinance.

18.—(1.) It shall not be lawful for any person to sell or offer or expose for sale any marketable commodity in any street of the Town within those portions thereof described in the First Schedule to this Ordinance.

Marketable commodities not to be sold in certain streets.

(2.) Every person who shall act in contravention of the provisions of this section shall be liable on conviction to a penalty not exceeding £5.

19.—(1.) It shall not be lawful for any person to sell or offer or expose for sale any fresh meat within the limits of the Town or within one mile from any part of the limits thereof except in a Public Market or in such shops or premises as may be licensed by the Commissioners in that behalf.

Fresh Meat to be sold only in Market or Licensed Premises.

(2.) The Commissioners may from time to time if they shall think fit grant to any person or persons a license to sell or offer or expose for sale fresh meat in any place in the Town other than a Public Market; and every such license shall be granted for such periods, and on payment of such sums, and upon such terms and conditions as the Commissioners shall from time to time prescribe, and shall be revocable by the Commissioners on breach by the licensee of any of the conditions subject to which such license shall be expressed to be granted.

Licenses for sale of Meat elsewhere than in Market.

(3.) Every person who shall act in contravention of the provisions of this section shall be liable on conviction to a penalty not exceeding £10 for each offence.

20.—(1.) No fish for sale shall be landed on any part of the foreshore between the Southern Market and the Petroleum Warehouse Jetty except on the landing stage of the said Market; provided that this enactment shall not apply to fish imported into the Colony in vessels of not less than ten tons.

Landing of fish for sale.

(2.) Every person who shall act in contravention of the provisions of this section shall be liable on conviction to a penalty not exceeding £5 for each offence.

21.—(1.) It shall not be lawful for any person to sell or offer or expose for sale any fish within the limits of the Town except in a Public Market or under and in accordance with the terms of a license granted under either Sub-section (2) or Sub-section (3) of this section.

License to sell fish outside Markets. (2.) The Commissioners may from time to time grant to any person a license to sell or offer or expose for sale fish in any premises in the Town; and every such license shall be granted for such period, on payment of such sums and upon such terms and conditions as the Commissioners shall from time to time prescribe, and shall be revocable by the Commissioners on breach by the licensee of any of the conditions subject to which such license shall be expressed to be granted.

License to sell fish in streets. (3.) The Commissioners may also from time to time grant to any person a license authorizing such person to offer or hawk about for sale or sell fish in any street of the Town without those portions thereof described in the First Schedule to this Ordinance, and every such license shall be granted for such period, on payment of such sums, and upon such terms and conditions as the Commissioners shall from time to time prescribe, and shall be revocable by the Commissioners on breach by the licensee of any of the conditions subject to which such license shall be expressed to be granted.

(4.) Any person who shall act in contravention of the provisions of this section shall be liable on conviction to a penalty not exceeding £5.

Inspectors of meat, fish, vegetables, etc. **22.** The Commissioners may from time to time appoint fit and proper persons to be Inspectors of marketable and other commodities sold or offered or exposed for sale in any Public Market or under any license granted under this Ordinance.

Powers of Inspectors. **23.** It shall be lawful for any Inspector appointed under this Ordinance at all times to inspect and examine any marketable or other commodities sold or offered or exposed for sale in any Public Market or elsewhere under any license granted under this Ordinance; and if such marketable or other commodities appear to such Inspector to be diseased or unsound or unwholesome or unfit for the food

of man, he may seize and carry away the same himself or by his assistants and cause the same to be destroyed, or may order the same to be kept apart and dealt with according to his directions.

24. Any person who in any manner prevents any Inspector from making such inspection and examination as is authorized under this Ordinance, or from entering any premises or place for the purpose of making such inspection and examination, or who refuses to give to any Inspector the means of access to such premises or place for the purpose of making such inspection and examination, or who assaults, obstructs or impedes any such Inspector or his assistants while making such inspection and examination or otherwise carrying into execution the provisions of this Ordinance, shall be liable on conviction to a penalty not exceeding £5.

Penalty for
assaulting or
obstructing
Inspectors.

25. The enactments specified in the Second Schedule to this Ordinance are hereby repealed to the extent mentioned in the third column of the said Schedule.

Repeals.

Provided that such repeal shall not affect the validity or invalidity of anything done or suffered or any right accrued or liability or punishment incurred before, or any proceeding pending or uncompleted at the commencement of this Ordinance.

Passed in Council this Fourteenth day of May, in the year of Our Lord one thousand nine hundred and six.

ALFRED TAITT,
Acting Clerk of the Council.

FIRST SCHEDULE.
(a.) That portion bounded—

On the North by the premises on the Northern side of Park Street between the Dry River and Abercromby Street.

On the South by the premises on the Southern side of Marine Square South between the Dry River and Abercromby Street.

On the East by the Dry River between Marine Square South and Park Street.

On the West by the premises on the Western side of Abercromby Street between Marine Square South and Park Street.

(b.) The portion bounded—

On the North by the premises on the Northern side of Sackville Street from the Sea to Saint Vincent Street and by a straight line in alignment therewith up to the Eastern side of Abercromby Street.

On the South by the Sea.

On the East by the premises on the Eastern side of Abercromby Street from the Sea to a point in alignment with the Northern side of Sackville Street.

On the West by the Sea.

SECOND SCHEDULE.
ENACTMENTS REPEALED.

No. of Ordinance.	Short Title.	Extent of Repeal.
No. 213.	The Sale of Meat Ordinance.	The whole, but so far only as it affects the town of Port-of-Spain.
No. 6 of 1905.	“The Port-of-Spain Market Ordinance 1905.”	The whole.