

## TRINIDAD AND TOBAGO.

No. 15—1928.

I ASSENT,

[L.S.]

H. A. BYATT,  
*Governor.*

6th June, 1928.

AN ORDINANCE to amend the Local Naturalization Ordinance.

[6th June, 1928.]

**B**E it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows :—

Short title and construction. **1.** This Ordinance may be cited as the Local Naturalization (Amendment) Ordinance, 1928, and shall be read as one with the Local Naturalization Ordinance, hereinafter called the Principal Ordinance.

Cap. 242

Loss of nationality by foreign naturalization **2.** A person naturalized under the Principal Ordinance who, when in any foreign state and not under disability, by obtaining a certificate of naturalization or by any other voluntary and formal act, becomes naturalized therein, shall thenceforth be deemed to have ceased to

possess the local status of British subject in the Colony, and the wife and every minor child of that person shall thereupon also cease to possess that status.

**3.—**(1) Where the Governor is satisfied that a certificate of naturalization granted under the Principal Ordinance has been obtained by false representation or fraud, or by concealment of material circumstances, or that the person to whom the certificate is granted has shown himself by act or speech to be disaffected or disloyal to His Majesty, the Governor shall by order revoke the certificate. Revocation of certificate of naturalization.

(2) Without prejudice to the foregoing provisions, the Governor shall by order revoke a certificate of naturalization granted under the Principal Ordinance in any case in which he is satisfied that the person to whom the certificate was granted either—

- (a) has during any war in which His Majesty is engaged unlawfully traded or communicated with the enemy or with the subject of an enemy state, or been engaged in or associated with any business which is to his knowledge carried on in such manner as to assist the enemy in such war ; or
- (b) has within five years of the date of the grant of the certificate been sentenced by any court in His Majesty's dominions to imprisonment for a term of not less than twelve months, or to a term of penal servitude or to a fine of not less than one hundred pounds ; or
- (c) was not of good character at the date of the grant of the certificate ; or
- (d) has since the date of the grant of the certificate been for a period of not less than seven years ordinarily resident out of the Colony otherwise than as a representative of a British subject, firm, or company carrying on business, or an institution established, in His Majesty's dominions, or in the service of the Crown, and has not maintained substantial connection with the Colony ; or

(e) remains according to the law of a state at war with His Majesty a subject of that state; and that (in any case) the continuance of the certificate is not conducive to the public good.

(3) The Governor may, if he thinks fit, before making an order under this section refer the case for such inquiry as is hereinafter specified, and in any case to which sub-section (1) or paragraph (a), (c), or (e) of sub-section (2) of this section applies, the Governor shall, by notice given to or sent to the last-known address of the holder of the certificate, give him an opportunity of claiming that the case be referred for such inquiry, and if the holder so claims in accordance with the notice the Governor shall refer the case for inquiry accordingly.

(4) An inquiry under this section shall be held by a committee constituted for the purpose by the Governor and shall be conducted in such manner as the Governor may direct.

Provided that any such inquiry may, if the Governor thinks fit, instead of being held as aforesaid be held by a Judge of the Supreme Court, and the practice and procedure on any inquiry so held shall be regulated by rules of court.

A committee appointed under this section shall have all such powers, rights and privileges as are vested in the Supreme Court or in any Judge thereof on the occasion of any action, in respect of the following matters:—

- (a) the enforcing the attendance of witnesses and examining them on oath, affirmation, or otherwise, and the issue of a commission or a request to examine witnesses abroad; and
- (b) the compelling the production of documents; and
- (c) the punishing persons guilty of contempt;

and a summons signed by one or more members of the committee may be substituted for and shall be equivalent to any formal process capable of being issued in any action for enforcing the attendance of witnesses and compelling the production of documents.

(5) Where the Governor revokes a certificate of naturalization, the revocation shall have effect from such date as the Governor may direct, and thereupon the certificate shall be given up and cancelled; and any person refusing or neglecting to give up his certificate shall be liable on summary conviction before a Magistrate to a fine not exceeding one hundred pounds.

4.—(1) Where a certificate of naturalization is revoked the Governor may by order direct that the wife and minor children (or any of them) of the person whose certificate is revoked shall cease to possess the local status of British subject in the Colony, and the wife or child, as the case may be, shall thereupon be regarded as an alien within the limits of the Colony, but, except where the Governor directs as aforesaid, the local status of British subject in the Colony possessed by the wife and minor children of the person whose certificate is revoked shall not be affected by the revocation and they shall continue to possess the local status of British subject in the Colony.

Effect of  
revocation of  
certificate of  
naturalization.

Provided that—

- (a) it shall be lawful for the wife of any such person within six months after the date of the order of revocation to make a declaration of alienage, and thereupon she and any minor children of her husband and herself shall cease to possess the local status of British subject in the Colony; and
- (b) The Governor shall not make any such order as aforesaid in the case of a wife who was at birth a British subject, unless he is satisfied that if she had held a certificate of naturalization in her own right the certificate could properly have been revoked under this Ordinance, and the provisions of this Ordinance as to referring cases for inquiry shall apply to the making of any such order as they apply to the revocation of a certificate.

(2) The provisions of this section shall, as respects persons affected thereby, have effect in substitution for the provisions of section 2 of this Ordinance as to the effect upon the wife and children of any person who ceases to possess the local status of British subject in the Colony in accordance with that section, and the provisions of that section shall accordingly not apply in any such case.

(3) Where a certificate of naturalization is revoked, the former holder thereof shall be regarded within the limits of the Colony as an alien and as a subject of the state to which he belonged at the time the certificate was granted.

Repeal of  
Ord. 17-1927.

**5.** The Local Naturalization (Amendment) Ordinance, 1927, is hereby repealed.

Passed in Council this twenty-fifth day of May, in the year of Our Lord one thousand nine hundred and twenty-eight.

E. F. AANENSEN,  
*Acting Clerk of the Council.*

---