

TRINIDAD AND TOBAGO.

No. 38—1925.

C

I ASSENT,

[L.S.]

H. A. BYATT,
Governor.

27th June, 1925.

AN ORDINANCE to amend the Patents Ordinance, 1924.

[27th June, 1925.]

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 Patents Ordinance, 1925 and shall be read as one with the Patents, Designs and Trade Marks Ordinance, No. 76, hereinafter called the Principal Ordinance. Short title.

2. Section 15c of the Principal Ordinance, as set out in section 4 of the Patents Ordinance, 1924, is hereby repealed. Repeal of s. 15c of Ord. 76.

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

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

[Price 1d.]

OBJECTS AND REASONS.

THE British Empire Patent Conference, 1922, recommended that powers to revoke any registration of a United Kingdom patent should not, as regards the Colony, include power to revoke on the ground of non-working of the invention in the Colony. It is considered that section 15c of the Principal Ordinance is not in accord with this recommendation and further that the section is unnecessary in view of the provisions of sections 11 and 14 of the Principal Ordinance. Consequently it is proposed that section 15c be repealed.

PORT-OF-SPAIN CORPORATION (AMENDMENT) ORDINANCE, 1925.

Table shewing the Correspondence of sections in this Ordinance with the provisions of the existing law.

SECTION.	Corresponding sections of existing Ordinances, and how the same are dealt with.
1	.. Short title, and interpretation.
2	.. Section 13 of Ordinance 24 of 1914, amended so as to make it clear that a person elected to a corporate office must not only be qualified at the time of election, but must continue to be qualified during the whole period of his term of office. The new proviso (6), is added to remove any doubt as to the right of a medical practitioner who is a member of the Council to receive fees for notifications of cases of infectious disease to the Local Authority under the Public Health Ordinance, 1915, without incurring disqualification.
3	.. Section 16 (3) of Ordinance 24 of 1914, authorising payment of a salary to the Mayor, is hereby repealed, and in lieu thereof is inserted a new sub-section giving power to the Council to pay the reasonable travelling and out of pocket expenses incidental to the office of Mayor.
4	.. Sub-section (3) of section 18 of Ordinance 24 of 1914 was inadvertently omitted when the section was recast in the amending Ordinance 36 of 1918. In consequence of the amendment of section 16 (3) of Ordinance 24 of 1914 by clause 3 of this bill, it is now desirable to re-enact the omitted sub-section (3) of section 18 of Ordinance 24 of 1914, amended so as to enable the Deputy Mayor to draw the travelling and other expenses of the office of Mayor (instead of the salary), when he acts as Mayor for longer periods than one month.
5	.. This section amends section 22 (2) of Ordinance 24 of 1914, and incorporates with it the provisions of section 56 of the same Ordinance ; so as to enable the Mayor, in case of the death, illness, absence, or inability to act, of both the Town Clerk and the Deputy Town Clerk, to appoint some person to act as Town Clerk pending the making of an appointment by the Council at its next meeting.
6	.. New ; intended to make it clear that the officers who have been or may hereafter be appointed under the Public Health Ordinance or any other Ordinance imposing duties on the Corporation or the Council, are officers of the Corporation, and subject to all the provisions of the Corporation Ordinance, 1914.
7	.. Form of Proclamation on Election contained in section 48 of Ordinance 24 of 1914 as set out in section 8 of Ordinance 36 of 1918 amended by the addition of paragraphs further describing the qualifications of the declarant.
8	.. Form of Oath of Office contained in section 49a of Ordinance 24 of 1914 as set out in section 9 of Ordinance 36 of 1918 amended by requiring the officer to depose as to his possession of the necessary qualification.

Table shewing the Correspondence, &c.

SECTION.	Corresponding sections of existing Ordinances, and how the same are dealt with.
9	.. Section 52a of Ordinance 24 of 1914 as set out in section 7 of Ordinance 15 of 1924, amended by substituting the Mayor for a Commissioner of Oaths as the person before whom a person elected to a corporate office and finding himself unable to accept the office through want of qualification may make his declaration to that effect.
10	.. Section 54 of Ordinance 24 of 1914 amended to remove any doubt as to the manner in which an action may be brought by the Corporation to recover a penalty against a person for acting in a corporate office while not qualified.
11	.. Repeals section 56 of Ordinance 24 of 1914. See section 5.
12	.. Section 79 (1) of Ordinance 24 of 1914 as set out in section 9 of Ordinance 15 of 1924, amended to make it clear that as aldermen are only elected every three years, it is only in the year when such an election is to take place that the meeting on the 9th November is to be held.
13	.. This supplies what is evidently an omission in section 79 (2) (b) of Ordinance 24 of 1914 as set out in section 9 of Ordinance 15 of 1924.
14	.. Section 85 of Ordinance 24 of 1914 amended so as to enable the Council, in case of omission to hold an election on the prescribed day, to appoint another day for doing so, without having as at present, in the first instance to obtain a mandamus from the Supreme Court.
15	.. Section 106 of Ordinance 24 of 1914 amended in two respects : first, to empower the Assessment Committee to take into consideration, in fixing the assessment value of rented premises, in addition to the rates which the tenant may be under obligation to pay, any premiums of insurance against fire which he may also be under obligation to pay in respect of the premises : secondly, to enable the Assessment Committee, in assessing premises let to tenants who have to pay not only house rent, but also the land rent payable in respect of the site, to include such land rent as part of the rent paid by the tenant.
16	.. Section 108 of Ordinance 24 of 1914 amended so as to increase the minimum number of members of the Assessment Committee and to leave the quorum of the Committee, at present fixed at 2, to be determined by the Council.
17	.. Section 109 of Ordinance 24 of 1914 amended so as to make all appointments of employees for assessment work appointments by the Corporation and not by the Committee.
18	.. Section 134 of Ordinance 24 of 1914 sets out the details of the information which the Corporation may require ratepayers to furnish for purposes of assessment ; as other information may be required the section is amended by transferring the details to a form in a schedule to the Ordinance ; section 55 of this Ordinance gives power to amend any form in a schedule by resolution of the Council, subject to approval by the Governor in Executive Council.

Table shewing the Correspondence, &c.

SECTION.	Corresponding sections of existing Ordinances, and how the same are dealt with.
19	.. Section 136 of Ordinance 24 of 1914 as set out in section 15 of Ordinance 15 of 1924 amended so as to relieve the Government of the obligation to pay rates on premises which they no longer occupy, but which appear in the list of premises in respect of which a fixed commuted annual payment in lieu of house rates is payable.
20	.. Section 137 of Ordinance 24 of 1914 amended so as to allow the Council until the 15th instead of the first of December in every year for submission of their estimates of revenue and expenditure for the following year to the Governor.
21	.. Section 20 of Ordinance 36-1918 amended so as to authorise the payment out of corporate funds of the travelling and other expenses incidental to the office of Mayor; and to remove any doubts as to the power of the Council to pay out of Corporate funds the salaries and other expenses imposed on them by the Public Health Ordinance or any other Ordinance.
22	.. This section makes statutory provision for the establishment of a finance committee, hitherto created under resolution of the Council, and replaces section 142 of Ordinance 24 of 1914
23	.. Repeals section 142 of Ordinance 24 of 1914. <i>See preceding section.</i>
24	.. Section 163a (3) of Ordinance 24 of 1914 as set out in section 24 of Ordinance 36 of 1918, amended by substituting the Corporation for the City Engineer.
25	.. Repeals section 110a of Ordinance 24 of 1914 as set out in section 12 of Ordinance 15 of 1924; its provisions are set out in section 236 of Ordinance 24 of 1914 as amended by section 27 of this Ordinance.
26	.. Section 235 (4) of Ordinance 24 of 1914 as set out in section 27 of Ordinance 36 of 1918 amended by substituting the Corporation for the City Engineer.
27	.. <i>See section 25.</i>
28	.. Section 242 of Ordinance 24 of 1914 amended to include the Woodbrook Market and the Fish Market since established.
29	.. Sections 262 to 268 of Ordinance 24 of 1914 amended so as to enable the Council to license the sale of fresh fish as well as fresh meat from cold stores.
30, 31 and 32	.. Section 273 of Ordinance 24 of 1914 as set out in section 35 of Ordinance 36 of 1918 and sections 289 to 293 of Ordinance 24 of 1914 amended so as to include the Woodbrook Cemetery and any other Cemetery hereafter established by the Corporation.
33 and 34	.. Sections 316 and 317 of Ordinance 24 of 1914 amended by substituting the Corporation for the City Engineer.
35	.. Section 320 (g) of Ordinance 24 of 1914, amended as to the definition of "carriage."
36	.. Section 339 of Ordinance 24 of 1914 amended by striking out some unnecessary words at the end.
37	.. Section 354 of Ordinance 24 of 1914 amended by providing that entries in the Water Rate Book shall be signed by the Mayor and adopted by the Council.

Table shewing the Correspondence, &c.

SECTION.	Corresponding sections of existing Ordinances, and how the same are dealt with.
38-39	.. Sections 371 (1) and 372 of Ordinance 24 of 1914 amended as to make it clear that only the City Engineer and persons authorised in writing by the Corporation may enter premises to execute works.
40	.. Section 397 of Ordinance 24 of 1914 amended so as to give power to suspend as well as to revoke the licences issued to sanitary constructors.
41	.. Section 405 of Ordinance 24 of 1914 amended by providing that entries in Sewerage Rate Book shall be signed by the Mayor and adopted by the Council.
42	.. Section 408 of Ordinance 24 of 1914 as set out in section 29 of Ordinance 15 of 1924, amended so as to supply an inadvertent omission; rates paid on government properties not merely in the City but also in those parts of the sewerage district which lie outside the City.
43 and 44	.. Sections 410 and 412 of Ordinance 24 of 1914 amended so as to limit the execution of works in private premises by the Corporation to persons expressly authorised in writing by the Corporation.
45	.. Section 411 of Ordinance 24 of 1914 amended by the substitution of the word Council for the word Corporation in line 2, thus correcting an evident misprint.
46	.. Section 413 of Ordinance 24 of 1914 amended by deleting all reference to the Engineer.
47	.. Section 419 of Ordinance 24 of 1914 amended by deleting all reference to the Engineer.
48	.. Amends section 420 of Ordinance 24 of 1914 by making the Corporation liable, and not the Engineer, for any injury or damage done through any act of the Corporation.
49	.. Amends section 421 of Ordinance 24 of 1914 by declaring that contractors shall be deemed to be the servants of the Corporation and not of the Engineer.
50	.. Section 429 of Ordinance 24 of 1914 amended to make it clear that any burgess may bring an action to recover a penalty against a person for acting in a corporate office while not qualified.
51	.. Section 433 of Ordinance 24 of 1914 amended so as to require all authorisations given by the Council to be signed by the Town Clerk.
52	.. Section 440 of Ordinance 24 of 1914 amended to give power to suspend any licence granted by the Corporation.
53	.. Section 446 of Ordinance 24 of 1914 amended to avoid doubts as to the valuations on which rates are based.
54	.. Section 448 of Ordinance 24 of 1914 amended so as to enable the Council to entertain the Governor of the Colony as well as distinguished visitors and members of the Royal Family.
55	.. New; gives a power which experience has proved to be requisite to amend the forms in the schedules by resolution of the Council approved by the Governor in Executive Council.