

No. 31—1925.

I ASSENT,

[L.S.]

H. A. BYATT,
Governor.

18th June, 1925.

AN ORDINANCE to amend the Interpretation
Ordinance, 1912.

[18th 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 Interpretation Short title.
(Amendment) Ordinance, 1925, and shall be read as one Construction.
with the Interpretation Ordinance, 1912, hereinafter (34-1912)
called the Principal Ordinance.

2. Section 7 of the Principal Ordinance is hereby Interpretation
repealed, and in lieu thereof shall be read the following:— of certain
terms.

7.—(1) In this Ordinance and in every Ordinance
already passed or hereafter to be passed, and in
every rule, regulation, bye-law, order or form
already made or hereafter to be made or issued
under the authority of any such Ordinance, and in

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every Order in Council and Proclamation made under lawful authority, and in all official documents, the following words and expressions shall have the meanings hereby assigned to them respectively, unless there be something in the subject or context inconsistent with such construction, or unless it be therein otherwise expressly provided, that is to say:—

- (a) "Colony" means the Colony of Trinidad and Tobago ;
- (b) "Common Law" means the Common Law of England ;
- (c) "Crown Agents" means the persons for the time being acting as Crown Agents for the Colonies in England, or any of them ;
- (d) "Full Court" means the Full Court constituted under the provisions of the Judicature Ordinance, No. 34 ;
- (e) "Government Analyst" includes any Assistant or other Analyst employed by the Government ;
- (f) "Government" means the Government of the Colony ;
- (g) "Government Printer" includes the Superintendent of Government Printing, and any printer purporting to be the printer authorized to print the Ordinances and other documents of the Government ;
- (h) "Governor" includes the Officer administering the Government for the time being ;
- (i) "His Majesty" and "The King," means His Majesty the King, His Heirs and Successors ;

- (j) "Inspector-General" means the Inspector-General of Constabulary ;
- (k) "Justice" means a Justice of the Peace ;
- (l) "Land" includes messuages, tenements and hereditaments, houses and buildings of any tenure ;
- (m) "Month" means calendar month ;
- (n) "Oath," "Swear," "Affidavit," include affirmation, declaration, affirming and declaring in the case of persons allowed by law to declare or affirm instead of swearing ;
- (o) "Person" includes any body of persons, corporate or unincorporate ;
- (p) "Prescribed" means prescribed by or under any Ordinance in which the word occurs ;
- (q) "Public Holiday" means any day which, under the provisions of any Ordinance for the time being in force, is declared to be or proclaimed as a public holiday ;
- (r) "Secretary of State" means His Majesty's Principal Secretary of State for the Colonies ;
- (s) "Supreme Court" means the Supreme Court of the Colony ;
- (t) "Treasury" means the Treasury of the Colony ;
- (u) "Writing," "Written," or any term of like import includes printing, lithography, typewriting, photography, and other modes of representing or reproducing words in a visible form ;

(v) Words importing the masculine gender include females ;

(w) Words in the singular include the plural, and words in the plural include the singular.

Definitions to apply subject to context.

(2) Where terms are defined in an Ordinance, such terms shall have the meanings assigned to them unless there is anything in the subject or context repugnant to or inconsistent with such meaning.

Definition in Ordinance to apply to regulations, &c.

(3) Where terms defined in an Ordinance are used in any regulations, bye-laws, rules, orders, forms or proclamations under such Ordinance, such terms shall have the meanings assigned to them by the Ordinance, unless they are otherwise defined in such regulations, bye-laws, rules, orders, forms or proclamations or are inconsistent with the subject or context.

Procedure, where offences punishable on summary conviction.

3. Where, in any Ordinance, Order-in-Council, regulation, bye-law, rule, order, proclamation, or other enactment for the time being in force in the Colony, whether passed or made before or after the commencement of this Ordinance, any offence is declared to be punishable, or any penalty is declared to be recoverable, on summary conviction, the procedure in respect of the trial and punishment of such offences and the recovery of such penalties, and of all matters incidental to or arising out of the trial and punishment of such offences or the recovery of such penalties, shall, in the absence of and subject to any express provision to the contrary, be in accordance with the Summary Conviction Offences (Procedure) Ordinance, 1918.

(9-1918)

Powers of authorities to make regulations.

4. Section 11 of the Principal Ordinance is hereby repealed, and in lieu thereof shall be read the following :—

11.—(1) Where any Ordinance, whether passed before or after the commencement of this Ordinance, confers powers on any authority to

make regulations, the following provisions shall, unless the contrary intention appears, have effect with reference to the making and operation of such regulations :—

- (a) Any regulation may be at any time amended, varied, rescinded, or revoked by the same authority and in the same manner by and in which it was made ;
- (b) There may be attached to the breach of any regulation such penalty not exceeding ten pounds as the authority making the regulation may think fit ;
- (c) No regulation shall be inconsistent with the provisions of any enactment ;
- (d) All regulations shall have the force of law and shall be judicially noticed ; and
- (e) The production of a copy of the *Royal Gazette* containing any regulation shall be *prima facie* evidence in all Courts and for all purposes whatever of the due making and tenor of such regulation.

(2) In this section "regulation" includes bye-laws, rules, orders, and proclamations.

5. Sections 8, 9, and 10 of the Principal Ordinance ^{Repeal.} are hereby repealed.

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

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

OBJECTS AND REASONS.

It is proposed by this Bill to amend the Interpretation Ordinance, 1912, by the insertion of additional provisions relating to terms and expressions which are being constantly used in Ordinances.

Clause 2 of the Bill reproduces section 7 of the Principal Ordinance with the addition of paragraphs (a), (b), (c), (d), (e), (j), (p), (q), (r), (s) and (t). These are terms which frequently appear in enactments, and the insertion in the Interpretation Ordinance of general definitions will avoid the necessity of inserting specific definitions in a great many Ordinances and Regulations. Sub-clause (2) of this clause is new and is inserted here to avoid the repeated use in Interpretation sections of the words "unless the context otherwise requires." Sub-clause (3) also is new and is inserted to avoid the necessity of re-defining in Regulations, &c., terms and expressions already defined in the Ordinance under which the Regulations are made.

Clause 3 of the Bill applies generally the procedure laid down by the Summary Conviction Offences (Procedure) Ordinance, 1918, to the punishment of offences and the recovery of penalties which in any enactment are declared to be punishable or recoverable *on summary conviction*. The insertion of this general Clause will avoid the necessity of inserting a "procedure" Clause in a great number of Ordinances.

Clause 4 of the Bill reproduces section 11 of the Principal Ordinance with the addition of paragraph (d) which declares that all regulations, &c., made under the authority of an Ordinance shall have the force of law and shall be judicially noticed. *Also "orders" & proclamations are included.*

With regard to the repeal Clause, section 8 is replaced by paragraphs (v) and (w) of Clause 2, and sections 9 and 10 are considered to be unnecessary.