

TRINIDAD AND TOBAGO.

No. 7.—1920.

I ASSENT,

[L.S.]

J. R. CHANCELLOR,
Governor.

26th March, 1920.

AN ORDINANCE to amend the Pilots Ordinance.

[26th March, 1920.]

BE 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.

Ord. No. 123.

Interpreta-
tion.

1. This Ordinance may be cited as the Pilots Ordinance, 1920, and shall be construed as one with the Pilots Ordinance (in this Ordinance called the Principal Ordinance) as amended by any subsequent enactment.

2. In this Ordinance, unless the context otherwise requires—

The expression "commissioners" means the commissioners of pilotage;

The expression "court" means the Supreme Court or any judge thereof;

The expression "prescribed" means prescribed by regulations made by the commissioners, but so that section fourteen of the principal Ordinance (which relates to the approval, publication, and proof of regulations) shall apply to such regulations.

3.—(1.) For the purposes of the Principal Ordinance and this Ordinance a person shall be considered competent to be licensed to act as a pilot for a harbour or channel if he is able to indicate the safe courses, anchorages, and berths for ships of all sizes and for all conditions of weather and tide.

Standard of
competency of
pilots.

(2.) Every pilot's licence granted or renewed after the commencement of this Ordinance shall contain a statement written or printed in red ink to the effect that the holder has been examined only as to his competency to indicate courses, anchorages, and berths, and has not been examined as to his competency to handle or manœuvre ships.

4.—(1.) The commissioners may suspend or revoke a pilot's licence if it appears to them, after giving the pilot an opportunity of being heard, that he is not up to the prescribed standard of physical fitness, eyesight, or hearing or has become incompetent or incapable to act as a pilot, or that he has, whether before or after the commencement of this Ordinance,—

Power to sus-
pend or revoke
a pilot's
licence.

(a.) been guilty of misconduct affecting his capability as a pilot; or

(b.) failed in or neglected his duty as a pilot; and a pilot's licence, if so revoked, shall cease to have effect, and, if so suspended, shall cease to have effect for the period for which it is suspended.

(2.) But a pilot's licence shall not be revoked or suspended by reason only of misconduct or failure or neglect of duty which occurred more than six months before the commencement of this Ordinance.

5.—(1.) Notwithstanding anything in the Principal Ordinance, a pilot's licence, whether granted before or after the commencement of this Ordinance, shall not remain in force

Duration of
pilot's licences.

for more than three years from its date and, accordingly, the form of pilot's licence contained in the second schedule to the Principal Ordinance shall be altered by the insertion of the words "for the period of three years from the date hereof" between the word "pilot" and the word "for" in the second line of the form.

(2.) But a pilot's licence granted more than two years before the commencement of this Ordinance shall not expire until the end of the first year after the commencement of this Ordinance.

Surrender of
revoked or
expired
licences.

6.—(1.) It shall be the duty of a person whose pilot's licence is revoked or suspended under the Principal Ordinance or this Ordinance or whose licence has expired, to surrender his licence to the commissioners within seven days, and, if he fails to do so, he shall, on summary conviction before a magistrate, be liable to a fine not exceeding ten pounds.

(2.) If a pilot's licence is suspended, it shall, if it is still in force at the expiration of the period of suspension, be restored to the pilot with the particulars of the suspension endorsed on it.

Medical
examination
for pilots.

7.—(1.) The commissioners shall not grant or renew a pilot's licence unless they receive the certificate of a member of the Medical Board of Trinidad authorised by the commissioners to give such certificates, that the applicant reaches the prescribed standard of physical fitness, eyesight, and hearing.

(2.) The fee for such certificate shall be one pound and shall be paid by the applicant.

Grounds for
refusing
renewal.

8.—(1.) An applicant for the renewal of a pilot's licence which has expired not more than three months before the date of his application for renewal shall not be required to submit to examination as to competency unless the commissioners have reason to doubt the competency of the applicant.

(2.) The commissioners may, after giving the applicant an opportunity of being heard, refuse to renew a pilot's licence for any reason for which they may suspend or revoke a pilot's licence under this Ordinance.

1.—(1.) A fee of five shillings to be paid into the Treasury ^{Fees.} for the use of His Majesty shall be charged for the renewal of a pilot's licence.

(2.) The fees prescribed by section nine of the Principal Ordinance shall be chargeable in respect of the examination as to the competency of an applicant for the renewal of a pilot's licence.

10.—(1.) Any person aggrieved by the suspension or ^{Appeal to} revocation of his pilot's licence or by the refusal or failure ^{Supreme} of the commissioners to renew his pilot's licence may appeal ^{Court.} to the Court.

(2.) For the purpose of hearing the appeal, the Court may, if it thinks fit, sit with an assessor of nautical or pilotage experience.

(3.) The Court may confirm or reverse the suspension or revocation of the licence, or the refusal or failure to renew a licence, or may make such order in the case as may seem just.

(4.) In default of or subject to any rules which may be made under section forty-six of the Judicature Ordinance, ^{Ord. No. 34.} a Judge in Chambers shall give such directions as may be necessary with respect to the procedure to be observed on any appeal under this section.

11. After the commencement of this Ordinance a pilot's ^{Licences not} licence shall not be granted to any person unless he is a ^{to be granted} British subject, but nothing in this section shall prevent ^{to aliens.} the renewal of a pilot's licence granted before the commencement of this Ordinance to a person who is not a British subject.

Passed in Council this Fifth day of March, in the year of Our Lord one thousand nine hundred and twenty.

G. L. GUPPY,
Acting Clerk of the Council.