

TRINIDAD AND TOBAGO.

No. 25—1919.

I ASSENT,

[L.S.]

J. R. CHANCELLOR,
Governor.

9th December, 1919.

AN ORDINANCE to regulate the carrying on of banking
business in the Colony by Aliens.

[On Proclamation.]

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 Alien Bankers
Ordinance, 1919, and shall come into operation on such
day as may be fixed by the Governor by proclamation
published in the *Royal Gazette*.

Short title and
commence-
ment.

*Proc. 17 of 1920
as from 29.3.20*

2. In this Ordinance, unless the context otherwise requires, Interpretation.
the expression "alien" includes—

- (a.) any individual who is not a British subject ;
- (b.) any firm, partnership, or unincorporated body of
persons of which any member is not a British
subject ; and
- (c.) any body corporate not incorporated in some
part of His Majesty's dominions.

Licences for
aliens to carry
on banking
business.
Ord. 5—1916.

3.—(1.) Notwithstanding anything in the Bankers' Licences Ordinance, 1916, no alien shall after the commencement of this Ordinance commence or carry on any banking business in the Colony unless he holds a licence from the Governor in Executive Council for the time being in force authorizing him to do so.

(2.) But an alien lawfully carrying on a banking business in the Colony at the commencement of this Ordinance may continue to carry on his business without a licence under this Ordinance for the further period of three months.

Form and
duration of
licences.

4.—(1.) Licences under this Ordinance shall be in such form and for such period and shall contain such conditions and restrictions as the Governor in Executive Council shall in each case in his absolute discretion think fit.

(2.) The Governor in Executive Council may, if he thinks fit, without assigning a reason refuse an application for a licence.

Fines for con-
travening
Ordinance or
licence.

5. Every alien who shall commence or carry on a banking business in the Colony in contravention of the provisions of this Ordinance, and every person holding a licence under this Ordinance who fails to observe or perform any condition or restriction contained in the licence shall be guilty of an offence against this Ordinance, and shall, on summary conviction before a magistrate, be liable for each offence to a fine not exceeding one hundred pounds, and, in the case of a continuing offence, to an additional fine of twenty pounds for each day during which the offence continues.

Punishment
for false state-
ments.

6. Any person who for the purpose of obtaining a licence under this Ordinance for himself or for any other person knowingly makes or gives any declaration, representation, statement, or evidence which is false in any particular shall be guilty of an offence against this Ordinance, and shall, on summary conviction before a magistrate, be liable for each offence to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for any term not exceeding six months or to both such fine and imprisonment.

7.—(1.) The Governor in Executive Council may by order apply this Ordinance to bodies corporate incorporated within His Majesty's dominions but not under British control in like manner as it applies to aliens.

Power to extend Ordinance to companies not under British control.

(2.) But a body corporate not under British control lawfully carrying on a banking business in the Colony at the date when an order under this section takes effect may continue to carry on its business without a licence under this Ordinance for the further period of three months.

(3.) For the purposes of this Ordinance a body corporate incorporated within His Majesty's dominions is not under British control if—

- (a.) Ten per centum or more of the number of its shareholders are aliens ;
- (b.) Ten per centum or more of the nominal amount or value of its capital is held by or in trust for or for the benefit of aliens ;
- (c.) Ten per centum or more of the voting power in the body corporate is held by or on behalf of or to the order of aliens ;
- (d.) Ten per centum or more of the amount for the time being secured by any debentures, debenture stock or bonds, of the body corporate is held by or in trust for or for the benefit of aliens ; or
- (e.) Any manager, managing director, director or any person in accordance with whose directions or instructions the directors of the body corporate are accustomed to act is an alien.

(4.) An order under this section shall not take effect until it has been approved by resolution of the Legislative Council and published in the *Royal Gazette*.

(5.) Production of a copy of the *Royal Gazette* purporting to contain an order made under this section and stating that the order has been approved by the Legislative Council shall be sufficient evidence that the order was made and approved in manner provided by this Ordinance and of the terms of the order.

Licences for
issue of bank
notes and
under Ord. 5
of 1916.
Ord. No. 243.
Ord. 5—1916.

8. Nothing in this Ordinance or in any licence issued under this Ordinance shall authorize the issue of bank notes except in accordance with the Bank Notes Ordinance, or authorize the carrying on of the business of a banker without the licence required by the Bankers' Licences Ordinance, 1916.

Evidence.

9. If any question arises on a prosecution for an offence against this Ordinance whether any person is an alien or not or whether any body corporate is or is not under British control, the burden of proving that that person is not an alien or that that body corporate is under British control shall lie on the person charged with the offence.

Passed in Council this Twenty-eighth day of November, in the year of Our Lord one thousand nine hundred and nineteen.

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