



TRINIDAD AND TOBAGO.

No. 4—1947.

[L.S.]

I ASSENT,

B. E. H. CLIFFORD,

Governor.

30th January, 1947.

AN ORDINANCE to amend the Rent Restriction Ordinance, 1941.

[31st January, 1947.]

Commence-
ment.

ENACTED by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof. Enactment.

1. This Ordinance may be cited as the Rent Restriction (Amendment) Ordinance, 1947, and shall be read as one with the Rent Restriction Ordinance, 1941 as from time to time amended, which Ordinance as so amended is hereinafter referred to as the Principal Ordinance. Short title.
No. 13 of 1941.

Section 13 of
Principal Ord-
inance
repealed and
replaced.

2. Section 13 of the Principal Ordinance is hereby repealed and replaced by the following section :—

“Restriction
on
premiums.

13. (1) A person shall not, as a condition of the grant, renewal, or continuance of a tenancy of any premises to which this Ordinance applies, require the payment of any fine, premium, or other like sum, or the giving of any consideration in addition to the rent.

(2) A person shall not, as a condition of obtaining the grant, renewal, or continuance of a tenancy of any premises to which this Ordinance applies, pay any fine, premium, or other like sum, or give any consideration in addition to the rent.

(3) Subject to the exception contained in subsection (2) of section 15 of this Ordinance, a person shall not, as a condition of giving up possession of any premises to which this Ordinance applies, being premises let under a tenancy from month to month, ask or receive from any person the payment of any sum or the giving of any consideration.

(4) Except in cases to which the provisions of subsection (2) of section 15 of this Ordinance are applicable, a person shall not pay any sum or give any consideration to any other person in return for the giving up by that other person of possession of any premises to which this Ordinance applies, being premises let under a tenancy from month to month.

(5) Where the purchase of any furniture or other articles is required by any person as a condition of the grant, renewal or continuance of a tenancy of any premises to which this Ordinance applies, an itemised account in writing setting out the articles purchased and the price demanded and paid for each article shall be given by such person to the purchaser, and if the total price exceeds the reasonable price of such articles, the excess shall be treated as if it were a fine or premium required to be paid as a condition of such grant, renewal or continuance.

(6) Where the purchase of the goodwill, stock or fixtures used in connection with the carrying on, of any business, or of any furniture or other articles, is required by any person as a condition of giving



up possession of any premises to which this Ordinance applies, being premises let under a tenancy from month to month, an itemised account in writing setting out the property purchased and the price demanded and paid for each item of property shall be given by such person to the purchaser, and if the total price exceeds the reasonable price of such goodwill, stock, fixtures or articles, as the case may be, the excess shall be treated as if it were a fine or premium required to be paid as a condition of such giving up of possession."

3. The following provisions shall have effect with regard to the application of section 13 of the Principal Ordinance, as replaced by section 2 of this Ordinance, namely :—

Application of section 2 of this Ordinance.

(a) subsections (1) and (2) of the said section 13 shall be deemed to have had effect as from the commencement of the Principal Ordinance ;

(b) subsections (3), (4), (5) and (6) of the said section 13 shall have effect as from the commencement of this Ordinance.

4. (1) Any person requiring any payment or the giving of any consideration in contravention of section 13 of the Principal Ordinance and any person making any such payment or giving any such consideration, shall be guilty of an offence against the Principal Ordinance.

Penalties on contravention of section 13 of Principal Ordinance.

(2) Where any payment is made, or any consideration is given, in contravention of section 13 of the Principal Ordinance, the amount or value thereof shall be recoverable by the person by whom it was made or given or his personal representatives ; and if a person convicted of requiring any such payment or the giving of any such consideration has received such payment or consideration, the Court in which the conviction is obtained may order him to repay the amount or value of the same to the person from whom it was received.

(3) Any person who refuses or fails to give to a purchaser any itemised account which he is required by subsection (5) or (6) of section 13 of the Principal Ordinance to give, or gives to a purchaser an account which is false in a material particular, shall be guilty of an offence against the Principal Ordinance.

Passed in Council this twenty-fourth day of January, in the year of Our Lord one thousand nine hundred and forty-seven.

G. E. CHEN,
Clerk of the Council.

