

TRINIDAD AND TOBAGO.

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No. 28—1936.

I ASSENT,

[L.S.]

M. FLETCHER,

Governor.

21st December, 1936.

24th December, 1936.

AN ORDINANCE to amend the Constabulary Ordinance,
Cap. 88.

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 Constabulary Short title.
(Amendment No. 2) Ordinance, 1936, and shall be read Cap. 88.
as one with the Constabulary Ordinance.

2. Paragraph (4) of Section 20 of the Constabulary Cap. 88, s. 20
Ordinance is hereby repealed and replaced by the (4) amended.
following:—

(4) To serve and execute at any time (including
Sundays) all process which they may be directed
by competent authority to serve or execute.

3. Section 21 of the Constabulary Ordinance is hereby Section 21 of
repealed and replaced by the following:— Cap. 88

21. (1) It shall be lawful for any member of replaced.
the Force to arrest without a warrant— Power to

- (i) any person committing any offence punish-
able either upon indictment or upon
summary conviction before any Magistrate;
(ii) any person who shall be charged by any
other person with committing an aggravated
assault in any case in which such member
of the Force shall have good reason to

Repealed by
O. 5-1938
S. 77.

as he thinks just and proper, having regard to all the circumstances, but in no case exceeding in amount that for which the officer or constable would be eligible if he were disabled by infirmity of mind or body as provided by sections 46 and 48 of this Ordinance.

6. The following shall be substituted for section 46 of the Constabulary Ordinance :—

Section 46 of
Cap. 88
replaced.

46. (1) The Governor may order any warrant or non-commissioned officer or constable, who may be disabled by infirmity of mind or body, to be superannuated, and such officer or constable, if he has completed ten years of faithful service, shall thereupon be entitled to receive such yearly pension as the Governor may direct, not exceeding one-fortieth of his salary for each completed year of service :

Pensions to
warrant
officers, non-
commissioned
officers and
constables.

Provided that it shall not be lawful to grant any such pension unless upon the certificate of the Inspector-General and of a Surgeon to the Force, that the officer or constable to be pensioned is incapable, from infirmity of mind or body, contracted while in the service, to discharge the duties of his office :

Provided also, that if any warrant or non-commissioned officer or constable be disabled from serving by reason of any wound or injury received in the execution of his duty, it shall be lawful to grant him a pension not exceeding three-fourths of his pay.

(2) Subject as herein provided, any warrant or non-commissioned officer or constable not disabled as aforesaid who has served in the Force for not less than twenty years and has attained the age of fifty years may be granted a pension not exceeding one-fortieth of his salary for each completed year of service :

Pension on
attaining age
of 50 after 20
years' service.

Provided that any such warrant or non-commissioned officer or constable may, at his option, exercisable not later than one year next before he attains the age of fifty years, or if he has attained the age of fifty years then not later than one year next before the date of his retirement, be paid, in lieu of the pension granted to him under this sub-section, a pension at the rate of three-fourths of such pension together with a gratuity equal to ten times the annual value of the reduction so made in the pension.

Reduced
pension and
gratuity.

8. Section 49 of the Constabulary Ordinance shall be numbered 49 (1) and the following sub-section numbered (2) shall form part of the said section:—

(2) If any warrant or non-commissioned officer or constable, who has served in the Force for not less than five years, dies while in the service of the Force, it shall be lawful for the Governor in Executive Council to grant to his widow or to his children or to any of his dependants a gratuity of an amount not exceeding one year's salary.

In this sub-section "dependants" has the same meaning as in the Workmen's Compensation Ordinance, 1926.

9. Section 62 of the Constabulary Ordinance shall continue to read as amended by Ordinance No. 13 of 1927, namely by the substitution of the word "and" for the word "or" where it last occurs in the fourth line after the word "resembling".

10. Section 67 of the Constabulary Ordinance is replaced by the following:—

67. (1) Where any property has come into the possession of the Force in connection with any criminal charge or under section 29 of the Pawnbrokers Ordinance, a court of summary jurisdiction may, on application either by a member of the Force or by a claimant of the property, make an order for the delivery of the property to the person appearing to the Magistrate or Court to be the owner thereof or, if the owner cannot be ascertained, make such order with respect to the property as to the Magistrate or Court may seem meet.

(2) An order under this section shall not affect the right of any person to take within six months from the date of the order legal proceedings against any person in possession of property delivered by virtue of the order for the recovery of the property, but on the expiration of those six months the right shall cease.

(5) In the event of such property being of a nature which necessitates an immediate sale, the proceeds of the sale shall be deposited with the Treasurer and credited to the Constabulary Reward Fund. On the expiration of three months such proceeds, after deducting expenses of sale, may be delivered to the finder on his claiming the same, provided that the proceeds have not been claimed by the real owner.

Provided further that in all cases in which property deposited with the Force, or the proceeds thereof, is delivered to the finder, such finder may be required to execute a form of indemnity to the Force in respect of such delivery.

11. The following paragraph numbered (6) is added to section 71 of the Constabulary Ordinance :— Section 71 of Cap. 88 added to.

(6) Such sums as may from time to time become payable to finders of property sold under section 67 of this Ordinance.

12. The following Ordinances are hereby repealed :— Repeal.

The Constabulary (Amendment) Ordinance, 1927.	<small>Ord. 13 of 1927.</small>
The Constabulary (Amendment) Ordinance, 1930.	<small>Ord. 11 of 1930.</small>
The Constabulary (Amendment) Ordinance, 1932.	<small>Ord. 23 of 1932.</small>
The Constabulary (Amendment) Ordinance, 1933.	<small>Ord. 17 of 1933.</small>
The Constabulary (Amendment) Ordinance, 1936.	<small>Ord. 3 of 1936.</small>

Passed in Council this twenty-seventh day of November, in the year of Our Lord one thousand nine hundred and thirty-six.

J. O'CONNOR,
Clerk of the Council.