
Second Session First Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 35 of 1978

[L.S.]

AN Act to provide for the establishment and operation
of a Food Stamp Programme.

[Assented to 31st July, 1978]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:—

1. This Act may be cited as the Food Stamp Pro- Short title
gramme Act, 1978.

Interpretation

2. In this Act—

“authorised officer” means an officer authorised in writing by the Minister to carry out functions under this Act;

“foodstuffs” includes canned or processed foods but does not include prepared meals or alcoholic beverages;

“Minister” means the member of the Cabinet to whom responsibility for the subject of social welfare is assigned;

“pension” means old age pension payable under the Old Age Pensions Ordinance;

“public assistance” means public assistance payable under the Public Assistance Ordinance;

“retailer” means a person in whose name the business of selling foodstuffs by retail in a shop is carried on;

“shop” means a building or a self-contained part of a building used for the purpose, whether exclusively or otherwise, of carrying on a retailer’s business but does not include a stall whether in a market or elsewhere.

Ch. 13. No. 2

Ch. 13. No. 1

Minister
responsible for
administration
of Act—
delegation

3. The administration of the provisions of this Act shall be the responsibility of the Minister who may, in relation to any matter or class of matters, by writing under his hand, delegate to an officer or officers within the Ministry all or any of his functions under this Act except this power of delegation.

Food Stamp
Programme
established

4. (1) There is hereby established a Food Stamp Programme (hereinafter referred to as “the Programme”) for the purpose of providing additional benefits for persons who receive pension or public assistance.

(2) The additional benefits provided under the Programme are food stamps which may be exchanged for foodstuffs at any shop.

Amount of
food stamps

5. (1) Every recipient of old age pension or public assistance shall receive food stamps to the value of twenty-six dollars monthly save that in the case of a

recipient of public assistance who is the head of a household food stamps up to a maximum value of one hundred dollars monthly may be given.

(2) The Minister may by Order published in the *Gazette* vary the value of food stamps to be given under this Act.

REGISTRATION

6. Every retailer shall register under this Act for the purpose of the establishment and implementation of the Programme.

Persons to be registered

7. (1) For the purposes of registration every retailer shall furnish the Minister with the particulars specified in the First Schedule.

Retailer to furnish particulars. First Schedule

(2) Particulars specified in the First Schedule are deemed to be given by a retailer to the Minister where the appropriate information in writing signed by the retailer or the manager of the retailer's shop is given to an authorised officer or is delivered at the office of the Local Public Assistance Board in the district in which the retailer's shop is located.

(3) In this section "Local Public Assistance Board" means a Local Public Assistance Board established under the Public Assistance Ordinance.

Ch. 13. No. 1

8. The Minister shall issue to every retailer who complies with section 6 a certificate of registration and a certificate of redemption in the forms set out as Forms 1 and 2 respectively in the Second Schedule.

Certificate of registration to be issued
Forms 1 and 2
Second Schedule

9. The Minister may by Order published in the *Gazette* amend the First or Second Schedule.

Schedule amended by Order

10. A certificate of registration shall be prominently displayed in the shop of the retailer to whom it is issued.

Certificate of registration to be kept in safe custody

11. During the month of August in each year, the Minister shall, by Notice in the *Gazette* and in at least one newspaper in circulation in Trinidad and Tobago, publish a list of retailers to whom certificates of registration have been issued.

List of retailers to be published

Procedure on
ceasing to be
a retailer

12. (1) Where a retailer who is an individual—

- (a) ceases to be a retailer, he shall within one month so inform the Minister and return his certificate of registration;
- (b) dies or is declared a bankrupt, his personal representative or his trustee in bankruptcy shall so inform the Minister and return his certificate of registration within one month of the grant of probate or letters of administration or the making of the adjudication order as the case may be.

(2) Where a retailer who is not an individual ceases to be a retailer by reason of a winding-up or dissolution or any other cause, then—

- (a) in the case of a body corporate, its secretary or liquidator shall so inform the Minister and shall return the certificate of registration;
- (b) in the case of an unincorporated association of persons, the secretary or one of the former partners shall so inform the Minister and shall return the certificate of registration.

(3) The persons responsible for complying with the provisions of subsection (2) shall do so within one month of the making of the winding-up order or the dissolution of the partnership or the occurrence of the event which caused the company or the partnership as the case may be to cease to be a retailer.

False information
penalty

13. A person who in furnishing the particulars for registration under this Act makes any statement which he knows to be misleading, false or deceptive, or by any wilful omission of material facts, or by the reckless making of any statement (dishonestly or otherwise) misleads or attempts to mislead any other person, is guilty of an offence and liable on summary conviction to a fine of one thousand five hundred dollars or to imprisonment for two years or to both such fine and imprisonment.

14. A person who contravenes section 6, 10 or 12 is ^{Penalty} guilty of an offence and liable on summary conviction to a fine of one thousand dollars and in the case of a continuing offence to a further fine of fifty dollars for each day on which the offence continues after conviction.

ADMINISTRATION

15. Food stamps shall be issued to recipients at the ^{Issue of} same time as payments of pension or public assistance ^{food stamps} are made.

16. (1) Only persons who receive pension or public ^{Restrictions on} assistance or persons duly nominated or authorised to ^{exchange of} accept payment of pension or public assistance on behalf ^{food stamps} of such persons may exchange food stamps for foodstuffs.

(2) A person other than a person authorised by this Act who exchanges food stamps for any goods or for money is guilty of an offence and liable on summary conviction to a fine of one thousand five hundred dollars or to imprisonment for two years or to both such fine and imprisonment.

17. (1) Where food stamps are exchanged for food- ^{No more than} stuffs, the person tendering the food stamps shall not ^{ninety-nine cents} be given change in an amount more than ninety-nine ^{change to be} cents. ^{given for food} ^{stamps}

(2) A retailer who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of one thousand five hundred dollars.

18. (1) Food stamps may be redeemed at a com- ^{Redemption of} mercial bank, district revenue office or such other place ^{food stamps} as the Minister may by Order specify, when presented for redemption by or on behalf of a retailer and on production of the retailer's certificate of redemption.

(2) Food stamps presented in accordance with subsection (1) shall either be credited to the retailer's account or encashed.

19. (1) An authorised officer may at all reasonable ^{Powers of entry} times enter any shop to obtain or verify information required for the registration of a retailer under this Act

or to ascertain whether the provisions of this Act are being complied with and for this purpose the officer may require the retailer or the manager of the retailer's shop to give him all reasonable assistance and to answer all such questions relating to the operation of the business as relate to the proper administration of this Act.

(2) Admission to any shop shall not be demanded except upon the warrant of a magistrate for the purpose, so however that if it is shown to the satisfaction of a magistrate on sworn information in writing—

- (a) that admission to any shop has been refused, or that refusal is apprehended, or that an application for admission would defeat the object of the entry; and
- (b) that there is reasonable ground for entry into the shop for any purpose as is mentioned in subsection (1), the magistrate may by warrant under his hand authorise the authorised officer to enter the shop, except that such a warrant shall not be issued unless the magistrate is satisfied either that notice of the intention to apply for a warrant has been given to the retailer, or that the giving of such notice would defeat the object of the entry.

(3) An authorised officer entering any shop by virtue of this section may take with him such other persons as may be necessary.

(4) Every warrant granted under this section shall continue in force until the purpose for which the entry is necessary has been satisfied.

(5) Every person who hinders or molests or interferes with any person doing anything that he is authorised by subsection (1) to do or prevents or attempts to prevent any person from doing any such thing and any person who wilfully fails or refuses to do anything he is required by or pursuant to this section to do is guilty of an offence and liable on summary conviction to a fine of one thousand five hundred dollars or to imprisonment for two years or to both such fine and imprisonment.

MISCELLANEOUS

20. (1) A retailer who refuses to accept food stamps in exchange for foodstuffs is guilty of an offence and liable on summary conviction to a fine of one thousand five hundred dollars or to imprisonment for two years or to both such fine and imprisonment. Offence to refuse food stamps

(2) It shall be a valid defence for the retailer to establish that:—

- (a) he had reasonable grounds to believe that the person who tendered the food stamps was not authorised to do so under this Act; or
- (b) he did not have the foodstuffs requested in stock at the time of the refusal.

21. Where in any transaction involving the exchange of food stamps for foodstuffs a retailer indicates that he shall accept the food stamps only if such food stamps are of a greater value than the value of the foodstuffs required, he is guilty of an offence and liable on summary conviction to a fine of one thousand five hundred dollars or two years imprisonment or to both such fine and imprisonment. Offence to exchange food stamps for foodstuffs of lesser value

22. (1) A person authorised by section 16(1) to exchange food stamps for foodstuffs who exchanges food stamps for any other goods or for money is guilty of an offence and liable on summary conviction to a fine of one hundred dollars. Offence to exchange food stamps otherwise than for foodstuffs

(2) A person who, not being a retailer, accepts food stamps in exchange for any goods is guilty of an offence and liable on summary conviction to a fine of one thousand dollars.

(3) A person who accepts food stamps in exchange for money in circumstances in which such exchange is not a redemption within the meaning of section 18, is guilty of an offence and liable on summary conviction to a fine of one thousand five hundred dollars.

(4) A retailer who accepts food stamps in exchange for goods other than foodstuffs is guilty of an offence and liable on summary conviction to a fine of one thousand five hundred dollars.

Offence to refuse to redeem food stamps

23. A person who is required to redeem food stamps presented by or on behalf of a retailer and who refuses to do so is guilty of an offence and liable on summary conviction to a fine of five thousand dollars.

Authorised officer may institute and conduct proceedings

24. An authorised officer may institute proceedings for any offence under this Act and though not of counsel or a solicitor may conduct such proceedings.

Power to make Regulations

25. (1) The Minister may make regulations generally for the proper administration of this Act.

(2) Regulations made under this section are subject to the negative resolution of the Senate and House of Representatives.

Repeal

26. The Food Stamp Programme (Registration of Retailers) Act, 1978, is repealed.

FIRST SCHEDULE

(Section 7)

- (1) Name of Retailer
- (2) Address of Retailer
- (3) Name of shop if different from (1)
- (4) Address of shop
- (5) Name of Manager of shop.

SECOND SCHEDULE

(Section 8)

FORM 1

FOOD STAMP PROGRAMME ACT, 1978
CERTIFICATE OF REGISTRATION

Issued by the Minister responsible for Social Welfare under section 8 of the Food Stamp Programme Act, 1978.

Registration No.

[Empty rectangular box for registration number]

THIS IS TO CERTIFY that

Name of Retailer.....of

Address of Shop.....
is a registered retailer for the purposes of the Food Stamp Programme.

.....
Date

.....
Minister

FORM 2

(Section 8)

FOOD STAMP PROGRAMME ACT, 1978

CERTIFICATE OF REDEMPTION

THIS IS TO CERTIFY that

Name of Retailer.....of

Address of Retailer.....trading as

Name of Shop.....of

Address of Shop.....

is authorised to redeem food stamps either by crediting the value of such food stamps to his account or by exchanging such food stamps for cash.

N.B. Where food stamps are being encashed the person producing the food stamps for redemption shall furnish identification.

.....
Minister

Passed in the Senate this 25th day of July, 1978.

E. WILLIAMS
Acting Clerk of the Senate

Passed in the House of Representatives this 28th day of July, 1978.

J. E. CARTER
Clerk of the House