



TRINIDAD AND TOBAGO

No. 13—1960

[L.S.]

I ASSENT,

E. B. BEETHAM

Governor.

1st May, 1960.

AN ORDINANCE to amend the Port-of-Spain Corporation Ordinance, Ch. 39. No. 1.

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

[1st January, 1955.]

1. (1) This Ordinance may be cited as the Port-of-Spain Corporation (Amendment) Ordinance, 1960, and shall be read as one with the Port-of-Spain Corporation Ordinance herein-Commence-
ment. after referred to as the Principal Ordinance. Short title and
commence-
ment. ch. 39. No. 1.

(2) This Ordinance shall be deemed to have had effect from the 1st day of January, 1955.

Section 87 of
Principal
Ordinance
amended.
Ordinance
No. 36-1954.

2. Section 87 of the Principal Ordinance, as enacted by the Port-of-Spain Corporation (Amendment) (No. 2) Ordinance, 1954, is hereby amended by substituting for the definition of "machinery and plant" the following:—

Ch. 33. No. 3. " "machinery and plant" means all machinery and plant (together with their accessories) in, under or upon a rateable hereditament and used or adapted for industrial or commercial purposes, but does not include machinery or plant owned by a person who is enjoying concessions as a pioneer manufacturer under the Aid to Pioneer Industries Ordinance and used for the purpose of a pioneer factory within the meaning of that Ordinance."

Section 88 of
Principal
Ordinance
amended.
Ordinance
No. 36-1954.

3. Section 88 of the Principal Ordinance, as enacted by the Port-of-Spain Corporation (Amendment) (No. 2) Ordinance, 1954, is hereby amended—

(a) in subsection (2) thereof by substituting for the words, stops, symbols and figure occurring after the word and stop "suitable;" the following:—

"and, in determining the gross annual rental value thereof, there shall be taken into account any machinery and plant, in, under or upon any such hereditament.";

(b) by repealing subsection (3) thereof and substituting therefor the following:—

"(3) In ascertaining under subsection (2) of this section the gross annual rental value of any rateable hereditament, no account shall be taken of—

Ch. 27. No. 18.

(a) the provisions of the Rent Restriction Ordinance or any statutory provision limiting or otherwise affecting the rent which may be required or recovered from a tenant thereof; or

(b) the value of any services which the landlord renders or procures to be rendered to the tenant (either alone or in common with other tenants of the landlord)."

Section 92 of
Principal
Ordinance
amended.

4. Section 92 of the Principal Ordinance is hereby amended—

(a) by renumbering the same as subsection (1) thereof; and

(b) by adding immediately thereafter the following new subsection to be numbered (2) :—

“(2) It shall be lawful for the Corporation to authorise any valuer or other person appointed under subsection (1) of this section to assist the Corporation in the work of valuing rateable hereditaments on giving forty-eight hours previous notice to the occupier thereof, to enter, survey and value for the purposes of this Ordinance any rateable hereditaments, and if any person refuses to admit such valuer or other person to enter any rateable hereditament or obstructs him in making his survey or valuation, such person shall be liable on summary conviction to a fine of one hundred and fifty dollars.”

5. Section 94 of the Principal Ordinance as amended by the Port-of-Spain Corporation (Amendment) (No. 2) Ordinance, 1954 is hereby further amended—

Section 94 of
Principal
Ordinance
amended.
No. 36. 1954

(a) by deleting the figure and symbol “(1)” occurring at the beginning thereof; and

(b) by repealing subsection (2) thereof.

6. Section 104 of the Principal Ordinance is hereby amended—

Section 104 of
Principal
Ordinance
amended.

(a) in subsection (3) thereof by inserting immediately after the word and comma “relates,” the following :—

“to order an inspection and production of all relevant books and accounts in the case of a hereditament, the value of which is ascertained, or in which it is claimed that the value thereof should be ascertained, by reference to the accounts, receipts or profits of an undertaking carried on thereon,”; and

(b) by inserting immediately after subsection (3) thereof the following new subsection to be numbered (3A) :

“(3A) Any person in respect of whom an order has been made under subsection (3) of this section who fails to comply with such order shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.”

Validation and indemnification of acts of Corporation, its officers and servants.

7. (1) Any act or thing done or omitted by the Corporation between the 1st day of January, 1955, and the commencement of this Ordinance in purported exercise of such powers as are mentioned in sections 87 and 88 of the Principal Ordinance as amended by this Ordinance, and which would have been lawfully done or omitted if this Ordinance had been law between such dates shall be deemed to have been lawfully done or omitted.

(2) The Corporation and every officer and servant of the Corporation are hereby discharged, freed and indemnified from any consequences whatsoever which may have been incurred by them between the 1st day of January, 1955, and the commencement of this Ordinance if such consequences would not have been incurred by them had the provisions of sections 87 and 88 of the Principal Ordinance as amended by section 2 of this Ordinance been law between such dates.

Passed in Council this twenty-ninth day of April, in the year of Our Lord one thousand nine hundred and sixty.

G. R. LATOUR
Acting Clerk, Legislative Council