

DRY RIVER ACT

CHAPTER 26:50

Act
26 of 1928
Amended by
45 of 1979

Current Authorised Pages

<i>Pages</i> <i>(inclusive)</i>	<i>Authorised</i> <i>by L.R.O.</i>
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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note on Adaptation

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 120/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 26:50

DRY RIVER ACT

ARRANGEMENT OF SECTIONS

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CHAPTER 26:50

DRY RIVER ACT

1950 Ed.
Ch. 39 No. 3.

An Act to authorise the Corporation of Port-of-Spain to undertake sanitary works in the bed of the Dry River.

26 of 1928.

Commencement.

[15TH NOVEMBER 1928]

Short title.

1. This Act may be cited as the Dry River Act.

Interpretation.

2. In this Act “Corporation” means the Mayor, Aldermen and Citizens of the City of Port-of-Spain.

Corporation may enter and construct works.

3. The Corporation may, with all necessary workmen and other servants, at all times enter upon any lands in that portion of the Dry River which lies between the bridge known as Chaytor’s Causeway and the sea, and erect or cause to be erected upon any part of such lands such works as they may consider fit for the purpose of repairing, making, preserving or maintaining the said portion of the Dry River as a fit and proper channel for the passage of surface water to the sea.

Plans to be deposited.

4. Plans of such works as may from time to time be authorised by the Corporation and approved by the Minister for the better carrying out of the provisions of this Act, shall be made and deposited in the Office of the Chief Executive Officer of Port-of-Spain, and shall be open to inspection by any person between the hours of 10:00 a.m. and 3:00 p.m. on any week day.

Licences to dig gravel, etc.

5. (1) No person shall without a licence from the Chief Executive Officer of Port-of-Spain, dig, win, take or carry away any sand, stone or gravel from the Dry River at any part of such river between the bridge on the Belmont Circular Road known as Chaytor’s Causeway and the sea.

Penalty.

(2) Any person who contravenes this section is liable on summary conviction to a fine of one thousand dollars.

Protection of Corporation against actions and injunctions.

6. No action shall be brought against the Corporation or any of their authorised servants or agents for anything done in

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furtherance of the purposes of this Act, and no injunction or order restraining the execution or maintenance of any of the works authorised by this Act shall be granted by any Court of Justice.

7. No authorised servant or agent of the Corporation shall be liable to prosecution for anything done by him *bona fide* in furtherance or intended furtherance of any of the purposes of this Act.

Protection of servants and agents of Corporation.

8. Any person who assaults or hinders or obstructs or causes or procures to hinder or obstruct the Corporation or their agents or servants or any workman or any person authorised by them or employed in doing or performing any works by this Act authorised to be done or performed or in the exercise of any of the powers and authorities contained in this Act, is liable on summary conviction to a fine of one thousand dollars.

Assault or obstruction.

9. The Corporation may make Bye-laws and Regulations for all or any of the following purposes:

Power to make Bye-laws and Regulations.

- (a) for ensuring and regulating the use of the said portion of the Dry River as a fit and proper channel for the passage of surface water to the sea;
- (b) empowering such person or persons as they may appoint to do all such acts and things in, over or upon the bed of such River as may be deemed necessary for placing or keeping such River under proper control;
- (c) forbidding absolutely or regulating the drainage from any public or private sewer or drain into the said River;
- (d) for the prevention of the deposit of filth or rubbish in the bed or on the banks of the said River between the limits mentioned above;
- (e) for the regulation and maintenance of the said watercourse in such a manner as to prevent any nuisance arising therefrom; and

(f) generally for the more effective carrying out of the provisions of this Act.

Penalties—
recovery of.

10. Any person who contravenes any of such Bye-laws or Regulations is liable on summary conviction to a fine of four hundred dollars for each offence, and in the case of a continuing offence to a further fine of one hundred dollars for each day during which the offence continues after written notice thereof from the Corporation.

Confirmation,
publication and
commencement
of Bye-laws and
Regulations.

11. (1) Bye-laws and Regulations made by the Corporation under this Act shall not take effect unless and until they have been confirmed by the Minister.

(2) All such Bye-laws and Regulations shall, when confirmed by the Minister be published in the *Gazette*, with a statement of the confirmation thereof by the Minister and of the date on which they shall come into force.

Payment of
cost of works.
[45 of 1979].

12. Two-thirds of the cost of the works authorised by this Act, as certified on an account submitted by the Chief Executive Officer to the Minister on the 31st December in each year during which the work continues, and approved by such officer as may from time to time be designated by the Minister, shall be paid from funds in the hands of the Corporation, and the remaining one-third shall be paid to the Corporation by the Comptroller of Accounts out of moneys provided by Parliament.