
**Fifth Session First Parliament Republic of Trinidad
and Tobago**



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 47 of 1980

[L.S.]

**AN ACT to amend miscellaneous written laws and to
make other miscellaneous provisions for the
purposes of the revision of the laws of Trinidad
and Tobago.**

[Assented to 30th December, 1980]

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

1. This Act may be cited as the Law Revision (Miscellaneous Provisions) Act, 1980.

AMENDMENTS AND REPEALS

Miscellaneous
amendments
Schedule A.

2. The laws specified in the first column of Schedule A are amended in the manner specified in the second column of that Schedule.

Miscellaneous
amendments with
retrospective
operation.
Schedule B

3. (1) The laws specified in the first column of Schedule B are amended in the manner specified in the second column of that Schedule.

(2) This section and the amendments contained in Schedule B shall be deemed to have come into operation on 30th December, 1979.

Amendments of
First Schedules
to Acts 45 and 46
of 1979 with
retrospective
effect.
45 of 1979 Part I
Schedule C
46 of 1979 Part II
Schedule C

4. (1) The provisions of the First Schedule to the Law Revision (Miscellaneous Amendments) (No. 1) Act, 1979 are amended in the manner specified in Part I of Schedule C to this Act.

(2) The provisions of the First Schedule to the Law Revision (Miscellaneous Amendments) (No. 2) Act, 1979 are amended in the manner specified in Part II of Schedule C to this Act.

(3) The amendments made by this section and Schedule C shall be deemed for all purposes to have had effect as from the date of the passing of the Law Revision (Miscellaneous Amendments) (No. 1) Act, 1979 and the Law Revision (Miscellaneous Amendments) (No. 2) Act, 1979, and the First Schedules to those Acts from their commencement shall accordingly be deemed to have come into operation as amended by this Act; and for the avoidance of doubt it is declared that any provision of the Law Revision (Miscellaneous Amendments) (No. 1) Act, 1979 or of the Law Revision (Miscellaneous Amendments) (No. 2) Act, 1979 which is repealed or replaced by this Act shall be deemed never to have come into operation.

Amendments of
Second Schedules
to Acts 45 and 46
of 1979.
45 of 1979
Schedule D.
46 of 1979
Schedule D

5. (1) The provisions of the Second Schedule to the Law Revision (Miscellaneous Amendments) (No. 1) Act, 1979 are amended in the manner specified in Part I of Schedule D to this Act.

(2) The provisions of the Second Schedule to the Law Revision (Miscellaneous Amendments) (No. 2) Act, 1979 are amended in the manner specified in Part II of Schedule D to this Act.

6. (1) Paragraph (3) of rule 81 of the Bankruptcy Rules is repealed. Amendment of Bankruptcy Rules. Petroleum Act. Vol. VIII p. 96 44 of 1979

(2) This section shall come into operation on the date prescribed under section 6 of the Law Revision Act, 1979 for the inclusion in the Laws of the pages containing the said Bankruptcy Rules.

7. The laws specified in Schedule E are hereby repealed. Repeals. Schedule E.

GENERAL PROVISIONS

8. From the date of the coming into operation of the first Revised Edition of the Laws of Trinidad and Tobago under the Law Revision Act, 1979, any fine (within the meaning of paragraph 1 of the Second Schedule to the said Act) prescribed by a written law of Trinidad and Tobago not published in the said Revised Edition shall be increased in accordance with the provisions of paragraph 1(b), (c) and (d) of the Second Schedule to the said Act. Increase of fines. 44 of 1979

9. For the avoidance of doubt it is declared that the Petroleum Regulations, 1970 shall not be deemed to have had the effect, by virtue of section 38(2) of the Petroleum Act, 1969 (as in force at the date of the making of the Regulations), of repealing any enactment referred to in the said section. Effect of section 38(2) of 1950 Ed. 5/1970 46 of 1969

SCHEDULE A

Law to be amended *Amendments to be made*

Malicious Damage
Ordinance,
Ch. 4. No. 13
Section
9

For this section substitute the following:
"Setting fire to goods in buildings, the setting fire to which is arrestable offence

9. Any person who maliciously sets fire to any matter or thing, being in, against or under any building under such circumstances that, if the building were thereby set fire to, the offence would amount to an arrestable offence, is liable to imprisonment for ten years."

*Law to be amended**Amendments to be made*

Interpretation

Act, No. 2 of
1962

Section

17(1)

For the words "fifty dollars" substitute the words "five hundred dollars".

Petroleum Taxes

Act, 1974
No. 22 of 1974

Section

32(3)

(a) Delete the word "and" at the end of paragraph (d).

(b) For paragraph (e) substitute the following paragraph:

"(e) by inserting immediately after the words "year of income", the words "or financial year (within the meaning of the Petroleum Taxes Act, 1974)", wherever those words occur in sections 2(3), 6, 8(4), 9(1), 9(2)(a), 9(2)(b) and 11".

Judicial and Legal

Service Act,
No. 22 of 1977

Section

15

Immediately after subsection (1) insert the following subsection as subsection (1A):

"(1A). The Chief Justice may by Order delegate to the Chief Magistrate any administrative function relating to Magistrates or magistrates' courts vested in him by law, and any such delegation shall have effect as if it were a delegation under section 16A of the Interpretation Act, 1962."

Law Revision Act,

No. 44 of 1979

Section

6(1)

Add the following words at the end of this subsection:

"An Order under this subsection may provide that the page shall be included in the laws as from a particular date or as from a date to be prescribed by a subsequent Order."

First Schedule

Substitute the following for the First Schedule:

*Law to be amended**Amendments to be made*

FIRST SCHEDULE

Section 12(2)

The Trinidad and Tobago Act, 1887 (50 & 51 Vict. c. 44).

Order in Council, 1888 uniting the Colonies of Trinidad and Tobago.

Order in Council, 1898 constituting Tobago a Ward of Trinidad.

Submarine Areas of the Gulf of Paria Annexation Order, 1942.

West Indies Act, 1962 (10 & 11 Eliz. 2, c. 19) sections 5, 6, 10 and Schedule.

Trinidad and Tobago Independence Act, 1962 (10 & 11 Eliz. 2 c. 54).

Trinidad and Tobago (Constitution) Order in Council, 1962 (S.I. 1962, No. 1875).

Trinidad and Tobago Republic Act, 1976 (1976 c. 54).

Second Schedule

Paragraph

1(b)(v)

For the words "the year 1975" substitute the words "the year 1976".

1(e)

Immediately after the word "state" insert the words "or to any statutory body".

3

Immediately after the words "shall substitute" insert the words "for the words 'fine of one hundred dollars', occurring in section 44c(2) of the Motor Traffic Ordinance, substitute the words 'five hundred dollars' and".

6

In subparagraph (a) of this paragraph immediately before the semi-colon insert the words "or authority or any public officer or authority to be appointed by a Minister".

12

At the end of this paragraph, add the following as subparagraph (3):

"(3) Where in a written law a reference is made to a rate prescribing a monetary sum in relation to a unit of imperial weights or measures, the Commissioner may substitute a rate prescribing an equivalent monetary sum in relation to a unit of metric weights or measures. Then the Commissioner may vary such monetary sum in the same manner and subject to the same conditions as he may, under subparagraph (2), vary a weight or measure substituted under subparagraph(1)."

*Law to be amended**Amendments to be made*

Law Revision Act,
No. 44 of
1979—*Contd.*
13

Delete all the words occurring after the words "(No. 2) Act, 1979", and substitute the words "as amended in either case by the Law Revision (Miscellaneous Amendments) Act, 1980, whether or not the amendments were brought into operation on or before the revision date of that written law".

SCHEDULE B

Petty Civil Courts
Ordinance,
Ch. 3. No. 3

Subsidiary Legislation

Proclamation
GN 169/1979
Schedule
Item in
First Column
Tobago

In the third column, for the words "Rest House, Charlotteville, Tobago", substitute the words "Court House, Charlotteville, Tobago".

Summary Courts
Ordinance,
Ch. 3. No. 4

Subsidiary Legislation

Notice
G.N. 170/1979
Schedule
Item in
First Column
Tobago

In the third column, for the words "Rest House, Charlotteville, Tobago" substitute the words "Court House, Charlotteville, Tobago".

Jury Ordinance,
Ch. 4. No. 2
Section
20

For the words "swear to try" substitute the words "swear by . . . to try".

Malicious Damage
Ordinance,
Ch. 4. No. 13
Section
55

Delete this section.

<i>Law to be amended</i>	<i>Amendments to be made</i>
Debtors Ordinance, Ch. 6. No. 3 <i>Subsidiary Legislation</i> Debtors Rules 1950 Ed. Vol. VIII, p. 83 Rule 27	In the last paragraph of this rule, for the words "the same as those prescribed for execution of a Writ of Ca. Sa. in the said Appendix Q" substitute the words "as may be prescribed in the said Rules".
Promissory Oaths Ordinance, Ch. 7. No. 11 Sections 2, 3, 4, 5, 6, 8, 13, 14, 15 & 17 7 9(1) & (2)	Delete these sections. Delete the words "the Chief Justice, and" and the words "Judge, Magistrate and". Delete these subsections.
Deceased Officers Salary Ordinance, Ch. 9. No. 10	All the provisions of this Ordinance except sections 2 and 7 are repealed.
Travelling Allowances Ordinance, Ch. 9. No. 12 Sections 6, 8 & 9	Delete these sections.
<i>Subsidiary Legislation</i> Travelling Allowances Regulations, 29/1953 Regulation 67	Delete this regulation.
Motor Vehicles and Road Traffic Ordinance, Ch. 16. No. 3 Section 77A	(a) In subsection (2), delete the words commencing "and the court" to the end of the subsection. (b) Delete subsection (3).

*Law to be amended**Amendments to be made*

Stamp Duty
Ordinance,
Ch. 33. No. 4
Section
33

Delete all the words after the word "denoted" and substitute the words "in such manner as may be prescribed".

*Subsidiary
Legislation*
Stamp Duty
Regulations
G.N. 123/1955
Regulation
10

Delete the words "except on Saturdays", and the words "On Saturdays he shall pay over the sum at 12 noon".

Post Office
Ordinance,
Ch. 36. No. 1
Section
70

Delete this section.

Building Societies
Ordinance,
Ch. 38. No. 1
Section
42

For the word "twenty-one" substitute the word "eighteen".

Friendly Societies
Ordinance,
Ch. 38. No. 2
Section
3(5)

For the words "every day" substitute "every working day" and delete all the words occurring thereafter in this subsection.

Statutory Powers
and Duties
Transfer
Ordinance,
1961, No. 40 of
1961
Section
4

Delete this section.

Interpretation
Act, No. 2
of 1962
Section
16(2)

Delete all the words occurring after the semi-colon and substitute a fullstop for the semi-colon.

Interpretation Act,
No. 2 of
1962—*Contd.*

- 35(8) Delete this subsection.
- 45 (a) Delete the definition of "Act".
(b) For the definition of "House" substitute the following definition:
"House" means the Senate or the House of Representatives";
- 46 Delete the definition of "printed by authority of law".
- 47 Delete the definition of "Minister".
- 50 Delete the definition of "common law" and of "Territory".

Public Transport
Service Act,
No. 11 of 1965
Section
5(5)

Delete this subsection.

Civil Service
Act, 1965
No. 29 of 1965

*Subsidiary
Legislation*
Civil Service
Regulations
G.N. 122/1967
Regulation
40(1)

For the words "Subject to the condition set out in subparagraph (3), an officer" substitute the words "An officer".

Civil Service
Regulations
Regulation
40(3)
77

Delete this paragraph.

For the word "Annual" substitute the words "Subject to regulation 78, annual".

Immigration Act,
No. 41 of
1969
Section
7(5)

Delete the words "by the Minister" at the end of the subsection.

- 9(5) Immediately after the words "section 50(5) and" insert the words ", subject [as regards a person referred to in section 50(5)] to the provisions of section 31(3)".

Immigration Act
No. 41 of
1969—*Contd.*

24(5)

Immediately after the words “genuine he may” insert the words “, instead of making a deportation order against such person”, and for the words “in this matter” substitute the words “for his voluntary departure”.

30(c)

For the words “the deportee” substitute the words “such person”.

*Subsidiary
Legislation*

Immigration
Regulations
G.N. 178/1974
Regulation
26(3)

26(3)

For the words “such terms and conditions” substitute the words “the terms and conditions prescribed in the order”.

41

Immediately after the words “First Schedule” insert the words “, any may be varied in the form set out as Form 30”.

Schedule

Form 45

Delete the words “You are entitled to be represented by Solicitor, or Counsel, or Relative or Friend.”.

Form 46

Substitute the following Form:
“FORM 46

[Regulation 49]

IMMIGRATION REGULATIONS

In the Matter of a Special Inquiry in
the case of
and in the matter of an application for
voluntary departure under Immigration
Act, section 24(5).

GRANT OF VOLUNTARY DEPARTURE

The above-named
(hereinafter called, “the Respondent” having
appeared before me for hearing on this date
pursuant to an Order to show cause/Report
Notice of Appeal and admitted the truth of
the following factual allegations made against
him:

Immigration
Regulations
Schedule
Form 46

I am satisfied and have concluded that deportability has been thereby established;

The Respondent is willing to leave Trinidad and Tobago voluntarily and at no expense to the Government of Trinidad and Tobago and has applied for voluntary departure instead of deportation;

It is ordered that the Respondent shall be permitted to depart voluntarily from Trinidad and Tobago within such time and under such conditions as the Chief Immigration Officer shall direct and without expense to the Government of Trinidad and Tobago.

Dated this day of , 19

.....
Special Inquiry Officer

WARNING

Failure to comply with the terms of this Order or to observe any condition prescribed by the Chief Immigration Officer could result in the arrest and detention of the Respondent and the making of a deportation order against him."

Constitution of
the Republic
of Trinidad
and Tobago
Act, 1976,
No. 4 of
1976

*Subsidiary
Legislation*
Police Service
Commission
Regulations
G.N. 131/1966
Regulation
87(2)

- (a) Immediately after the words "tribunal constituted" insert the words "of three or more members".
- (b) Delete the words "subparagraph (b) or subparagraph (c) of paragraph (2) of".

SCHEDULE C

Section 4

PART I

Amendments to the First Schedule of the Law Revision (Miscellaneous Amendments) (No. 1) Act, 1979 (No. 45 of 1979)

1. *Interpretation*

In this Part of this Schedule—

“amendment”, with reference to any statutory provision, means an amendment (including a repeal, revocation, substitution or other provisions) set out in the second column of the First Schedule to the Law Revision (Miscellaneous Amendments) (No. 1) Act, 1979 in relation to that provision.

“relevant Schedule” means the First Schedule to the Law Revision (Miscellaneous Amendments) (No. 1) Act, 1979.

2. *Petty Civil Courts Ordinance—Ch. 3. No. 3*

In the amendment to section 8 of the Petty Civil Courts Ordinance, for the words “The Chief Justice shall assign to every district one or more Clerks of the Peace appointed in pursuance of section 5 of the Summary Courts Ordinance” substitute the words “One or more Clerks of the Peace appointed in pursuance of section 5 of the Summary Courts Ordinance shall be assigned to every district”.

3. *Summary Courts Ordinance—Ch. 3. No. 4*

In the amendment to section 9 of the Summary Courts Ordinance, for the words at the end of the amendment “where, in special circumstances, the interests of justice so requires” substitute the words “where satisfied that it is in the interest of Justice to do so”.

4. *Solicitors Ordinance—Ch. 7. No. 4*

For the figures “31(1)(h)” in the first column of the relevant Schedule substitute the figures “31(1)(b)”.

5. *Sugar Industry Special Funds Ordinance—Ch. 23. No. 14*

Delete the amendment relating to section 8(3) of the Sugar Industry Special Funds Ordinance.

6. *State Lands Ordinance—Ch. 27. No. 5*

In the amendment to section 6 of the State Lands Ordinance for the words “under the direction of” substitute the words “under the direction of the Governor”.

7. *Animals (Importation) Control Regulations—G.N. 27/1955*

In the amendments to regulations 5(4) and (5), for the figures “G.N. 69/1976” substitute the figures “G.N. 69/1979”.

8. *Stamp Duty Ordinance—Ch. 33. No. 4*

For the reference in the first column of the relevant Schedule to section 92(1)(a) of the Stamp Duty Ordinance substitute a reference to section 92, and for the amendment thereto in the second column of the relevant Schedule substitute the following:

“For the words “two hundred and fifty” wherever they occur substitute the words “two thousand, five hundred dollars”.

9. *Interpretation Act—No. 2 of 1962*

(1) In the amendment to section 13 of the Interpretation Act, 1962, delete paragraph (b) of the new section 13(1) inserted and substitute the following paragraph:

“(b) This subsection applies to written laws made after the commencement of the Law Revision (Miscellaneous Amendments) (No. 1) Act, 1979”.

(2) In the definition of “applied written law” appearing in the amendment to section 50 of the Interpretation Act, 1962, immediately after the words “made thereunder” insert the words “, including any such statutory instrument made”.

10. *Caribbean Development Bank Act, 1969—No. 39 of 1969*

In the amendment to Article 29 of the Bank Agreement in the Schedule to the Caribbean Development Bank Act, 1969 substitute the words “nine (9)” for the words “seven (7)” where the latter last appear.

PART II

Amendments to the First Schedule of the Law Revision (Miscellaneous Amendments) (No. 2) Act, 1979 (No. 46 of 1979)

1. *Interpretation*

In this Part of this Schedule, the expression—

“amendment”, with reference to any statutory provision, means amendment in the second column of the First Schedule to the Law Revision (Miscellaneous Amendments) (No. 2) Act, 1979 in relation to that statutory provision.

“relevant Schedule” means the First Schedule to the Law Revision (Miscellaneous Amendments) (No. 2) Act, 1979.

2. *Travelling Allowances Ordinance—Ch. 9. No. 12*

Delete the amendments to the provisions of this Ordinance.

3. *Stamp Duty Ordinance—Ch. 33. No. 4*

Delete the amendments to the provisions of this Ordinance.

4. *Building Societies Ordinance—Ch. 38. No. 1*

Delete the amendments to the provisions of this Ordinance.

5. *Statutory Authorities Act—No. 16 of 1966—Statutory Authorities Service Commission Regulations, 1968—G.N. 61/1968*

Delete the amendments to regulation 93(3) of the Statutory Authorities Service Commission Regulations, 1968.

6. *Legal Aid and Advice Act—No. 25 of 1976*

For the figures "35(5)" in the first column of the relevant Schedule substitute the figures "33(5)".

SCHEDULE D

Section 5

PART I

Amendments to the Second Schedule of the Law Revision (Miscellaneous Amendments) (No. 1) Act, 1979 (No. 45 of 1979)

1. *Interpretation*

In this Part of this Schedule—

"amendment", with reference to any statutory provision, means an amendment (including a repeal, revocation, substitution or other provisions) set out in the second column of the Second Schedule to the Law Revision (Miscellaneous Amendments) (No. 1) Act, 1979 in relation to that provision.

2. *Births and Deaths Registration Ordinance—Ch. 29. No. 1*

Delete the amendments to the provisions of this Ordinance.

3. *Motor Vehicles Insurance Third Party Risks Ordinance—Ch. 16. No. 4.*

Delete the amendments to the provisions of this Ordinance.

4. *Pounds Ordinance—Ch. 25. No. 8*

Delete the amendments to the provisions of this Ordinance.

5. *Theatres and Dance Halls—Ch. 30. No. 9*

Delete the amendments to the provisions of this Ordinance.

6. *Cinematograph Ordinance—Ch. 30. No. 10*

Delete the amendments to the provisions of this Ordinance.

PART II

Amendments to the Second Schedule of the Law Revision (Miscellaneous Amendments) (No. 2) Act, 1979 (No. 46 of 1979)

1. *Interpretation*

In this Part of this Schedule—

"amendment", with reference to any statutory provision, means an amendment in the second column of the Second Schedule to the Law Revision (Miscellaneous Amendments) (No. 2) Act, 1979 in relation to that statutory provision.

2. *Hotel Proprietors Act—No. 16 of 1967*

Delete the amendments to the provisions of this Act.

SCHEDULE E

Section 6

LAWS REPEALED

*1950 Edition
Chapter*

9. No. 7	The Overseas Nurses' Pensions Ordinance
11. No. 6	Released Prisoners Licences Ordinance
11. No. 8	Colonial Prisoners Removal Ordinance
13. No. 4	Merchant Navy Club Ordinance
14. No. 5	School Teachers Pensions Ordinance
18. No. 9	Distressed Seamen Ordinance
27. No. 1	Director of Surveys Ordinance
30. No. 6	Food and Fuel Control Ordinance.

Passed in the House of Representatives this 19th day
of December, 1980.

J. E. CARTER
Clerk of the House

Passed in the Senate this 22nd day of December,
1980.

R. GRIFFITH
Clerk of the Senate