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Fifth Session Third Parliament Trinidad and Tobago  
24 Elizabeth II

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Am  
No 17 1973 (313)

TRINIDAD AND TOBAGO  
**Act No. 2 of 1976**

[L.S.]

AN ACT to amend the Litter Act, 1973.

[Assented to 3rd February, 1976]

WHEREAS it is enacted *inter alia* by subsection (1) of Preamble section 5 of the Constitution that an Act of Parliament to which that section applies may expressly declare that it shall have effect notwithstanding sections 1 and 2 of the Constitution and, if any such Act does so declare, it shall have effect accordingly:

And whereas it is provided by subsection (2) of the said section 5 of the Constitution that an Act of Parliament to which that section applies is one the Bill for which has been passed by both Houses of Parliament and at the final vote thereon in each House has been supported by the votes of not less than three-fifths of all the members of that House:

And whereas it is necessary and expedient that the provisions of this Act shall have effect notwithstanding sections 1 and 2 of the Constitution:

**Enactment**

NOW, THEREFORE, BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Trinidad and Tobago, and by the authority of the same, as follows:

**Short title**

1. (1) This Act may be cited as the Litter (Amendment) Act, 1975.

**Act at variance with Ch. 1 of the Constitution**

(2) This Act shall have effect notwithstanding sections 1 and 2 of the Constitution.

**Litter Act amended. No. 27 of 1973**

2. The Litter Act 1973, is amended—

(a) by substituting the words "sections 4, 6A, 7(2) and 11" for the words "section 4" occurring in line 2 of paragraph (a) of section 2(2);

(b) by adding immediately after section 6 the following new section—

"Local authority may enforce removal of litter

6A. (1) Without prejudice to any proceedings for an offence committed under any other enactment, where litter is left or caused to be kept in or on any premises in such circumstances as to cause, contribute to or tend to the defacement thereof by such litter the local authority may give notice (whether orally or in writing) to the owner or occupier of such premises requiring him forthwith in the case of dead animals, carrion or other litter considered by the

local authority to be dangerous to health or life, and in any other case within such time as may be limited by the notice (not being less than three days) to remove the litter so as to restore the premises to a condition satisfactory to the local authority.

(2) The provisions of subsections (2) to (4) of section 6 shall apply to a notice given under this section.”;

- (c) by renumbering subsections (2) and (3) of section 7 as subsections (3) and (4) respectively;
- (b) by adding immediately after subsection (1) of section 7, the following new subsection—

“(2) Subject to the provisions of this section any authorised officer of a local authority may, on producing if so required, some duly authenticated document showing his authority, enter any premises at all reasonable hours for the purpose of section 6A.”.

3. (1) The Clerk of the Senate and the Clerk of the House of Representatives shall certify whether this Act is one, the Bill for which has been passed by the Senate and the House respectively, and at the final vote thereon in the Senate and in the House respectively, has been supported in the Senate, by the votes of not less than three-fifths of all the members of the Senate and in the House by the votes of not less than three-fifths of all the members of the House as provided for in section 5(2) of the Constitution. Act to be certified

(2) The certificates of the Clerk of the Senate and the Clerk of the House of Representatives under subsection (1) duly signed and authenticated by them shall be conclusive evidence that this Act is one, the Bill for which has been passed by both Houses of Parliament and at the final vote thereon in each House has been supported by the votes of not less than three-fifths of all the members of that House.

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Passed in the House of Representatives this 10th day of October, 1975.

J. E. CARTER  
*Clerk of the House*

IT IS HEREBY CERTIFIED that this Act is one, the Bill for which has been passed by the House of Representatives and at the final vote thereon in the House has been supported by the votes of not less than three-fifths of all the members of the House that is to say by the votes of 27 members of the House.

J. E. CARTER  
*Clerk of the House*

Passed in the Senate this 27th day of January, 1976.

R. GRIFFITH  
*Clerk of the Senate*

IT IS HEREBY CERTIFIED that this Act is one, the Bill for which has been passed by the Senate and at the final vote thereon in the Senate has been supported by the votes of not less than three-fifths of all the members of the Senate that is to say the vote of 18 Senators.

R. GRIFFITH  
*Clerk of the Senate*