

LAWS OF TRINIDAD AND TOBAGO

**SAN FERNANDO AND ARIMA HUCKSTERS,
PEDLARS AND PORTERS ACT**

CHAPTER 84:08

Act
3 of 1922
Amended by
45 of 1979
51/1980

Current Authorised Pages

<i>Pages</i> <i>(inclusive)</i>	<i>Authorised</i> <i>by L.R.O.</i>
1-9	1/1980

Note
on
Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note
on
Adaptation

1. Certain fees in this Chapter were increased by the Commission under paragraph 4 of the Second Schedule to the Law Revision Act (Ch. 3:03). Where this occurs, a marginal reference in the form normally indicating an amendment is made to L.N.51/1980 (the Legal Notice by which the President's approval was signified).

2. 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 L.N.120/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

Note
on
Revision Date

As this Act was amended by the Law Revision (Miscellaneous Amendments) (No. 1) Act 1979 (Act 45 of 1979), this Chapter has been revised up to 31st December 1979, instead of the normal revision date (31st December 1977).

CHAPTER 84:08

SAN FERNANDO AND ARIMA HUCKSTERS,
PEDLARS AND PORTERS ACT

ARRANGEMENT OF SECTIONS

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CHAPTER 84:08

SAN FERNANDO AND ARIMA HUCKSTERS,
PEDLARS, AND PORTERS ACT

1950 Ed.
Ch. 39 No. 10.

3 of 1922.

An Act relating to Hucksters, Pedlars, and Porters in San Fernando and Arima.

Commencement.

[10TH MARCH 1922]

Short title.

1. This Act may be cited as the San Fernando and Arima Hucksters, Pedlars, and Porters Act.

Application of Act.

2. This Act shall apply to the Boroughs of San Fernando and Arima.

Interpretation.

3. In this Act—

“Corporation” means the Mayor, Aldermen and Burgesses of San Fernando or Arima, as the case may be;

“Town Clerk” means the Town Clerk and Treasurer of San Fernando or Arima, as the case may be.

Licences to porters, pedlars, and hucksters.

4. (1) No person shall do any of the following acts within the limits of the Borough of San Fernando or the Borough of Arima without having first obtained a licence from the Corporation under the hand of the Town Clerk, that is to say—

(a) ply, hire or engage himself as a porter for hire or reward; or

(b) follow the trade or business of a pedlar or travelling huckster, or as such pedlar or travelling huckster to sell or barter, or offer or expose for sale or barter, any merchandise, goods, or provisions, save and except the merchandise, goods, provisions, and other things specified in the First Schedule.

First Schedule.

Power to take unlicensed pedlar and his goods before Magistrate.

(2) Any member of the Police Service may demand from any person travelling as or carrying on the trade of a pedlar the production of his licence, and unless such person on such demand produces a licence still in force, the person demanding the same may take the pedlar with his goods to the nearest Magistrate who shall have jurisdiction to try the offender for carrying on the trade of a pedlar without the licence required by law, although no act of

trading may be proved to have been done within the district of such Magistrate.

(3) Any person who acts in contravention of this section is liable to a fine of four hundred dollars.

Penalty for acting without licence.

5. (1) All such licences shall be granted either for one year, or for three or six months.

Term of and fees for licences.

(2) Every such licence, whenever issued, shall expire, in the case of—

(a) a licence for one year, on the 31st December next following the date of its issue;

(b) a licence for three months, on the last day of March, June, September, or December next following the date of its issue;

(c) a licence for six months, on the last day of June or December next following the date of its issue.

(3) There shall be paid to the Town Clerk for the use of the Borough in respect of such licences such sums of money as are specified in the Second Schedule.

Second Schedule.

6. The Town Clerk shall, in a proper book to be kept by him for the purpose, enter the name of every person taking out a licence under this Act, the number of every such licence, the date on which and the time for which such licence has been granted, and the sum paid for it. A copy of an entry made in such book duly certified by the Town Clerk shall be accepted as evidence in any court.

Register of licences.

7. (1) Before any licence under this Act is granted, a requisition for the licence shall be made and signed by the person requiring to be licensed.

Requisition for licence.

(2) In every such requisition there shall be set forth the given name and surname of the person requiring to be licensed and his place of residence.

(3) Every such requisition shall be left at the office of the Town Clerk.

8. (1) Every requisition for a licence shall be received as evidence and be deemed proof of all matters therein contained as against the party applying for such licence.

Evidence and false particulars.

(2) Any person who, on applying for a licence, does not set forth truly in such requisition any of the particulars hereby

required to be set forth, is liable for each offence to a fine of one hundred dollars.

Form of licence. **9.** Every licence shall bear the date and the day on which it is given, and shall have and contain a distinguishing number, the given name and surname of the licensee and his place of residence, and the term for which the licence is granted.

Change of abode of licensee. **10. (1)** As often as any licensee changes his residence or office of business, he shall forthwith give notice of such change in writing signed by him to the Town Clerk and shall at the same time produce the licence to the Town Clerk, who shall endorse on it a memorandum specifying the particulars of the change.

(2) A licensee who fails to comply with this section is liable for each offence to a fine of one hundred dollars.

Forging or counterfeiting licence. **11.** Any person who forges or counterfeits, or causes or procures to be forged or counterfeited, any licence under this Act is liable on conviction on indictment to imprisonment for twelve months.

Porters' badges. **12.** Every person licensed to follow the trade of a porter, while plying for hire or while hired, shall bear on a conspicuous part of his right arm a metal plate or badge having the word "Porter" and the distinguishing number of his licence painted thereon in letters and figures not less than one inch in height and of a different colour from the ground upon which the same are painted.

Hucksters' and pedlars' badges. **13. (1)** Every person licensed to follow the trade or business of a pedlar or travelling huckster shall cause his name and the words "Licensed Huckster" or "Licensed Pedlar," as the case may be, and the distinguishing number of his licence, to be painted on some conspicuous part of the outside of every trunk, box, tray, basket, or other receptacle or thing in which he shall carry about or expose any goods for sale, in letters and figures not less than one inch in height and in a different colour from the ground upon which the same are painted.

(2) No pedlar or huckster shall carry on his business on Sundays or any public holiday.

Penalty for contravening sections 12 or 13. **14.** Any licensee under this Act who fails to comply with section 12 or 13 is liable for each offence to a fine of two hundred dollars.

Porters' fares. **15.** Every licensed porter is entitled, within the limits of the Borough for which he is licensed, to demand for his hire the fares

set forth in the Third Schedule, and may recover the same on complaint to a Magistrate, together with reasonable compensation for his loss of time in attending to make and establish his complaint. Third Schedule.

16. (1) Every licensed porter plying for hire within the limits of the Borough for which he is licensed shall, unless actually hired or having other reasonable excuse, be obliged to hire himself to any person desirous of hiring him within the limits aforesaid, and to take and carry such load, and to go therewith to such places within the limits aforesaid, as he may lawfully and reasonably be directed. Porters bound to hire themselves.

(2) No porter shall be compelled to carry any heavier load than fifty-six pounds.

17. (1) The Corporation may by resolution add to or vary the list of articles in the First Schedule, alter or add to the fees payable for licences in the Second Schedule and alter the table of fares in the Third Schedule, but no such resolution shall take effect until it has been approved by the Minister and published in the *Gazette*. Power to add to or vary list of articles, licences and fares in Schedules.

(2) Production of a copy of the *Gazette* purporting to contain any such resolution and stating that such resolution has been approved by the Minister shall be sufficient evidence that such resolution was duly passed and approved as required by this Act and of the terms and date thereof.

18. If any licensed porter in civil and explicit terms declares to any person desirous of hiring him that he is actually hired, or that he is not plying for hire, or gives any other reasonable excuse for refusing to hire himself, and afterwards, notwithstanding such reply, is summoned to answer for his refusal to hire himself and proves that he was actually hired or that he was not plying for hire or that he had other reasonable excuse for refusing to hire himself, and it does not appear that he used uncivil language or that he improperly conducted himself towards the complainant, the Magistrate shall order the complainant to pay the porter such compensation for his loss of time in attending to make his defence as the Magistrate thinks reasonable. Compensation to porters for loss of time.

19. Any licensed porter who demands more than his legal fare is liable for each offence to a fine of one hundred dollars. Penalty for demanding more than legal fare.

20. The form and manner of procedure in all cases arising under this Act (except an offence under section 11) shall be that provided by the Summary Courts Act. Procedure.
Ch. 4:20.

Application of fines.

21. All penalties recovered under this Act shall be paid to the Magistrate for the use of the Corporation.

Licences under the laws as to marketable commodities, milk and intoxicating liquor.
 Ch. 39 No. 7. (1950 Ed.).
 Ch. 39 No. 11. (1950 Ed.).
 Ch. 12 No. 4. (1950. Ed.).
 Ch. 84:10.

22. Nothing in this Act or in the First Schedule shall be construed to legalise the sale of fresh meat, fish, or turtle, or other marketable commodities as defined by the San Fernando Corporation Ordinance and the Arima Corporation Ordinance without the licences required by those Ordinances, or to legalise the sale of milk without the licences required by any bye-laws made or to be made under the Public Health Ordinance, or to legalise the sale of any intoxicating liquor as defined by the Liquor Licences Act without the licences required by that Act.

FIRST SCHEDULE

Section 4.

ARTICLES WHICH MAY BE SOLD WITHOUT A LICENCE

Fresh fish, milk, fruit, vegetables, ground provisions, meat, game, poultry, eggs, bread, confectionery, ice cream, mineral waters or any goods, wares or merchandise the growth or produce of or manufactured from the produce of Trinidad and Tobago, or any books, pamphlets or other literature issued or published by any religious or educational organisation approved by the Minister.

SECOND SCHEDULE

Section 5.
 [45 of 1979
 51/1980].

FEEES PAYABLE FOR LICENCES

IN THE BOROUGH OF SAN FERNANDO

Porters, Pedlars and Hucksters:	\$
A year	10.00
For every quarter of a year if the licence is taken for less than a year	1.20

IN THE BOROUGH OF ARIMA

Porters Pedlars and Hucksters:	
A year	4.80
For every quarter of a year if the licence is taken for less than a year	1.20

IN THE BOROUGH OF SAN FERNANDO

The following additional charges shall be made where the pedlar or huckster employs or uses for transport of his goods:

(a) a porter or a pack animal	24.00
(b) a vehicle other than a motor vehicle	48.00
(c) a motor vehicle	120.00

IN THE BOROUGH OF ARIMA

The following additional charges shall be made where the pedlar or huckster employs or uses for transport of his goods:

(a) a vehicle other than a motor vehicle	10.00
(b) a motor vehicle	24.00

**THIRD SCHEDULE
 PORTERS' FARES**

Sections 15 and
 17.
 [45 of 1979].

IN SAN FERNANDO

	\$
To or from the Wharf:	
From or to King Street and intermediate places	0.10
Do. High Street or Chacon Street as far as the corner of Penitence Street	0.12
Do. the remainder of High Street, Harris Promenade	0.15
Do. Penitence Street, St. Vincent Street or any intermediate street or place except High Street and Chacon Street	0.20
Do. any place beyond St. Vincent Street to the North thereof or any distance not exceeding 500 yards from St. Vincent Street	0.24
and for each additional 500 yards a further sum of	0.10
Do. any street or place beyond the foregoing as far as but not including Pointe-à-Pierre Road	0.24
Do. Coffee Street as far as the corner of Cipro Street and Pointe-à-Pierre Road	0.24
Do. Cipro Street, the remainder of Coffee Street, Royal Road and Circular Road between Pointe-à-Pierre and the nearest boundary of the Vista Bella Estate	0.30
Do. Circular Road beyond the point before mentioned	0.40
From or to any place not herein specially mentioned, for every one thousand yards (1,000 yards)	0.24