

GOVERNMENT NOTICE No. 22

Em ✓ *Am No III 179*
SP

TRINIDAD AND TOBAGO

THE EMERGENCY POWERS ACT, 1971

REGULATIONS

MADE BY THE GOVERNOR-GENERAL UNDER SECTION 3 OF THE EMERGENCY
POWERS ACT, 1971 (No. 29 OF 1971).

THE EMERGENCY (PUBLIC SAFETY, PUBLIC ORDER AND
DEFENCE) REGULATIONS, 1972

1. These Regulations may be cited as the Emergency (Public Safety, Citation
Public Order and Defence) Regulations, 1972.

2. In these Regulations—

Definitions

“Act” means the Emergency Powers Act, 1971;

Act. No. 29
of 1971

“Commissioner” means the person appointed to hold or to act in the
office of Commissioner of Police in accordance with section 99 of
the Constitution;

“public officer” has the same meaning as in section 105 of the Consti-
tution;

“strike” includes a cessation of work, a refusal to work or to continue
to work, or a slowing down by workers commonly known as a
“sit-down strike” or a “go slow” by workers acting in concert
or in accordance with a common understanding or other concert-
ed activity on the part of workers, except that in agricultural
undertakings where work is performed by task, the expression
does not include a failure to commence work caused by any delay
in the conclusion of customary arrangements between employers
and workers as to size or nature of a task;

“undertaking” means the business of any person or authority
specified in the first column of the Schedule including all land and
any other property used in connection with such business;

“union” means the trade union specified in the second column of
the Schedule in respect of an undertaking;

“worker” means any person employed in an undertaking by virtue
of a contract of service to do any skilled, unskilled, manual,
technical, clerical or other work for hire or reward, whether such
contract be expressed or implied oral or in writing.

3. Section 8 of the Trade Disputes and Protection of Property Ordinance
is amended as follows:—

Ordinance
Ch. 22
No. 11
amended

(a) in subsection (1) thereof—

(i) by inserting immediately after the word “electricity”
occurring in line seven thereof the word “telephone”;

(ii) by substituting for the words “he shall be liable to a
fine of ninety-six dollars or to imprisonment for three

months' occurring at the end thereof the words "he is liable to a fine of five hundred dollars or to imprisonment for six months";

(b) in subsection (3) thereof by substituting for the words "liable to a fine of ten dollars" the words "liable to a fine of one hundred dollars".

Take-over
of control
and use of
undertaking

4. (1) It is hereby declared that the control and use of the undertaking is, until regulations otherwise provide, taken over on behalf of the Government and vested in the Commissioner who may give such directions and do all things as may be necessary to assure the continued and efficient working of the service provided by the undertaking.

(2) The Governor-General may in his discretion order that compensation shall be paid out of the public funds to the undertaking on being satisfied that the undertaking has suffered loss or damage by reason of the take-over of control and use of the said undertaking.

Delegation
by Commis-
sioner

5. The functions, powers and duties of the Commissioner conferred or imposed upon him by these Regulations may be carried out by any public officer or other person authorised by him for the purpose.

Undertaking
and union
to continue
to negotiate

6. Notwithstanding the provisions of these regulations, the undertaking and the union shall in good faith continue to negotiate an agreement to replace the Agreement entered into between the undertaking and the union at Port-of-Spain on the 7th May, 1969 and which expired on the 31st December, 1971.

Strikes
prohibited

7. No worker may go on strike in connection with any dispute whether now pending or not and a union which calls a strike is guilty of an offence and liable to a fine of five thousand dollars and every member of the executive of such union is guilty of an offence and liable on summary conviction to a fine of two thousand five hundred dollars or to imprisonment for one year or to both such fine and imprisonment.

General
penalty

8. A person who contravenes or fails to comply with any provision of these Regulations is guilty of an offence and except where the provision itself provides the penalty for the offence is liable to a fine of one thousand five hundred dollars or to imprisonment for six months.

Prosecution
with
consent of
Attorney
General

9. A prosecution for an offence against any provision of these Regulations shall not be instituted save by or with the consent of the Attorney General.

SCHEDULE

FIRST COLUMN	SECOND COLUMN
<i>Person or Authority</i>	<i>Union</i>
Trinidad and Tobago Telephone Company Limited	Communication Workers' Union

Made this 4th day of February, 1972.

DODDERIDGE ALLEYNE
Secretary to the Cabinet