

LAWS OF TRINIDAD AND TOBAGO

TRADE DISPUTES AND PROTECTION OF
PROPERTY ACT

CHAPTER 88:03

Act
7 of 1943
Amended by
33 of 1947
22/1972

Current Authorised Pages

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
1-7	.. 1/2006

LAWS OF TRINIDAD AND TOBAGO

2

Chap. 88:03 *Trade Disputes and Protection of Property*

Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

CHAPTER 88:03

**TRADE DISPUTES AND PROTECTION OF
PROPERTY ACT**

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
 2. Interpretation.
 3. Peaceful picketing.
 4. Prevention of intimidation, annoyance by violence, besetting, etc.
 5. Removal of liability for interfering with another person's business, etc.
 6. Prohibition of actions of tort against trade unions.
 7. Conspiracy in relation to trade disputes.
 8. Breach of contract by persons employed in public service.
 9. Penalty for breach of contract.
 10. Recovery of penalties.
-

CHAPTER 88:03

TRADE DISPUTES AND PROTECTION OF
PROPERTY ACT

1950 Ed.
Ch. 22 No.11
7 of 1943.

**An Act to make provisions in respect of Trade Disputes, and
for the protection of Property and Public Utility Services.**

Commencement.

[11TH MARCH 1943]

Short title.

1. This Act may be cited as the Trade Disputes and Protection of Property Act.

Interpretation.

2. In this Act—

“trade dispute” means any dispute or difference between employers and workmen or between workmen and workmen, connected with the employment or non-employment, or the terms of the employment, or with the conditions of labour, of any person;

Ch. 88:02

“trade union” has the meaning assigned to that term by section 2 of the Trade Unions Act;

“workmen” means all persons employed in trade or industry whether or not in the employment of the employer with whom a trade dispute arises.

Peaceful picketing.

3. It shall be lawful for one or more persons, acting on their own behalf or on behalf of a trade union or of an individual employer or firm in contemplation or furtherance of a trade dispute, to attend at or near a house or place where a person resides or works or carries on business or happens to be, if they so attend merely for the purpose of peacefully obtaining or communicating information, or of peacefully persuading any person to work or abstain from working; but nothing in this section shall be construed as conferring any legal right to enter or remain upon any land or premises.

Prevention of intimidation, annoyance by violence, besetting, etc.

4. (1) It shall not be lawful for any person, with a view to compel or induce any other person to abstain from doing or to do any act which such other person has a legal right to do or abstain from doing, wrongfully and without legal authority to—

(a) use violence to or intimidate such other person or his wife or children or injure his property;

- (b) persistently follow such other person about from place to place;
- (c) hide any tools, clothes, or other property owned or used by such other person, or deprive him of or hinder him in the use thereof;
- (d) watch or beset the house or other place where such other person resides, or works, or carries on business, or happens to be, or the approach to such house or place; or
- (e) follow such other person in a disorderly manner in or through any street or road.

(2) Any person who acts in contravention of the provisions of this section is liable to a fine of seven hundred and fifty dollars or to imprisonment for three months.

(3) Any such person may be arrested without a warrant by any constable.

5. An act done by a person in contemplation or furtherance of a trade dispute shall not be actionable on the grounds only that it induces some other person to break a contract of employment or that it is an interference with the trade, business or employment of some other person or with the right of some other person to dispose of his capital or his labour as he wills.

Removal of liability for interfering with another person's business, etc.

6. An action against a trade union, whether of workmen or masters, or against any members or officials thereof on behalf of themselves and all other members of the trade union in respect of any tortious act alleged to have been committed by or on behalf of the trade union shall not be entertained in any Court. Nothing in this section shall affect the liability of the trustees of a trade union to be sued in the events provided by section 14 of the Trade Unions Act, except in respect of any tortious act committed by or on behalf of the trade union in contemplation of or in furtherance of a trade dispute.

Prohibition of actions of tort against trade unions.

Ch. 88:02.

7. (1) An agreement or combination of two or more persons to do or procure to be done any act in contemplation or furtherance of a trade dispute shall not be triable as a conspiracy if such act committed by one person would not be punishable as a crime.

Conspiracy in relation to trade disputes.

LAWS OF TRINIDAD AND TOBAGO

(2) An act done in pursuance of an agreement or combination by two or more persons shall, if done in contemplation or furtherance of a trade dispute, not be actionable unless the act, if done without any such agreement or combination, would be actionable.

(3) Nothing in this section shall exempt from punishment any person guilty of a conspiracy for which a punishment is awarded by any law in force in Trinidad and Tobago.

(4) Nothing in this section shall affect the law relating to riot, unlawful assembly, breach of the peace or sedition or any offence against the State.

(5) A crime for the purposes of this section means an offence for the commission of which the offender is liable to be imprisoned either absolutely or at the discretion of the Court as an alternative for some other punishment.

(6) Where a person is convicted of any such agreement or combination as aforesaid to do or procure to be done an act which is punishable on summary conviction, and is sentenced to imprisonment, the imprisonment shall not exceed three months, or such longer time, if any, as may have been prescribed by the law for the punishment of the said act when committed by one person.

Breach of contract by persons employed in public services.

***8.** (1) Where a person employed by Government or a municipal or other statutory authority, or by any company, undertaker, or contractor upon whom is imposed by law the duty, or who has otherwise assumed the duty of supplying any city, borough, town or place, or any part thereof, with any of the following public services, namely, electricity, water, railway, tramway, ship or other transport services, health, sanitary or medical services, wilfully and maliciously breaks a contract of service with Government or that authority or company or undertaker or contractor, knowing or having reasonable cause to believe that the probable consequences of his so doing, either alone or in

*See GN 22/1972 (now expired) for amendment to section 8.

combination with others will be to deprive the inhabitants of that city, borough, town, place or part, wholly or to a great extent of any of the aforementioned services, he is liable to a fine of seven hundred and fifty dollars or to imprisonment for three months.

(2) Every municipal or other statutory authority, company, undertaker or contractor as is mentioned in this section shall cause to be posted up at the electricity stations or waterworks, railway or tramway stations, ship or other depots, or in the health, sanitary or medical centres, as the case may be, belonging to such authority, company, undertaker or contractor, a printed copy of this section in some conspicuous place where the same may be conveniently read by the persons employed; and as often as such copy becomes defaced, obliterated or destroyed, shall cause it to be renewed with all reasonable despatch.

(3) Any municipal or other statutory authority or company or undertaker or contractor that makes default in complying with the conditions of subsection (2) in relation to such notice as aforesaid is liable to a fine of ten dollars for every day during which such default continues; and every person who unlawfully injures, defaces or covers up any notice so posted up as aforesaid in pursuance of this Act shall be liable to a fine of seventy-five dollars.

9. Where a person wilfully and maliciously breaks a contract of serving or of hiring, knowing or having reasonable cause to believe that the probable consequences of his so doing, either alone or in combination with others, will be to endanger human life or to cause serious bodily injury or to expose valuable property, whether real or personal, to destruction or serious injury, he is liable to a fine of seven hundred and fifty dollars or to imprisonment for three months.

Penalty for breach of contract.

10. All offences under this Act may be prosecuted and all penalties may be imposed or recovered in the manner provided by the Summary Courts Act.

Recovery of penalties.

Ch. 4:20.