

Amended by No. 34 of 1947.



TRINIDAD AND TOBAGO.

Published as a Supplement to the Royal Gazette,
issued on the 18th day of November, 1943.

No. 35—1943.

I ASSENT,

[L. S.]

B. E. H. CLIFFORD,
Governor.

17th November, 1943.

AN ORDINANCE relating to sawmills.

[18th November, 1943.]

Commencement.

ENACTED by the Governor of Trinidad and Tobago
with the advice and consent of the Legislative Council
thereof.

1. This Ordinance may be cited as the Sawmills Short title.
Ordinance, 1943.

Interpretation.

2. In this Ordinance—

“Conservator” means the Conservator of Forests;

“licensee” means a person who is the holder of a sawmill licence issued under this Ordinance;

“owner” in respect of a sawmill includes any person having possession thereof;

“sawmill” means a mill designed and used to break down and convert logs into boards, planks or scantlings or to resaw such boards, planks or scantlings into boards, planks or scantlings of smaller dimensions, but does not include a turnery or machine shop where only furniture, toys or other wooden products are manufactured;

“sawmill licence” means a licence to operate a sawmill issued by the Conservator under the provisions of this Ordinance.

Sawmill
licences.

3. (1) After the expiration of three months from the coming into force of this Ordinance, no sawmill shall be operated except by a person duly licensed under this Ordinance.

(2) A separate application shall be made and a separate licence shall be granted in respect of each sawmill.

The Schedule.

(3) A sawmill licence shall be, as nearly as may be, in the form set out in the Schedule hereto signed by the Conservator and shall expire on the 31st day of December of the year during which it is granted.

(4) The fee for a sawmill licence shall be four dollars and eighty cents for a year or part of a year.

(5) A sawmill licence shall not be transferable.

Application
for sawmill
licences.

4. (1) Applications for sawmill licences shall be made in writing to the Conservator, shall contain a postal address to which all communications may be sent, and shall be in such form as the Conservator may require.

(2) No application for a sawmill licence shall be entertained by the Conservator unless made and signed by the owner of the sawmill or, if such owner be absent from the Colony or incapacitated, by such owner's duly authorised agent residing in the Colony: Provided that if the owner be a partnership, the application may be

made and signed by a partner residing in the Colony, and if the owner be a corporation the application may be made and signed by a director, manager or secretary thereof residing in the Colony.

(3) No sawmill licence shall be issued by the Conservator until the prescribed fee has been paid to the Accountant General.

(4) On due application made and on payment of the prescribed fee as aforesaid, the Conservator shall issue the licence applied for: Provided that where a licence has been cancelled under the powers conferred by section 10, no new licence shall be issued to the person who was the holder of the cancelled licence without the approval of the Governor in Council.

Replaced by Sec 2 of 4034/47

5. Whenever a sawmill is operated without a sawmill licence applicable thereto being in force, the owner thereof and the manager or any person for the time being in charge thereof shall each be liable on summary conviction to a fine of four hundred and eighty dollars or to imprisonment for six months, and in the case of a continuing offence to a further penalty of twenty-five dollars for each day during which the offence continues.

Penalty for operating sawmill without licence.

6. The Conservator shall at the beginning of every month cause to be published in the *Royal Gazette* a list of sawmill licences issued by him during the preceding month; and if at any time any such licence is cancelled, the Conservator shall notify such cancellation in like manner as aforesaid.

List of sawmill licences to be published. *4034/47*
suspended or revoked
the Conservator shall
notify such
suspension or
revocation

7. (1) The Conservator, may, by order signed by him or on his behalf and served as hereinafter provided order the licensee of a sawmill or (in case such licensee be absent from the Colony or cannot be found or is incapable to act) the manager or person for the time being in charge of such sawmill to furnish to the Conservator a return or a series of returns in such form and at or within such time or times as may be specified in the order regarding any or all of the following matters:—

Conservator may ask for returns.

(a) the stocks on hand of timber and timber products which are the property of the licensee;

- (b) the volume of timber or timber products (whether the property of the licensee or otherwise) received at the sawmill;
- (c) the volume of the timber products obtained from the conversion of timber received;
- (d) the names and addresses of the persons from whom timber or timber products have been bought by the licensee, or who have sent timber or timber products for treatment at the sawmill;
- (e) the number of persons employed at the sawmill and the number of man-days worked.

(2) An order made by the Conservator under this section shall be deemed to have been duly served on the licensee of a sawmill or on the manager or person for the time being in charge thereof if the same is served personally or is delivered to some person at, or sent by post to, the postal address set out in the relevant application form.

(3) Every return made under this section shall be signed by the person making it and shall be forwarded to the Conservator at his office at Port-of-Spain.

(4) If any person shall fail to comply with any requirement of an order made under this section or with any requirements of subsection (3) of this section, or shall furnish any return which is false in a material particular knowing or having reason to believe that it is false as aforesaid, he shall be guilty of an offence against this Ordinance.

Books to be kept.

8. (1) Every licensee shall keep, or cause to be kept, books and records in the English language recording all such particulars as may be necessary to enable him to render any such return or furnish any such information as the Conservator would be entitled to require under the provisions of this Ordinance.

(2) Such books and records shall be kept in a safe place on the premises on which the sawmill is situate.

(3) If any licensee shall fail to comply with the requirements of this section in any respect, he shall be guilty of an offence against this Ordinance.

9. (1) It shall be lawful for the Conservator, any ^{Power of entry and inspection.} Forest Officer, or any member of the Police Force, at any time when any sawmill is open, to enter the premises on which any sawmill is situate for the purpose of inspecting the books and records required by section 8 to be kept and the timber and timber products therein situate; and the licensee of such sawmill or the manager or the person for the time being in charge thereof shall, on demand made by the Conservator or other officer aforesaid, produce for inspection all such books, records, timber and timber products, and shall answer truthfully all such questions as may be asked by the Conservator or other officer aforesaid with reference to such books, records, timber, timber products or with reference to any of the entries in, or contents of, such books and records.

(2) If any person shall fail to comply with the requirements of this section in any respect, he shall be guilty of an offence against this Ordinance.

10. (1) Whenever the licensee of any sawmill, or the manager or person for the time being in charge thereof, shall be convicted of any offence against this Ordinance, the Conservator may, without prejudice to any penalty which may be imposed therefor, cancel the sawmill licence issued to such licensee in respect of such sawmill. ^{Power to cancel licence.}

(2) Such cancellation shall take effect on the date at which written notification thereof by or on behalf of the Conservator is served on the licensee, and any such notification shall be deemed to have been served on the licensee on the date on which it is so served personally or is delivered to some person at the postal address specified in the relevant application for such licence, or, when sent by post to the said address, on the date when it should in due course of post be delivered at such address:

Provided that a licensee whose licence is cancelled under this section may, not later than one month after being served with a notification of such cancellation, appeal to the Governor in Council against such cancellation, and the decision of the Governor in Council shall be final.

(3) A person whose sawmill licence has been cancelled shall forthwith return it to the Conservator, and, if he shall fail so to do, he shall be guilty of an offence against this Ordinance.

*Repealed by
No 34/1947*

Penalties.

11. Any person who is guilty of an offence against this Ordinance for which no special penalty is provided, shall be liable on summary conviction to a penalty of four hundred and eighty dollars or to imprisonment for six months.

Power to make regulations.

12. The Governor in Council may make regulations for the purpose of giving effect to any of the provisions of this Ordinance or to any matters incidental or ancillary thereto.

SCHEDULE

The Sawmills Ordinance, 1943. (Section 3.)

Mr.
of
in the Colony of Trinidad and Tobago, being the owner of a
sawmill situate at
in the Ward of in the
County of is hereby
licensed to operate such sawmill.

This licence will expire on the 31st day of December next.

Conservator of Forests.

Date:

Passed in Council this fifth day of November, in the year of Our Lord one thousand nine hundred and forty-three.

W. J. BOOS,
Clerk of the Council.

1943
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