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2nd Session Third Parliament Trinidad and Tobago  
22 Elizabeth II

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TRINIDAD AND TOBAGO  
Act No. 27 of 1973

[L.S.]

AN ACT respecting the littering of public places and of premises.

[Assented to 21st August, 1973]

BE IT ENACTED by the Queen's Most Excellent Majesty, by Enactment  
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:—

1. This Act may be cited as the Litter Act, 1973.

Short title

## Interpretation

## 2. (1) In this Act—

“derelict vehicle” means a vehicle that appears to the local authority, by reason of its condition, to have been abandoned;

“litter” means anything whatsoever, including dust, dirt, oddments, leavings, waste paper, cigarette ends, bottles (whether empty or not), derelict vehicles and any dead animal or carrion;

“local authority” means the Port-of-Spain Corporation established under the Port-of-Spain Corporation Ordinance, the San Fernando Corporation established under the San Fernando Corporation Ordinance, the Arima Corporation established under the Arima Corporation Ordinance or a County Council established under the County Councils Act, 1967;

“person” includes a body corporate, an unincorporated association and a partnership;

“premises” means land, other than any buildings thereon, whether vested in the Crown or not, and includes natural water courses and drains, whether boundary or interlot drains in any private lay-out or otherwise;

“public place” means any place in the open air to which the public are entitled or permitted to have access without payment.

## (2) For the purposes of the definition of—

(a) “premises”, other than where it appears in section 4, land, the curtilage of any dwelling house, being a lot or parcel of land assessable to tax as such by a local authority shall be excepted;

(b) “public place”, any covered place open to the air on at least one side and available for public use shall be treated as being a place in the open air.

(c) “derelict vehicle”, the opinion of the local authority shall be conclusive for all purposes, and the local authority in forming an opinion may if it thinks fit take into account—

(i) the fact that the wheels or any of them, the engine or other parts have been removed;

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- (ii) any other factors taken together with the fact that the vehicle was unlicensed during the period of six months expiring immediately before the removal of the vehicle under section 6(4) or 8(2).

3. (1) A person is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months who throws down, drops or otherwise deposits and leaves any litter in, into or from any public place in such circumstances as to cause, contribute to or tend to lead to the defacement of any public place by such litter.

Offence and  
penalty for  
littering  
public places

(2) In any proceedings against a person in respect of an offence under this section, it is a defence to prove that the throwing, dropping or otherwise depositing or leaving of the litter was authorised by law or was done with the consent of the owner or occupier or other person or authority having the control of the public place in or into which the litter was deposited.

4. A person is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months who throws down, drops or otherwise deposits and leaves any litter in or into any premises owned or occupied by another without the consent of that other person, the proof whereof shall lie on the person charged.

Offence and  
penalty for  
littering  
premises

5. (1) A person who causes any other person to contravene the provisions of section 3 or 4 is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months.

General is to  
offences against  
sections 3 and 4

(2) In the case of a second or subsequent offence against any of the provisions of section 3 or 4 a person is liable to a fine of one thousand dollars or to imprisonment for six months or to both such fine and imprisonment.

6. (1) Without prejudice to any proceedings for an offence committed under section 4 or 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)

Local authority  
may enforce  
removal of  
litter

to the person so leaving or causing the same to be left or 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) Notice may be served on a person either personally or by being sent by post to his last known business or private address or may be posted up in some conspicuous position on the premises on which the litter has been left.

(3) A notice sent by post shall be deemed to have been served, in the case of persons resident in Trinidad and Tobago not later than the seventh day succeeding the day when posted, and in the case of persons not so resident, not later than the fifteenth day succeeding the day on which the notice would have been received in the ordinary course by post, and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and posted.

(4) A person who fails to comply with the requirements of a notice under subsection (1) is guilty of an offence and liable on summary conviction to a fine of five hundred dollars and to a further fine of one hundred dollars for every day during which the offence is continued after conviction, and the local authority may, without prejudice to its right to take proceedings for a fine in respect of such failure, by its officers and servants enter the premises and remove the litter so left or caused to be left and may recover the expenses reasonably incurred by them in so doing from the person in default summarily as a civil debt.

Power to  
enter premises

7. (1) 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 6.

(2) An authorised officer entering any premises by virtue of this section, may take with him such other persons as may be necessary, and on leaving any unoccupied premises which he has so entered shall leave them as effectively secured against trespassers as he found them.