

GOVERNMENT NOTICE No. 97

TRINIDAD AND TOBAGO

THE TRINIDAD AND TOBAGO (CONSTITUTION) ORDER IN COUNCIL, 1962

ORDER

MADE BY THE GOVERNOR-GENERAL UNDER SECTION 4 OF THE TRINIDAD AND TOBAGO (CONSTITUTION) ORDER IN COUNCIL, 1962

THE EXISTING LAWS AMENDMENT ORDER, 1963

1. (1) This Order may be cited as the Existing Laws Amendment Order, 1963, and shall be read as one with the Existing Laws Amendment Order, 1962 (in this Order referred to as "the previous Order").

(2) This Order shall take effect immediately after the previous Order and, subject thereto, this Order and the previous Order have effect from the 31st day of August, 1962.

2. The previous Order is amended by the insertion in the First Schedule thereto of the following Orders:

"The Constitution (Adaptation of Existing Laws) Order, 1959;
The Customs Adaptation Order, 1962;
The Customs and Excise Adaptation Order, 1962."

3. The Exchequer and Audit Ordinance, 1959 (as amended by the previous Order) is amended—

(a) in section 2, by substituting for the words "an Act" in the definition of "Appropriation Ordinance" the words "any enactment";

(b) in subsection (1) of section 31, for all the words beginning with the word "refer" to the end of the subsection the following words are substituted:

"surcharge against the said person the amount of any such amount not collected, payment, deficiency, or loss or the value of the property destroyed, as the case may be.";

(c) in sections 32 and 33, by substituting the word "Minister" for the words "appropriate Service Commission".

4. Subparagraph (2) of paragraph 1 of the Schedule to the Interpretation Act, 1962 is deleted.

5. Where in any existing law it is provided that—

(a) any expenditure is a charge on the public funds of the former Colony of Trinidad and Tobago;

(b) any money for meeting expenditure shall be appropriated out of the said public funds; or

(c) any person is entitled to be paid or to recover from the said funds any expenditure incurred by him or defrayed by him pursuant to any law, that provision shall have effect as if it charged such expenditure on the Consolidated Fund.

6. (1) Subject to this Order, for any reference in an existing law to a legislature of the former Colony of Trinidad and Tobago there is substituted a reference to Parliament; and for any reference to a chamber of such legislature there is substituted a reference to the corresponding chamber of Parliament.

(2) Subject to subsection (3), where under any existing law such a legislature had power to approve, affirm, confirm, amend or do any matter or thing by resolution, that power may be exercised by a resolution of each chamber of Parliament or, where that power was exercisable by a single chamber of such legislature, of the corresponding chamber of Parliament; and such law shall be construed accordingly.

(3) Where under any existing law such a legislature had power to annul or revoke any matter or thing by resolution, that power may, in like manner, be exercised by both chambers of Parliament or, where that power was exercisable by a single chamber of such legislature, by the corresponding chamber of Parliament; and such law shall be construed accordingly.

(4) Where under any existing law any matter or thing was required to be submitted to or laid before such a legislature, then that matter or thing shall in like manner, be submitted to or laid before each chamber of Parliament or, where the matter or thing was required to be submitted to or laid before a single chamber of such legislature, the corresponding chamber of Parliament, and such law shall be construed accordingly.

(5) The Legislative Council (Powers and Privileges) Ordinance shall be cited as the House of Representatives (Powers and Privileges) Ordinance, and—

(a) for any reference to the Legislative Council therein and in the long title thereto, there is substituted a reference to the House of Representatives, and for any reference to the Speaker, Deputy Speaker or other member or officer of the Council, there is substituted a reference to the Speaker, Deputy Speaker or other corresponding member or officer of the House;

(b) for any reference to the Standing Orders of the Legislative Council, there is substituted a reference to the Standing Orders of the House; and until otherwise provided by Parliament, that Ordinance as amended by this Order shall, *mutatis mutandis*, apply in relation to the Senate and to the President, Deputy President and other members and officers thereof as it applies in relation to the House of Representatives and to the Speaker, Deputy Speaker and other members and officers thereof.

(6) For the reference in section 49A of the Customs Ordinance (as enacted by the Customs (Amendment) Ordinance, 1959) to the Legislative Council there is substituted a reference to the House of Representatives.

7. In an existing law—

(a) for any reference to the Executive Council there is substituted a reference to the Cabinet, for any reference to a member of the Executive Council there is substituted a reference to a member of the Cabinet and for any reference to the Clerk to the Executive Council there is substituted a reference to the Secretary to the Cabinet;

- (b) for any reference to the Premier or the Chief Minister there is substituted a reference to the Prime Minister;
- (c) for any reference to the Colony or the Territory (meaning thereby the former Colony of Trinidad and Tobago) there is substituted a reference to Trinidad and Tobago;
- (d) for any reference to the Director of Audit there is substituted a reference to the Auditor-General.

8. Anything done under an existing law prior to the date of commencement of this Order shall, in so far as it had effect immediately before that date, continue to have effect after that date as if done under that law as amended by this Order or the previous Order, and sections 27 and 28 of the Interpretation Act, 1962, apply to an existing law amended by this Order or the previous Order as if such amendment effected a repeal thereof and the substitution of a new enactment therefor.

Made by the Governor-General this 29th day of August, 1963.

H. E. NELSON
Acting Secretary to the Cabinet