

MALARIA ABATEMENT ACT

CHAPTER 28:50

Act
6 of 1932

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UNOFFICIAL VERSION

L.R.O.

UPDATED TO DECEMBER 31ST 2014

Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note on Adaptation

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 120/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 28:50

MALARIA ABATEMENT ACT

ARRANGEMENT OF SECTIONS

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CHAPTER 28:50

MALARIA ABATEMENT ACT

1950 Ed.
Ch. 12 No.16.
6 of 1932.

An Act to authorise the execution of sanitary works for the Abatement of Malaria in connection with certain main drainage channels and swampy areas.

Commencement.

[26TH MARCH 1932]

Short title.

1. This Act may be cited as the Malaria Abatement Act.

Interpretation.

2. In this Act—

“construction officer” means any person appointed by the Minister as a construction officer for the purposes of this Act;

“owner” includes the owner, lessee or occupier of any land, and the receiver, attorney, agent, manager, guardian or committee of any such owner, lessee or occupier; and includes any other person in charge or having the control or possession of any land in right of the owner or having the possession of any such land in right of his wife;

“rural sanitary authority” means a rural sanitary authority constituted under the Public Health Ordinance.

Ch. 12 No. 4.
(1950 Ed.).

Application
of Act.

3. This Act shall apply to such main drainage channels and swampy areas as may be declared by the Minister to be main drainage channels or swampy areas for the purposes of this Act; and the Minister is hereby authorised in his absolute discretion to declare by publication in the *Gazette* any such main drainage channel or swampy area.*

Power to enter
and construct
works.

4. (1) A construction officer with all necessary workmen and other servants at any time may enter upon any land for the

*Swampy Areas declared—

Arouca and Caroni	R.G. 1941, p. 1504.
Diego Martin	R.G. 1933, pp. 354, 821.
Laventille	R.G. 1933, p. 94.
St. Ann's	R.G. 1933, p. 770.

And also see R.G. 1938, p. 1066.

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purpose of grading, paving, clearing, improving or filling in or draining any main drainage channel or swampy area.

(2) The construction officer shall give at least fourteen days' previous notice in writing to the owner of the land of his intention to carry out any work under this Act.

5. Each rural sanitary authority within its district shall have full power and authority with all necessary workmen and other servants at all reasonable times to enter upon any land for the purpose of cleaning, preserving, maintaining, repairing and keeping in proper order and under proper control any main drainage channel or any swampy area.

Powers of rural sanitary authorities.

6. The cost of any work carried out under the authority of this Act shall be paid out of moneys to be provided by Parliament.

Cost of work.

7. No matter or thing done by any construction officer or rural sanitary authority or by any officer of such authority or other person acting under the direction of such authority or of any construction officer, shall if the matter or thing were done *bona fide* for the purpose of executing this Act subject them or any of them personally to any prosecution, action, liability, claim or demand whatsoever.

Protection of officers, etc., against actions.

8. Any person who assaults, hinders or obstructs or causes or procures to be hindered or obstructed a construction officer, a rural sanitary authority or any of their workmen, servants or agents while doing any works authorised under or by virtue of this Act is liable on summary conviction to a fine of one thousand dollars.

Assault or obstruction of officers, etc.

9. Every person who wilfully damages or injures or in any manner blocks or obstructs or diverts the bed or the flow of any main drainage channel is liable on summary conviction to a fine of two thousand dollars for each offence, and in the case of a continuing offence to a further fine of one hundred dollars for each day during which the offence continues after written notice from a rural sanitary authority.

Penalty for damaging a main drainage channel.

Power to make Regulations.

10. (1) The Minister may make Regulations for all or any of the following purposes:

- (a) for ensuring and regulating the use of main drainage channels as fit and proper channels for the passage of surface water; and for controlling the irrigation of any swampy area;
- (b) specifying and defining the rights, duties and obligations of persons appointed in relation to all acts and things considered necessary for placing and maintaining main drainage channels and swampy areas in proper order and control;
- (c) forbidding absolutely or regulating the drainage from any public or private sewer or drain into any main drainage channel or swampy area;
- (d) for the prevention of the deposit of filth or rubbish in the beds or on the banks of main drainage channels or in swampy areas;
- (e) for the regulation and maintenance of main drainage channels in such a manner as to prevent any nuisance arising therefrom; and
- (f) generally for the more effective carrying out of the provisions of this Act.

(2) Regulations made under this section shall be subject to affirmative resolution of Parliament.

Penalties—
recovery of.

11. Any person who contravenes any of such Regulations is liable on summary conviction to a fine of four hundred dollars for each offence, and in the case of a continuing offence to a further fine of forty dollars for each day during which the offence continues after written notice thereof from a rural sanitary authority.

Saving powers of Central Board of Health and local authority. Ch. 12 No. 4. (1950 Ed.).

12. This Act shall not in any manner curtail or affect the powers of the Central Board of Health or of any local authority under the Public Health Ordinance.

Use of water in main drainage channels.

13. Nothing herein contained shall prevent the use or supply of water in a main drainage channel for all lawful purposes.