



TRINIDAD AND TOBAGO GAZETTE (EXTRAORDINARY)

VOL. 44

Port-of-Spain, Trinidad, Monday 2nd May, 2005—Price \$1.00

No. 68

THE FOLLOWING HAVE BEEN ISSUED:

BILL entitled “An Act to amend the Constitution by providing for the establishment of a Police Management Authority, and for other related matters”—(\$1.12).

BILL entitled “An Act to amend the Tobago House of Assembly Act, 1996”—(42 cents).

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SUPPLEMENTS TO THIS ISSUE

THE DOCUMENTS detailed hereunder have been issued and are published as Supplements to this issue of the *Trinidad and Tobago Gazette*:

Legal Supplement Part C—

Bill entitled “An Act to amend the Constitution by providing for the establishment of a Police Management Authority, and for other related matters”.

Bill entitled “An Act to amend the Tobago House of Assembly Act, 1996”.

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PUBLICATION OF BILLS

NOTICE is hereby given that the following Bills are published as Supplements to this *Trinidad and Tobago Gazette* for public information:

The Constitution (Amendment) Act, 2005.

The Tobago House of Assembly (Amendment) Act, 2005.

Copies of the Bills may be purchased from the Government Printery Sales Section, 2–4, Victoria Avenue, Port-of-Spain.

22nd April, 2005.

N. JAGGASSAR
Acting Clerk of the House

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DETERMINATION OF COMPENSATION TO DEPENDANTS OF DECEASED EMPLOYEE

Re-Death of

KELVIN CALLENDER, late of Block R, Apt. 201, Embacadere, San Fernando
a workman lately employed with Trinidad Cement Limited

COMPENSATION in the above matter having been deposited with me under section 9 of the Workmen’s Compensation Act, the dependants of the said Kelvin Callender are hereby required to appear before the Commissioner on MONDAY THE 6TH DAY OF JUNE, 2005, at 9.00 o’clock in the forenoon at the Hall of Justice, Port-of-Spain, when the Commissioner shall proceed to determine the distribution thereof.

Proof of relationship of dependants to the deceased workman will be required by the Commissioner to be furnished by claimants at the enquiry. Such proof to be in the form of certificates of birth and of marriage as in the circumstances be necessary.

A claimant for funeral expenses of the deceased must submit and prove his claim to the Commissioner on or before the 6th day of June, 2005.

Dated this 7th day of April, 2005.

(3 ins.)

E. A. PETERSEN
Registrar, Supreme Court

TRINIDAD AND TOBAGO RACING AUTHORITY

AMENDMENTS TO THE RULES OF RACING 2000

The Trinidad & Tobago Racing Authority gives notice of the following amendments to the Rules of Racing 2000.

CLAIMING

Rules 71 – 98 have been repealed and replaced with the attached.

THE TRINIDAD AND TOBAGO RACING AUTHORITY ACT, CHAPTER 21:50 RULES

MADE BY THE RACING AUTHORITY UNDER SECTION 17 OF THE TRINIDAD AND TOBAGO RACING AUTHORITY ACT

THE TRINIDAD AND TOBAGO RACING AUTHORITY RULES, 2000

CLAIMING

- 71 *(i) The following Rules relating to claiming races shall apply to all claiming races as well as optional claiming races but, in optional claiming races they apply only to those horses entered to be claimed and any reference to claiming races shall be so construed.*
- (ii) In a claiming race any horse is subject to claim for its entered price by a licensed Trainer on behalf of a person who is registered as an Owner or is the holder of a certificate of eligibility to claim, the Trainer being regarded as the agent of the Owner or the holder of a certificate of eligibility for the purpose of making claims. Subject to Rule 92, any horse entered for a claiming race for a stated claiming price, other than a horse balloted out of the race or the entry for which is conditional, can be claimed.*
72. (ii) The procedure for obtaining a certificate of eligibility to claim shall be as follows:-
- (a) The applicant shall, prior to causing a claim to be made on his behalf, submit an application for a certificate of eligibility to claim to be accompanied by all the information required to be submitted on an original application for registration as an owner together with the name of the licenced trainer who will assume care and responsibility for the horse claimed and who is authorised to make a claim on behalf of the applicant. The application shall be accompanied by a payment to the Authority of fifty dollars which shall include the requisite fee for registration as an owner of which ninety per cent of the requisite fee for registration as an owner will be refunded if the applicant is denied or if the applicant does not acquire a horse through claim before expiry of the certificate.

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- (b) If the Authority shall find that the financial responsibility, experience, character and general fitness of the applicant are such that the participation of such person will be consistent with the public interest, convenience or necessity and with the best interests of racing generally in conformity with the purposes of the law, it shall thereupon issue to the applicant a certificate of eligibility to claim. If the Authority shall find that the applicant fails to meet any of the conditions it shall not issue to the applicant a certificate of eligibility to claim and it shall notify the applicant of the denial.
- (c) The Authority may refuse to issue to the applicant a certificate of eligibility to claim or may suspend or revoke an applicant's certificate of eligibility to claim if it shall find that the applicant has been convicted of a crime other than a breach of the Road Traffic Act in any jurisdiction or is financially irresponsible or has been guilty of or attempted any fraud or misrepresentation in connection with racing, breeding or otherwise or has violated or attempted to violate any law with respect to racing in any jurisdiction or any rule, regulation or order of the Authority or shall have violated any of the Rules of Racing or if any application made under the rule contains any matter which is false in any material particular to the knowledge of any person signing it or has been guilty of or engaged in similar, related or like practices.
- (d) A certificate of eligibility to claim will be valid for ninety days from the date of issue or until the person in whose name the certificate is issued claims, purchases or otherwise acquires a horse prior to the expiry date of the certificate. Upon the holder of a certificate of eligibility to claim making a successful claim the holder becomes a registered owner.
- 73 The name of the person for whom the claim is being made (*i.e. the Claimant*) must appear on the claim form.
74. **No Trainer shall submit a claim for a horse on behalf of an owner or part owner or the authorised agent of the owner or part-owner or the Parents, spouses, siblings or Children of any of them, nor shall any of the aforementioned claim or cause to be claimed any horse directly or indirectly for his/her own account or on behalf of a principal.**
- 75 No Trainer shall submit a claim for a horse on behalf of an owner from another trainer's stable in which the said owner has a horse.
76. Any Trainer whose claim for a horse is successful shall, upon title to the said horse becoming vested in the successful claimant, become the trainer of the horse.
- 77 **No horse claimed out of a claiming race shall be sold or transferred to any person for racing purposes wholly or in part, except in another claiming race, for a period of thirty days exclusive of the day such horse was claimed, nor shall it, unless re-claimed, remain in the same stable or under the control or management of the Owner or Trainer from whom it was claimed for a like period.**
- 78 **No person shall claim more than one horse from any one race. A trainer, although acting on behalf of more than one Owner, shall neither submit more than one claim in any one race nor shall the trainer submit claims for more than one horse in any one race. The trainer may however submit a claim for**

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the same horse on behalf of more than one person or group of persons on a single claim form and if the claim is successful the claimant shall then be determined amongst such persons or group or persons by lot, under the supervision of one or more of the stewards or their designated representative.

79 ***A horse which has won a claiming race and is claimed for a stated price shall not race in another claiming race for a period of thirty days exclusive of the day such horse was claimed unless for a claiming price of not less than twenty per cent more than the price for which the horse was claimed. A claimed horse which has not won shall not race in any claiming race for a period of thirty days exclusive of the day such horse was claimed for a claiming price less than the price for which the said horse was claimed.***

80 ***The claiming price of any horse in a claiming race shall be the entered claiming price, plus tax, if any. A fee of fifty dollars for administration in respect of each claim submitted per person shall be payable to the promoter.***

The successful claimant shall, in addition, pay a fee which shall be payable to the Authority in respect of the registration of the successful claimant as the owner of the horse. The entered claiming price shall be printed on the day's official card of the races.

81. Each claim shall be made in writing on a form and in an envelope supplied by the Promoter and approved by the Authority. Both form and envelope must be filled out completely and must be letter perfect, failing which the claim will be void. The horse's name must be identical to the way it is printed in the day's official card, otherwise the claim will be void.

82 Claims must be signed, sealed and the envelope time-stamped and deposited in a locked box provided for that purpose at a designated place at least fifteen minutes before the ***advertised*** post time of the race from which the claim is being made. No money or its equivalent shall be put in the claim box. For a claim to be valid, the claimant must, at the time of the filing of the claim, have in a deposit account with the Promoter, maintained by him for the purpose of making claims, not less than the amount of the claim plus any tax and fee payable in Rule 80. The details of each deposit account which shall be managed by the Promoter shall be provided to the Stewards before the post time of the first race and during the course of each day on which a claiming race is scheduled.

83. The Stewards or their designated representative shall open the claim envelope for each claiming race ten minutes before post time of the race for which the claim is being made or as soon as the horses leave the parade ring en route to the starting post whichever shall last occur. The Stewards shall thereafter check the details of the claimant's deposit account to ascertain whether the proper credit balance is in existence with the Promoter. The Owner, Trainer and Jockey of any horse claimed shall not be informed that a claim has been made until after the race has been run.

84. If more than one valid claim is filed for the same horse, title to the horse shall be determined by lot under the supervision of the Stewards or their designated representative.

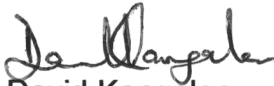
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- 85 ***Any horse that has been claimed shall, after the race has been run, be delivered to the trainer by whom the successful claim was made. Such trainer must present written authorisation from the Stewards. Horses, which are sent to the area where post race samples for analysis are taken shall be delivered at that point; others are to be delivered in the paddock. No person shall refuse to deliver to the person legally entitled thereto a horse claimed. Any horse claimed and not delivered shall be disqualified from further racing until delivery is made and the person refusing to deliver a claimed horse shall be referred to the Authority.***
- 86 ***Claims are irrevocable and are at the risk of the claimant. Determination of the true sex of a claimed horse shall be the sole responsibility of the claimant and mistakes in that regard printed in the Official Program or elsewhere shall not be considered a basis for invalidating the claim. Title to a claimed horse shall be vested in the successful claimant from the time the said claim is deemed valid and the claimant shall then become the owner of the horse whether it be alive or dead, sound or unsound, or injured before, during, or after the race. A claimed horse shall, where applicable, run in the interest of and for the account of the owner from whom claimed. Any subsequent disqualification of the horse by order of the Stewards or the Authority shall have no effect upon the claim.***
- 87(a) ***No person shall offer or enter into an agreement to claim or not to claim or attempt to prevent another person from claiming any horse in a claiming race. No person shall attempt by any improper means to prevent any one from running a horse in any claiming race. No owner or authorised agent or trainer or assistant trainer shall make an agreement with another owner or authorised agent or assistant trainer for the protection of each other's horses in a claiming race. No person shall make a loan agreement for the purpose of obtaining funds for the claim of any horse when a condition of such agreement is a lien on the horse to be claimed. Any person acting in breach of this rule may be fined by the Stewards and/or referred to the Authority.***
- (b) If the stewards are of the opinion that any person is claiming a horse for the benefit of another they may require such person to give an affidavit substantiating that such a claim is made only on his/her own behalf.
88. A claim shall in all cases represent a bona fide by the claimant to buy and on the owner to sell the horse in question at the claiming price. The Stewards or the Authority shall be at liberty to fully enquire into any and all circumstances surrounding a claim and may at any time in their discretion require any person to make a declaration on oath in writing in regard to any claim and the circumstances in which any claim is made. The Stewards shall be the judges of the validity of a claim.
- 89 Any person who shall enter or allow to be entered in a claiming race, a horse, which is the subject of a lease or one against which any third party interest is held, either by way of mortgage, bill of sale, or lien of any kind may be fined and/or warned off all courses and places where these Rules are in force unless when or before entering the horse the written consent of the lessor or holder of the third party interest shall be filed with the Promoter of the meeting at which the horse is entered.

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90. The engagements of a claimed horse pass automatically to the successful claimant at the time when he becomes the owner of the horse.
91. Notwithstanding any information appearing on the day's official card of the race or in any racing publication, the claimant of a horse shall be solely responsible for determining all pertinent information with regard to the horse claimed.
92. In the event that a claiming race is abandoned or postponed or declared void for any reason, any claim lodged for any horse in the said races shall be null and void.
93. In all claiming races not more than three horses under the charge, custody or care of the same trainer can be entered and declared in one race. In claiming races not more than two horses owned by the same person whether as sole owner, part owner, licensee or lessee can be entered and declared to start in one race.
94. An **objection** by the owner of a claimed horse against the claim of the said horse shall be filed with the Stewards within forty eight (48) hours of the day of the race on which the horse was claimed a Sunday and public holiday being excluded.
95. Any claim, which is not made in conformity with these Rules shall be void.
96. ***Should a horse, once entered/declared to start in a race, be withdrawn without the permission of the Racing Veterinarian, the owner or his duly appointed Authorised Agent or the Trainer of said horse, shall be fined by the Stewards and the matter may be referred to the Authority.***
97. ***Any person acting in breach of any of these claiming Rules, shall be guilty of an offence, and shall be fined and or suspended by the Stewards or may be dealt with by the Authority in accordance with their powers under these Rules.***

The above amendments to the Rules of Racing were approved at a meeting of the Trinidad Tobago Racing Authority held on Tuesday 14 December, 2004.



Dr. David Kangaloo
Vice Chairman

2004.12.15

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LICENSING SESSION

SAN FERNANDO

RETURN of Applications for Licensing Committee's Certificates for the issue of Licences for the sale of Intoxicating Liquor in the County of Victoria (West), San Fernando Area, under the provisions of the Liquor Licences Act, Chap. 84:10, to be considered by the Licensing Committee at the Licensing Session will be held at the San Fernando Magistrates' Court on THURSDAY THE 17TH DAY OF MARCH, 2005.

| <i>Name of Applicant</i> | <i>Abode of Applicant</i> | <i>Premises where Situate</i> | <i>Term of Licence</i> |
|--|---|---|--|
| Spirit Retailer's | | | |
| Mariam Gajadhar ... | ... No. 3 Circle Drive Friendship Village | 153, Friendship Village | From 1st April, 2005 to 31st March, 2006 |
| Orlando Ramsingh ... | ... No 2 Second Street Spencer Development Barrackpore | 56, Ciperro Street Gooding Village San Fernando | do. |
| Sukdeo Budhai Ramkissoon ... | ... 19A, Debe Road Debe | 19, Debe Road Debe | do. |
| Ryan Ramkissoon ... | ... 578, Jordan Hill Village Ciperro Road San Fernando | 21-23, Mucurapo Street San Fernando | do. |
| Shoba Ramnarine ... | ... 24, Harrypaul Village Picton, Diamond | 24, Harrypaul Village Picton, Diamond | do. |
| Clinton Phillip ... | ... No. 8A King Street Gasparillo | No. 46 Bonne Aventure Road Gasparillo | do. |
| Anjanie Jagessar ... | ... 472, Ciperro Road St. John's Village | 472, Ciperro Road St. John's Village | do. |
| Daniel Balraj ... | ... 55, Lalberry Road Debe | 55, Lalberry Road Debe | do. |
| Keevan A. Phillips ... | ... 27, New City Avenue Marabella | 27, New City Avenue Marabella | do. |
| Brett Johnson... | ... Battoo Avenue Marabella | 220, Southern Main Road Marabella | do. |
| Deokie Ramdass ... | ... 99, Soledad Road Claxton Bay | 99, Soledad Road Claxton Bay | do. |
| Special Restaurant | | | |
| Gertruoel Long ... | ... No. 325 Southern Main Road La Romain | No. 325 Southern Main Road La Romain | do. |
| Ken Wah Chow and Duan Minqing ... | ... Curapo Southern Main Road Rio Claro Charlo Village, Penal | 1092, San Fernando- Siparia-Erin Road, Debe | do. |
| Onemia A. Cudjoe ... | ... 204, Southern Main Road Marabella | 153, Guaracara-Tabaquite Road Ben Lomond | do. |
| Horace's Garden Restaurant, Limited Company and Victor Wingson, Company Director | 6 and 8, Farah Street Less Efforts West San Fernando 280, Mahabir Crescent Palmiste | 6 and 8, Farah Street, Less Efforts West San Fernando | do. |
| Narine Persad Jaimungal ... | ... No. 72 La Plaisance Road La Romain | No. 67 La Plaisance Road La Romain | do. |
| Errol Mundy ... | ... 55, Mount Moriah Road San Fernando | 55, Mount Moriah Road San Fernando | do. |

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LICENSING SESSION—CONTINUED

SAN FERNANDO

| <i>Name of Applicant</i> | <i>Abode of Applicant</i> | <i>Premises where Situate</i> | <i>Term of Licence</i> |
|---|--|--|---|
| Restaurant | | | |
| Christiana Shah ... | ... 1, Bernard Street Mon Repos | 143, Battoo Avenue Marabella | From 1st April 2005 to 31st March, 2006 |
| Dhanpaul Sinanan Singh | ... No. 135 Bonne Aventure Road Gasparillo | No. 69 Gasparillo Road Gasparillo | do. |
| Ramcharan Patram ... | ... No. 8 Princess Margaret Street Cross Crossing San Fernando | 5, Factory Road Reform | do. |
| Wine Retailer's | | | |
| Yu Yu Wen ... | ... No. 21 Southern Main Road Marabella | No. 46 Southern Main Road Marabella | do. |
| Cynthia Lau Lutchmansingh and Sean Lutchmansingh | 63, Keate Street San Fernando | 12, Mucurapo Street San Fernando | do. |
| Special Hotel | | | |
| Gregory Laing ... | ... No. 38 London Street St. Joseph Village San Fernando | No. 38 London Street St. Joseph Village San Fernando | do. |

Dated this 9th day of March, 2005 at the San Fernando Magistrates' Court.

A. SOOKRAM
*Secretary, Licensing Committee,
Victoria (West)*

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SPECIAL LICENSING SESSIONS
(*Liquor Licences Act, Chap. 84:10*)

PORT-OF-SPAIN

NOTICE is hereby given that by lawful authority under the provisions of the Liquor Licences Act, Chap. 84:10, the Licensing Committee for the Licensing District of the County of St. George West, Port-of-Spain Area, has appointed THURSDAY THE 5TH DAY OF MAY, 2005 at the hour of 1.00 o'clock in the afternoon at the Port-of-Spain Magistrates' Court as the day, hour and place at which a Special Session will be held to hear and determine the application of Donald Pierre of No. 34 Fatima Trace, Paramin Hill, Maraval, for a Certificate authorising him to carry on the business of a Spirit Grocer in respect of premises situate at No. 34 Fatima Trace, Paramin Hill, Maraval.

Dated this 14th day of April, 2005 at the Port-of-Spain Magistrates' Court.

E. PRINCE
*Secretary, Licensing Committee,
St. George West*

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ARIMA

NOTICE is hereby given that by lawful authority under the provisions of the Liquor Licences Act, Chap. 84:10, the Licensing Committee for the Licensing District of the County of St. George East, Arima Area has appointed TUESDAY THE 3RD DAY OF MAY, 2005 at 9.00 o'clock in the forenoon at the Arima Magistrate's

Court as the day, hour and place at which a Special Session will be held to hear and determine the application of Shun Hang Ou of 44-47, Railway Road, Arima, for a Certificate authorising him to carry on the business of a Special Restaurant in respect of premises situate at 44-47, Railway Road, Arima.

Dated this 7th day of April, 2005 at the Arima Magistrate's Court.

B. BALKARAN
*Secretary, Licensing Committee,
St. George East*

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TRANSFER OF LICENCE
(*Liquor Licences Act, Chap. 84:10*)

ST. ANDREW

NOTICE is hereby given that a notification in writing has this day been lodged with me the undersigned Secretary of the Licensing Committee for the Licensing District of the County of St. Andrew, Sangre Grande Area, by Pradeep Ramsaran of 1¾ Mile Mark, Plum Road, Manzanilla, that it is his intention to apply to the Licensing Committee at the Sangre Grande Magistrate's Court on WEDNESDAY THE 4TH DAY OF MAY, 2005, for a transfer to him of the Licence to carry on the business of a Spirit Retailer now held by Gangadai Ramsaran in respect of premises situate at 1¾ Mile Mark, Plum Road, Manzanilla, in the said district.

Dated this 1st day of April, 2005 at the Sangre Grande Magistrate's Court.

G. PERSAD
*Secretary, Licensing Committee,
Sangre Grande*