



TRINIDAD AND TOBAGO GAZETTE (EXTRAORDINARY)

VOL. 53

Port-of-Spain, Trinidad, Friday 4th July, 2014—Price \$1.00

No. 88

1026

SUPPLEMENT TO THIS ISSUE

THE DOCUMENT detailed hereunder has been issued and is published as a Supplement to this issue of the *Trinidad and Tobago Gazette*:
Legal Supplement Part B—

Notification—(Legal Notice No. 241 of 2014).

1027

INJUNCTION—ILLEGAL INDUSTRIAL ACTION

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE INDUSTRIAL COURT OF TRINIDAD AND TOBAGO

Application No. 6 of 2014.

In the Matter of

THE INDUSTRIAL RELATIONS ACT, CHAP. 88:01

And

In the Matter of

AN APPLICATION BY THE HONOURABLE MINISTER OF LABOUR AND SMALL AND MICRO ENTERPRISE DEVELOPMENT FOR AN INJUNCTION UNDER THE PROVISIONS OF THE INDUSTRIAL RELATIONS ACT, CHAP. 88:01 AND IN PARTICULAR SECTIONS 7(1) AND/OR 10(1)(B) AND/OR 65 THEREOF AND/OR UNDER THE INHERENT POWERS OF THE INDUSTRIAL COURT

Between

THE HONOURABLE MINISTER OF LABOUR AND SMALL AND MICRO ENTERPRISE DEVELOPMENT—*Party No. 1*

And

THE PUBLIC SERVICES ASSOCIATION OF TRINIDAD AND TOBAGO
(otherwise known as the Public Services Association)—*Party No. 2*

Ex-Parte Injunction to restrain Industrial Action at the Immigration Department of the Ministry of National Security

Ex-Parte:

Dated this 3rd day of July, 2014

Entered this 3rd day of July, 2014

Before Their Honours:

HER HONOUR MRS. DEBORAH THOMAS-FELIX—*President*

HIS HONOUR MR. LAWRENCE ACHONG—*Chairman, ESD*

HIS HONOUR MR. ALBERT ABERDEEN—*Member*

HIS HONOUR MR. KYRIL JACK—*Member*

HER HONOUR MRS. KATHLEEN GEORGE-MARCELLE—*Member*

1027—Continued

INJUNCTION—ILLEGAL INDUSTRIAL ACTION—CONTINUED

Appearances:

MR. RUSSEL MARTINEAU, S.C., MR. ADDISON KHAN, MR. DEREK ALI, Esq.

UPON AN APPLICATION for an ex-parte injunction this day made unto this Honourable Court by Counsel for Party No. 1.

Upon the above-mentioned Application having been heard by this Honourable Court on the 3rd day of July, 2014.

Upon Reading the Notice of Application dated the 3rd day of July 2014 and filed herein.

Upon Reading the affidavits of the Honourable Minister of Labour and Small and Micro Enterprise Development and the Chief Immigration Officer filed herein on the 3rd day of July, 2014 together with exhibits thereto.

Upon Hearing Counsel for Party No. 1.

And upon Counsel for Party No. 1 offering an undertaking in damages.

It is Hereby Ordered that:

- (1) The Public Services Association of Trinidad and Tobago, otherwise known as the Public Services Association (hereinafter referred to as "the PSA") whether by its President, Officers, Servants and/or Agents and/or its Members and/or Staff of the Immigration Division of the Ministry of National Security, (hereinafter referred to as "the Immigration Division") pursuant to section 65 of the Industrial Relations Act, Chap. 88:01 ("the Act") are hereby restrained from taking and/or continuing to take industrial action within the meaning of the said Act in relation to any and/all offices of the Immigration Division and/or all immigration stations and/or all places of detention and/or all ports of entry and/or all premises under the control of the Immigration Division (hereinafter referred to as "the Immigration Division facilities") operated and/or under the control and/or authority of the Immigration Division wherever and howsoever located until further order.
- (2) The Public Officers in the Immigration Division are hereby restrained from taking and/or continuing to take such industrial action within the meaning and the provisions of the Act until further order.
- (3) Leave is hereby granted to serve a copy of the affidavit of the Honourable Minister of Labour and Small and Micro Enterprise Development and the Chief Immigration Officer filed herein on 3rd July, 2014 together with the exhibits attached thereto together with a copy of this Order on the PSA with liberty to Party No. 1 to serve such other person or persons as Party No. 1 may deem fit.

And it is further Ordered that this Order be published in the *Trinidad and Tobago Gazette* and once in two (2) daily newspapers circulating in Trinidad and Tobago.

Variation and Discharge of this Order:

And it is further Ordered that the PSA may apply to the Court at any time to vary or discharge the Order (or so much of it as affects the PSA) on condition that should the PSA wish to do so it must first give at least 48 hours notice (Saturdays, Sundays and Public Holidays being excluded for the computation of time) to the Attorney-at-law for Party No. 1.

That leave is hereby granted to Party No. 1 to file with this Honourable Court Supplemental Affidavits and to serve the said Affidavits on Party No. 2 on or before the 7th day of July, 2014.

Name and Address of the Attorney-at-law for Party No. 1:

The Attorneys-at-law on record for Party No. 1 is Derek Ali whose address for service is 36, Gordon Street, Port-of-Spain.

And it is further Ordered that a penal clause be endorsed hereon as shown below in red.

PAMELA LUTCHMAN
for Registrar, Industrial Court

Notice:—If you the within named Public Services Association of Trinidad and Tobago otherwise known as the Public Services Association (PSA) whether by your President, Officers, and/or Agents Staff of the Immigration Department of the Ministry of National Security disobey this Order you will be liable to contempt of Court for the purpose of compelling you to obey same.