

Third Session Fourth Parliament Republic of Trinidad  
and Tobago

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REPUBLIC OF TRINIDAD AND TOBAGO

**Act No. 28 of 1993**

[L.S.]

AN ACT to amend the Airports Authority of Trinidad  
and Tobago Act, Chap. 49:02

*[Assented to 14th January, 1994]*

ENACTED by the Parliament of Trinidad and Tobago as Enactment  
follows:—

1. This Act may be cited as the Airports Authority of Short title  
Trinidad and Tobago (Amendment) Act, 1993.

Interpretation

**2. In this Act—**

“person” includes an individual, an incorporated and unincorporated body;

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“the Act” means the Airports Authority of Trinidad and Tobago Act.

Section 2 amended

**3.** Section 2(1) of the Act is amended by deleting the words “protected area,” and substituting the words “restricted area” in appropriate sequence and as a consequence, any reference in the Act or subsidiary legislation to the term “protected area” will now read “restricted area”.

Section 8 amended

**4.** Section 8 of the Act is amended by deleting subsection (2), and substituting the following subsections:

“ (2) An annual salary in a sum equal to or in excess of one hundred and thirty thousand dollars, shall not be assigned to any post in the Authority without the approval of the Minister.”

Section 9 inserted

**5.** The Act is amended by inserting immediately after section 9 the following section:

“Transfer of  
staff to joint  
venture or  
other

**9A. (1)** Where in accordance with this Act, the Authority holds shares in any company, or enters into agreement with a company for the execution of any part of its functions, the Authority may invite any of its officers or employees to transfer voluntarily to such a company, on terms and conditions that are no less favourable than those that the officer or employee enjoyed with the Authority.

(2) An officer or employee to whom subsection (1) applies, shall be deemed to have transferred his services to the company voluntarily, unless within three months of the invitation to do so, he gives notice in writing of his intention not to transfer from the service of the Authority.

(3) Where an officer or employee has transferred voluntarily or is deemed to have transferred voluntarily under subsection (2), service with the Authority shall so far as any agreement between it and the company allows, be treated as service under the new company for the purposes of determining his right to, or eligibility for pension, gratuity, leave, severance or other benefits.

(4) Where the service of an officer or employee with the Authority cannot be treated as continuous for the purpose of subsection (3), the net benefits due and owing to the officer or employee at the time of deployment shall be paid to him by the Authority”.

**6.** Section 12 of the Act is repealed and the following Section 12 repealed sections are substituted:

“Functions of  
the Authority

12. (1) The main function of the Authority is to develop and manage the business of the airports, including the development, maintenance or improvement of their facilities in a cost effective manner, so as to ensure the availability of efficient, secure and safe aviation services to the public at all times as well as to ensure commercial viability.

(2) Notwithstanding section 13, the Authority may with the approval of the Minister, and for the purpose of facilitating the proper discharge of its functions, enter into contract with any person, hold shares in any company or form a joint venture company, save however that with respect to—

(a) safety and security at airports; or

- (b) supervision and administration of passenger terminal buildings,

the Authority shall be a majority shareholder in such company, or joint venture company undertaking those functions, and the financial statements of such companies shall be audited by the Auditor General or by a qualified auditor appointed by the Auditor General.

(3) Notwithstanding subsections (1) and (2), the Authority may with the approval of the Minister—

- (a) engage in any other business, or hold shares in any company undertaking any other business, where in either case the business is situated on land that is in the possession of the Authority or is related to the functions of the Authority;
- (b) invest in marketable securities and such other investment as may be in the best interest of the Authority or is related to the functions of the Authority,

and may also—

- (c) sell any related professional services to any person in Trinidad and Tobago or elsewhere;
- (d) establish or operate at its option an efficient bus service, or where feasible, grant a contract for the operation of a bus service to and from an airport;

(e) carry on all other activities the carrying on of which appear to it to be requisite, advantageous or convenient for or in connection with the discharge of its function.

(4) Where in pursuance of this section, the Authority is required to appoint directors in a company in which it holds shares, the directors shall be appointed by the Authority with the approval of the Minister.

12A. (1) For the purpose of performing its functions under this Act, the Authority—<sup>Powers of the Authority</sup>

(a) may impose as it thinks fit, dues, charges and fees for the use of airport facilities; and

(b) shall notwithstanding section 108 of the Motor Vehicles and Road Traffic Act, be responsible for the control of traffic on all roads within any area defined as an airport under this Act.

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(2) In the performance of its functions and in the exercise of its powers, the Authority shall be guided by any general policy directions set out by the Minister.”

7. The Act is amended by repealing section 18.

Section 18 amended

8. Section 20 of the Act is amended—

Section 20 amended

(a) by deleting subsection (1), and substituting the following:

“ (1) The accounts of the Authority shall be audited annually by the Auditor General, or by a qualified auditor, appointed by the Auditor General.”;

- (b) in subsection (3), by inserting immediately after the words "Auditor General" the words "or other qualified auditor";
- (c) in subsection (4), by inserting immediately after the words "Auditor General" the words "or such other qualified auditor".

Section 31 repealed

**9.** The Act is amended by repealing section 31 and substituting the following:

"Declaration  
of restricted  
area

**31.** The Minister responsible for National Security may for the purpose of ensuring security at any airport declare by Order—

- (a) on the advice of the Security Committee, any part of an airport or air navigation installation to be a restricted area; or
- (b) an airport to be a restricted area.

Section 43 amended

**10.** Section 43(1)(e) of the Act is amended by deleting all the words occurring after the word "airport" in line one.

Passed in the House of Representatives this 22nd day of November, 1993.

N. COX

*Acting Clerk of the House*

Passed in the Senate this 30th day of November, 1993.

R. CUMBERBATCH

*Acting Clerk of the Senate*

Senate Amendments agreed to by the House of Representatives this 15th day of December, 1993.

N. COX

*Acting Clerk of the House*