
3rd Session Second Parliament Trinidad and Tobago
17 Elizabeth II



TRINIDAD AND TOBAGO

Act No. 9 of 1969

[L.S.]

AN ACT to amend the provisions of certain enactments relating to the constitution of statutory authorities established by those enactments and to the appointment of members thereto.

[*Assented to 28th February, 1969*]

BE IT ENACTED by the Queen's Most Excellent Majesty, by ^{Enactment} and with the advice and consent of the Senate and House of Representatives of Trinidad and Tobago, and by the authority of the same, as follows:

Short title
and
commencement

1. (1) This Act may be cited as the Statutory Authorities (Constitution and Membership) Act, 1969.

(2) This Act shall come into force on the day to be appointed by the Governor-General by Proclamation published in the *Gazette*, but the Governor-General may appoint different dates on which different portions or sections of this Act shall come into force.

Interpretation

2. In this Act—

- (a) “chief executive officer” means the officer, however designated, responsible for carrying out the decisions of a statutory authority;
- (b) “Minister” means the Minister as defined in any enactment specified in the Schedule;
- (c) “statutory authority” means a body established by any enactment specified in the first column of the Schedule.

Amendments

3. The enactments specified in the first column in the Schedule shall be amended to the extent specified in the second column of that Schedule.

Chief executive
officer of
statutory
authority
to attend
meetings

4. Notwithstanding anything to the contrary contained in any enactment specified in the Schedule, the chief executive officer of a statutory authority shall, unless the Minister otherwise directs, attend all meetings of that statutory authority but he shall not have any right to vote.

Power to
statutory
authority
to co-opt
persons to
attend
meetings

5. (1) A statutory authority may co-opt any one or more persons to attend any particular meeting of that authority for the purpose of assisting or advising the authority, but no such co-opted person shall have any right to vote.

(2) Where any person is co-opted by a statutory authority under the provisions of subsection (1) that authority may by resolution declare the remuneration and allowances of such person and such sums shall properly be so payable out of the funds and resources of that authority.

Construction
No. 2 of 1962

6. Subsection (2) of section 12 of the Interpretation Act, 1962, applies in the construction of the amendments made pursuant to this Act.

SCHEDULE

*Short titles and numbers**Amendments*

- (a) The Sugar Industry Special Funds Ordinance
- Subsection (3) of section 8 is repealed and replaced as follows—
- Ch. 23. No. 14
No. 18 of 1961
No. 40 of 1951
- “(3) The Sugar Industry Labour Welfare Fund shall be controlled and administered by a Committee appointed by the Governor-General and consisting of no fewer than five nor more than nine members. Of the members, not less than four shall be appointed from amongst persons who have special qualifications in, and have had experience of, matters relating to engineering, architecture, accountancy, finance, law, economics or business management.”.
- (b) The Trinidad and Tobago Electricity Commission Ordinance
- Section 4 is amended—
- Ch. 37. No. 5
Act No. 8 of 1961
- (a) by repealing and replacing subsection (1) thereof, as follows—
- “(1) The Commission shall consist of no fewer than five nor more than nine members appointed by the Governor-General. Of the members, four shall be appointed from amongst persons who have special qualifications in, and have had experience of, matters relating to engineering, accountancy, law, economics or business management.”;
- (b) by repealing subsection (2) thereof;
- (c) by renumbering subsections (3), (4), (5), (6), (7), (8), (9) and (10) thereof respectively as subsections (2), (3), (4), (5), (6), (7), (8) and (9);
- (d) by substituting the words “subsections (5) and (6)” for the words “subsections (6) and (7)” occurring in subsection (3) thereof as renumbered;
- (e) by repealing and replacing subsection (4) thereof as renumbered as follows—
- “(4) If a member of the Commission is unable to perform the functions of his office owing to absence from Trinidad and Tobago or to inability for any reason the

Short titles and numbers

Amendments

- Governor-General may appoint some other person to act as a temporary member during the time such absence or inability continues.”.
- No. 14 of 1957 (c) The Trinidad and Tobago Tourist Board Ordinance, 1957
- (a) Subsection (2) of section 3 is repealed and replaced as follows—
- “(2) The Board shall consist of no fewer than five nor more than seven members appointed by the Governor-General. Of the members, three shall be appointed from amongst persons who have special qualifications in, and have had experience of, matters relating to hotel management, air travel, public relations, accountancy or banking or who are engaged in the business of travel agencies.”;
- (b) section 4 is repealed and replaced as follows—
- “Temporary appointments 4. If a member of the Board, other than the chairman, is unable to perform the functions of his office owing to absence from Trinidad and Tobago or to inability for any reason, the Governor-General may appoint some other person to act as a temporary member during the time such absence or inability continues.”.
- No. 11 of 1958 (d) Industrial Development Corporation Ordinance, 1958
- Section 3 is amended—
- (i) by repealing and replacing subsection (2) thereof as follows—
- “(2) The Corporation shall consist of no fewer than five nor more than nine members appointed by the Governor-General. Of the members, five shall be appointed from amongst persons who have special qualifications in, and have had experience of, matters relating to business management, economics, engineering, agriculture, accountancy or banking.”;
- (ii) by repealing subsection (3) thereof;
- (iii) by renumbering subsections (4), (5), (6), (7), (8) and (9) thereof respectively as subsections (3), (4), (5), (6), (7) and (8) thereof;

Short titles and numbers

Amendments

- (iv) by substituting the words "subsections (6) and (7)" for the words "subsections (7) and (8)" occurring in subsection (4) thereof as renumbered;
- (v) by repealing and replacing subsection (5) thereof as renumbered, as follows—
- “(5) If a member of the Board is unable to perform the functions of his office owing to absence from Trinidad and Tobago or to inability for any reason, the Governor-General may appoint some other person to act as a temporary member during the time such absence or inability continues.”
- (e) The Port Authority Ordinance, 1961
- Section 3 is amended—
- No. 39 of 1961
- (i) by repealing and replacing subsection (2) thereof, as follows—
- “(2) The Authority shall consist of no fewer than five nor more than nine persons to be designated Commissioners, appointed by the Governor-General. Of the persons, five shall be appointed from amongst persons who have special qualifications in, and have had experience of, matters relating to engineering, accountancy, law, economics or business management.”;
- (ii) by repealing and replacing subsection (5) thereof, as follows—
- “(5) If a Commissioner is unable to perform the functions of his office owing to absence from Trinidad and Tobago or to inability for any reason, the Governor-General may appoint some other person to act as a temporary Commissioner during the time such absence or inability continues.”
- (f) The Housing Act, 1962
- Section 3 is amended—
- No. 3 of 1962
- (i) by repealing and replacing subsection (2) as follows—
- “(2) The Authority shall consist of no fewer than five nor more than nine members appointed by

*Short titles and numbers**Amendments*

the Governor-General. Of the members, five shall be appointed from amongst persons who have special qualifications in, and have had experience of, matters relating to engineering, architecture, accountancy, finance, law, economics or business management.”;

(ii) by renumbering subsections (3), (4), (5), (6) and (7) thereof respectively as subsections (4), (5), (6), (7) and (8);

(iii) by inserting immediately after subsection (2) thereof, the following—

“(3) The Governor-General shall appoint a chairman and a deputy chairman from among the members of the Authority.”;

(iv) by substituting the words “subsection (6)” for the words “subsection (5)” occurring in line one of subsection (5) thereof as renumbered.

(v) by inserting immediately after subsection (8) thereof as re-numbered the following—

“(9) If a member is unable to perform the functions of his office owing to absence from Trinidad and Tobago or to inability for any reason, the Governor-General may appoint some other person to act as a temporary member during the time such absence or inability continues.”;

No. 11 of 1965

(g) The Public Transport Service Corporation Act, 1965

Section 3 is amended—

(i) by repealing and replacing subsections (2) and (3) as follows—

“(2) The Corporation shall consist of no fewer than five nor more than nine members appointed by the Governor-General. Of the members, four shall be appointed from persons who have special qualifications in, and have had experience of, matters relating to engineering, accountancy, law, economics or business management.

(3) The Governor-General shall appoint a Chairman and a Vice-Chairman from amongst the members of the Corporation.”;

*Short titles and numbers**Amendments*

- (ii) by inserting immediately after subsection (3) thereof, the following—

“(4) The Chairman and members of the Corporation shall, subject to the provisions of subsection (5), be for such period, as may be specified in the instrument of appointment.”;

- (iii) by renumbering subsections (4) and (5) thereof respectively as subsections (5) and (6).

- (iv) by inserting immediately after subsection (6) thereof as re-numbered, the following:

“(7) If a member is unable to perform the functions of his office owing to absence from Trinidad and Tobago or to inability for any reason, the Governor-General may appoint some other person to act as a temporary member during the time such absence or inability continues.”;

(h) The Water and Sewerage Authority Act, 1965

Section 3 is amended—

No. 16 of 1965

- (i) by repealing and replacing subsection (2) as follows—

“(2) The Authority shall consist of no fewer than five nor more than nine persons to be designated Commissioners, appointed by the Governor-General. Four Commissioners shall be appointed from amongst persons who have special qualifications in, and have had experience of, matters relating to engineering, accountancy, law, economics or business management.”;

- (ii) by renumbering subsections (3), (4) and (5) thereof respectively as subsections (4), (5) and (6);

- (iii) by inserting immediately after subsection (2) thereof, the following—

“(3) The Governor-General shall appoint a Chairman and a Deputy Chairman from among the Commissioners.”;

Short titles and numbers

Amendments

No. 18 of 1966

(i) The Central Marketing Agency Act, 1966

(iv) by substituting the words "subsection (5)" for the words "subsection (4)" occurring in line two of subsection (4) thereof as renumbered.

(v) by inserting immediately after subsection (6) thereof as re-numbered the following:—

"(7) If a Commissioner is unable to perform the functions of his office owing to absence from Trinidad and Tobago or to inability for any reason, the Governor-General may appoint some other person to act as a temporary Commissioner during the time such absence or inability continues."

Section 4 is amended—

(i) by repealing and replacing subsection (1) thereof as follows—

"(1) The Agency shall consist of no fewer than five nor more than seven members to be appointed by the Governor-General. Of the members, four shall be chosen from amongst persons who have special qualifications in, and have had experience of, matters relating to economics, marketing, the manufacture of agricultural products, the cultivation of large or small agricultural holdings.";

(ii) by substituting the words "(7) and (8)" for the words "(8) and (9)" occurring immediately after the word "subsections" in subsection (3) thereof;

(iii) by repealing subsection (4) thereof;

(iv) by renumbering subsections (5), (6), (7), (8) and (9) thereof as subsections (4), (5), (6), (7) and (8);

(v) by substituting the word "Governor-General" for the word "Minister" occurring in subsection (4) as re-numbered;

(vi) by inserting immediately after subsection (8) thereof as re-numbered the following—

"(9) If a member is unable to perform the functions of his office

*Short titles and numbers**Amendments*

- (j) The Cocoa and Coffee Industry Ordinance, 1961

Section 3 is repealed and replaced as follows—
 "Establishment and constitution of Board

owing to absence from Trinidad and Tobago or to inability for any reason, the Governor-General may appoint some other person to act as a temporary member during the time such absence or inability continues.";

Section 3 is repealed and replaced as No. 20 of 1961

3. (1) There shall be established a Board to be known as the Cocoa and Coffee Industry Board, the members of which shall be appointed by the Governor-General.

(2) The Board shall consist of not fewer than five nor more than seven members, three of whom shall be large and small scale producers or exporters, another of whom shall have experience in matters relating to commerce, and one other member.

(3) The Governor-General shall appoint a Chairman from amongst members of the Board.

(4) A member of the Board shall hold office for such period not exceeding two years as the Governor-General may determine but shall be eligible for re-appointment.

(5) If a member is granted leave of absence in accordance with subsection (8) or is unable to perform the functions of his office owing to absence from Trinidad and Tobago or to inability for any reason, the Governor-General may appoint some other person to act as a temporary member during the time such absence or inability continues.

(6) A member of the Board may resign his office by instrument in writing addressed to the Chairman who shall cause it to be forwarded to the Minister and such resignation shall take effect on the date of the receipt of such instrument by the Minister.

*Short titles and numbers**Amendments*

(7) The Governor-General may at any time revoke the appointment of a member of the Board if he thinks it expedient to do so.

(8) The Minister may, on application of a member of the Board, grant such member leave of absence for any period not exceeding six months.

(9) The appointment, resignation, revocation of appointment or death of any member of the Board shall be notified in the *Gazette*."

Passed in the House of Representatives this 14th day of February, 1969.

G. R. LATOUR
Clerk of the House

Passed in the Senate this 28th day of February, 1969.

J. E. CARTER
Clerk of the Senate