
1st Session First Parliament Trinidad and Tobago
11 Elizabeth II



TRINIDAD AND TOBAGO

Act No. 19 of 1962

[L.S.]

C.D. 3.12.1962
GN. 37/1962
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AN ACT to apply the Interim Commissioner (Modification of the West Indies Shipping Corporation Act) Order, 1962, as part of the law of Trinidad and Tobago.

[Assented to 7th November, 1962]

BE IT ENACTED by The Queen's Most Excellent Majesty, **Enactment** by 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 West Indies Shipping Corporation (Application of Interim Commissioner Order) Act, 1962.

(2) This Act shall come into operation on such day as the Governor-General may appoint by Proclamation published in the *Trinidad and Tobago Gazette*.

Application of Order set out in Schedule to Trinidad and Tobago

2. The Order set out in the Schedule hereto shall have effect as part of the law of Trinidad and Tobago as if Trinidad and Tobago were included in the Territories referred to in paragraph 3 of the Order.

SCHEDULE
THE INTERIM COMMISSIONER (MODIFICATION OF THE WEST INDIES SHIPPING CORPORATION ACT) ORDER, 1962

THE Interim Commissioner for the West Indies in exercise of the powers conferred on him by article 16 of the West Indies (Dissolution and Interim Commissioner) Order in Council, 1962 and of all other powers him thereunto enabling, hereby makes the following Order:—

Short title and commencement

1. (1) This Order may be cited as the Interim Commissioner (Modification of the West Indies Shipping Corporation Act), Order, 1962.

(2) This Order shall come into operation on a date (hereinafter referred to as "the appointed date") to be appointed by the Commissioner by writing under his hand.

Interpretation

2. (1) In this Order, unless the context otherwise requires—

"the Commissioner" means the person holding the office of Commissioner established by article 4 of the Order in Council and includes any person performing the functions of that office under article 5 of the Order in Council;

"the Order in Council" means the West Indies (Dissolution and Interim Commissioner) Order in Council, 1962.

(2) The Interpretation Regulations, 1958, as adapted and modified in the Second Schedule to the Interim Commissioner (Continuation and Adaptation of Laws) Order, 1962, shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto, as they apply for the purpose of interpreting and otherwise in relation to the laws which have effect after the beginning of 1st day of June, 1962 under article 16 of the Order in Council.

Modification of the West Indies Shipping Corporation Act, 1961

3. The provisions of the West Indies Shipping Corporation Act, 1961, as continued in force by the Interim Commissioner (Continuation and Adaptation of Laws) Order, 1962, are hereby modified in the manner set out in the Schedule hereto as respects the Territories specified at the appointed date in the definition of "the Territories" in article 2 (1) of the Order in Council.

4. Anything done under the West Indies Shipping Corporation Act, Saving of acts 1961, shall, in so far as it had effect immediately before the appointed date, in any Territory as respects which the modifications set out in the Schedule hereto apply, continue to have effect therein after the appointed date—

- (a) in the case of anything done under a provision of that Act which continues in force after the appointed date, as if done under that provision as modified by this Order, and
- (b) in the case of anything done under a provision of that Act which ceases to have effect after the appointed date, notwithstanding that that provision has so ceased to have effect.

SCHEDULE

General

For the word "Commissioner" wherever it appears, except in sections 13, 14, 15, 16 (4), 16 (5), 16 (6), 17 (1), 20 and 21 and in paragraph 1 (1) of the Schedule, the word "Council" shall be substituted.

Section 3

The following definitions shall be inserted in their appropriate alphabetical order :—

"the Council" means the Council established by section 3A of this Act ;

"participating Governments" means the governments of the Territories other than the Cayman Islands and the Turks and Caicos Islands ;

"the Regional Council of Ministers" means the Regional Council of Ministers established pursuant to the decisions of the East Caribbean Federation Conference held in London in May, 1962.

New Section

The following section shall be inserted immediately after section 3—

"Establishment of Council 3A. (1) For the purposes of this Act there is hereby established a Council to be known as the Regional Shipping Council.

(2) The Council shall consist of the following five members—

- (a) the Chairman, who shall be a person designated by one of Her Majesty's principal Secretaries of State ;
- (b) a nominee of the government of Jamaica ;
- (c) a nominee of the government of Trinidad and Tobago ;
- (d) a nominee of the government of Barbados ;

(e) a nominee of the governments represented on the Regional Council of Ministers other than the government of Barbados.

(3) (a) A nominee of a government referred to in paragraph (b), (c) or (d) of the last preceding subsection shall be designated in such manner as that government may think fit.

(b) The member of the Council referred to in paragraph (e) of the last preceding subsection shall be designated by the Chairman of the Regional Council of Ministers.

(4) The Chairman may exercise a casting vote if on any question to be decided by the Council the votes are equally divided, but shall not have an original vote.

(5) Subject to the provisions of the last preceding subsection, the Council shall regulate its own procedure.

(6) The Council may delegate to any one or more of its members the exercise of any of the functions vested in the Council by this Act other than the power to give general directions to the Corporation under section 7 of this Act."

**Sections 13, 14
and 15**

The sections shall be deleted.

Section 16

For subsection (4), the following shall be substituted
 "(4) If the Council is satisfied that the expenditure of the Corporation on revenue account for the financial year to which that estimate relates is likely to exceed the revenue of the Corporation for that year, it may determine the amount of any grant required by the Corporation for that year and the Corporation shall devote any amounts received from participating Governments or from any other source by way of contribution to that grant towards defraying the expenditure aforesaid."

In subsection (5), paragraph (b) shall be deleted.

In subsection (6), the definition of "revenue" shall be deleted.

Section 17

In subsection (1)

(a) for the word "Commissioner" where it first occurs, the word "Council" shall be substituted ;

(b) for the word "he" where it occurs, the word "it" shall be substituted ;

(c) for the words " the Commissioner on behalf of the Crown " the words " such person as the Council may direct and shall be held by that person in trust for the participating governments " shall be substituted.

Section 20 In subsection (2) for the words " made by the Commissioner " the words " received by the Corporation " shall be substituted.

Section 21 The section shall be deleted.

Schedule In paragraph 1, for sub-paragraph (1) the following shall be substituted—

" (1) The members of the Corporation shall be appointed from among persons who in the opinion of the Council have experience in trade, industry, finance or business administration."

Paragraph 7 shall be deleted.

Made this 14th day of September, 1962.

S. E. V. LUKE

Interim Commissioner for the West Indies

Passed in the House of Representatives this twenty-first day of September, 1962.

J. E. CARTER

Acting Clerk of the House of Representatives

Passed in the Senate this twenty-fifth day of September, 1962.

A. A. DARLINGTON

Acting Clerk of the Senate