

**CARIBBEAN FISHERIES TRAINING AND
DEVELOPMENT INSTITUTE ACT**

CHAPTER 39:53

**Act
59 of 1975**

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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

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DEVELOPMENT INSTITUTE ACT**

ARRANGEMENT OF SECTIONS

SECTION

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CHAPTER 39:53

CARIBBEAN FISHERIES TRAINING AND DEVELOPMENT INSTITUTE ACT

59 of 1975. **An Act to provide for the establishment, administration and operation of the Caribbean Fisheries Training and Development Institute and for matters connected therewith.**

Commencement. [18TH DECEMBER 1975]

Short title. **1.** This Act may be cited as the Caribbean Fisheries Training and Development Institute Act.

Interpretation. **2.** In this Act—
“counterpart staff” means staff of the Caribbean Fisheries Training and Development Institute not being staff assigned by the Executing Agency;
“Executing Agency” means the Food and Agriculture Organisation of the United Nations;
“participating States” means Barbados, Guyana and Trinidad and Tobago;
“project agreement” means the agreement entered into on 21st June 1974 by Barbados, Guyana, Trinidad and Tobago, and on 24th June 1974 by the United Nations Development Programme and the Food and Agriculture Organisation of the United Nations to establish and operate the Caribbean Fisheries Training and Development Institute.

Establishment and incorporation of Institute. **3.** There is hereby established a body corporate to be known as the Caribbean Fisheries Training and Development Institute hereinafter referred to as “the Institute”.

Purpose of the Institute. **4.** The purpose of the Institute is—
(a) to provide training in all sectors of the fishing industry;

- (b) to assist participating States in implementing plans for fisheries development;
- (c) to provide training for counterpart staff;
- (d) to advise governments in the Caribbean region on the certification of captains of fishing vessels and on other ancillary matters; and
- (e) generally to provide such assistance as would ensure a viable fisheries industry in the Caribbean region.

5. The funds of the Institute shall consist of—

Funds of the Institute.

- (a) contributions made by participating States in accordance with the project agreement that is to say one-half of the contribution to be made by Trinidad and Tobago and one-quarter of the contribution to be paid each by Barbados and Guyana;
- (b) such other moneys as may be voted by Parliament for the purposes of this Act;
- (c) such other moneys as may be lawfully paid to the Institute.

6. (1) The Institute shall be managed by a Board of Directors (hereinafter referred to as “the Board”), consisting of the Permanent Secretary or his alternate, of the Ministry responsible for fisheries in each of the participating States.

Management of the Institute.

(2) Chairmanship of the Board shall be by rotation each year among the participating countries.

7. The powers, duties and functions of the Board shall be—

Powers, etc., of the Board.

- (a) to administer the funds of the Institute;
- (b) to ratify the appointment of staff, not being counterpart staff, assigned to the Institute by the Executing Agency;
- (c) to appoint counterpart staff;

- (d) to submit an annual report of the administration and operation of the Institute to the participating States;
- (e) to do all such other things as may be necessary for or incidental to the proper exercise of its powers.

Board may make rules.

8. The Board may make rules for the proper discharge of the duties and functions of the Institute under this Act and generally for the good government of the Institute and in addition the Board may by such rules regulate its own proceedings and procedure.

Board to be assisted by Technical Committee.

9. (1) The Board shall be assisted by a Technical Committee, (hereinafter referred to as “the Committee”), consisting of the technical officer (fisheries) in each of the participating States, as well as an officer competent to deal with matters of finance and planning.

(2) The members of the Committee shall at their first meeting elect one of their number as Chairman.

Committee may co-opt.

10. The Committee may co-opt persons with specialised knowledge as may be considered necessary.

Committee Chairman, Project Manager, etc., to attend Board meetings.

11. The Chairman of the Committee, the Project Manager and Project Co-Manager shall, when invited to do so by the Board, attend Board meetings.

Seal of the Institute.

12. (1) The Institute shall have a Seal which shall be kept in the custody of the Project Manager or the Chairman of the Board, as the Board may determine, and the Seal shall be affixed to instruments in accordance with rules of the Institute or a resolution of the Board and in the presence of the Chairman of the Board, the Project Manager and such other officer as the Board may determine.

(2) The Seal of the Institute shall be attested by the Chairman of the Board or the Project Manager and such other officer as the Board may determine.

13. (1) The Institute shall at all times have a permanent address in Trinidad and Tobago and such address and every change thereof shall be registered with the Registrar General.

Service of documents.

(2) All documents to be served on the Institute may be served by leaving the same at or by sending the same by registered post to the registered address.

14. The privileges and immunities set out in the project agreement shall apply to personnel of the United Nations Development Programme, the Executing Agency and any other agency of the United Nations associated with the Institute.

Privileges and immunities set out in project agreement to apply to UNDP, etc.

15. The privileges and immunities set out in the Schedule shall apply to contractors of the Executing Agency and their personnel not being counterpart staff or citizens or residents of Trinidad and Tobago, as the President may by Order declare.

Privileges and immunities to apply to contractors of Executing Agency. Schedule.

SCHEDULE

Section 15.

1. Immunity from legal process in respect of all acts performed by them in their official capacity in the execution of the project.

2. Immunity from national service obligations.

3. Immunity from immigration restriction.

4. The privilege of bringing into the country reasonable amounts of foreign currency for the purposes of the project and for the personal use of such personnel, and of withdrawing any such amounts brought into the country, or in accordance with the relevant foreign exchange regulations, such amounts as may be earned therein by such personnel in the execution of the project.

5. The same repatriation facilities in the event of international crises as are accorded diplomatic envoys.

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6. All personnel of the Executing Agency's contractors shall enjoy inviolability for all papers and documents relating to the Institute.

7. The Government shall either exempt from, or bear the cost of, any taxes, duties, fees or levies which it may impose on any foreign firm or organisation which may be retained by the Executing Agency and on the foreign personnel of any such firm or organisation in respect of—

- (a) the salaries or wages earned by such personnel in the execution of the project;
- (b) any equipment, materials and supplies brought into the country for the purposes of the project or which, after having been brought into the country, may be subsequently withdrawn therefrom; and
- (c) as in the case of concessions currently granted to the United Nations experts, any property brought, including one privately owned automobile per employee, by the firm or organisation or its personnel for their personal use or consumption or which, after having been brought into the country, may subsequently be withdrawn therefrom upon the departure of such personnel.

8. The privileges and immunities to which such firm or organisation and its personnel may be entitled, may be waived by the Executing Agency where, in its opinion or in the opinion of the United Nations Development Programme, the immunity would impede the course of justice and can be waived without prejudice to the successful completion of the project or to the interest of the United Nations Development Programme.

9. The Executing Agency shall provide the Government with the list of personnel to whom the privileges and immunities enumerated above shall apply.