

LAWS OF TRINIDAD AND TOBAGO

**CARIBBEAN INDUSTRIAL RESEARCH
INSTITUTE ACT**

CHAPTER 85:52

**Act
19 of 1971
Amended by
33 of 1981**

Current Authorised Pages

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Note
on
Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note
on
Validation

Section 6 of Act 33 of 1981 states as follows:

6. All acts done by the Institute in purported exercise of the powers conferred on it by the Act are deemed to have been lawfully and validly done notwithstanding the fact that the Institute was not properly constituted at the time when those acts were done and no legal proceedings shall be instituted or entertained in respect or in consequence of such acts and things by reason only of that fact.

CHAPTER 85:52

CARIBBEAN INDUSTRIAL RESEARCH
INSTITUTE ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
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SCHEDULE.

CHAPTER 85:52

CARIBBEAN INDUSTRIAL RESEARCH
INSTITUTE ACT

An Act to provide for the Incorporation of the Caribbean Industrial Research Institute. 19 of 1971.

[1ST JANUARY 1970]

Commence-
ment.

WHEREAS there has been established in Trinidad and Tobago an Institute known as the "Caribbean Industrial Research Institute":

And whereas it is expedient that the said Caribbean Industrial Research Institute should be incorporated for the purpose of exercising the powers hereinafter set forth:

1. This Act may be cited as the Caribbean Industrial Research Institute Act. Short title.

2. In this Act—

Interpretation.
[33 of 1981].

"Board" means the Board of Management established under section 10;

"Chairman" means the Chairman of the Board;

"Executing Agency" means the United Nations Industrial Development Organisation acting as participating and executing agency for the United Nations Special Fund;

"the Institute" means the Caribbean Industrial Research Institute incorporated under section 3;

"Plan of Operation" means the plan of operation signed between the Government of Trinidad and Tobago and the United Nations Industrial Development Organisation on 5th August 1970;

"Secretary" means the Secretary of the Board;

"Special Fund" means United Nations Development Programme Special Fund referred to in the Plan of Operation.

3. The Institute known as the Caribbean Industrial Research Institute shall be and is hereby created a body corporate. Incorporation
of the Institute.
[33 of 1981].

Custody and
use of seal.

4. (1) The seal of the Institute shall be kept in the custody either of the Chairman or the Deputy Chairman or of the Secretary, as the Board may determine, and the seal may be affixed to instruments pursuant to Rules made by the Institute or to a resolution of the Board and in the presence of the Chairman or the Deputy Chairman, and of one other member, and the Secretary.

(2) The seal of the Institute shall be attested by the signature of the Chairman or the Deputy Chairman, and the Secretary.

(3) All documents, other than those required by law to be under seal made by, and all decisions of, the Institute may be signified under the hand of the Chairman or the Deputy Chairman or the Secretary or such other officers as the Board may determine.

Service of
documents.

5. The Institute shall at all times have a permanent address in Trinidad and Tobago for the service of documents on the Institute and such address shall be registered with the Registrar General. 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 address so registered.

Objects and
powers of the
Institute.

6. (1) The objects of the Institute shall be—

- (a) to provide technical and industrial services to public and private industrial enterprises;
- (b) to collect and disseminate technical information, including applicable standards, specifications and quality control procedures;
- (c) to undertake chemical analytic work particularly in connection with quality control testing in food industries and other local industries;
- (d) to provide physical (measurements) and materials testing services;
- (e) to provide engineering services, including assistance with establishing production lines, prototype designs, and maintenance and repair problems;
- (f) to undertake economic and technical feasibility studies, including market surveys, with a view to identifying bankable projects;

- (g) to advise the Government on the formulation of specifications, the promulgation and application of industrial processes and practices and the preparation of industrial standards;
- (h) to engage in industrial research programmes related to the needs of Trinidad and Tobago and of the Caribbean region;
- (i) to take such action as may be expedient or necessary for the proper performance of its functions under this Act.

(2) The Institute may enter into contracts with the Government or industrial or commercial enterprises for the undertaking for payment of any objects to which this section refers.

7. The Institute may make Rules for the good government of the Institute and for the proper discharge of its duties, powers and functions under this Act.

Power to make Rules.

8. The Institute shall have power—

Powers of the Institute.

- (a) to acquire by purchase, transfer, donation, exchange, demise, bequest, grant, gift, conveyance or howsoever otherwise, any real or personal property or any estate or interest therein;
- (b) to accept surrenders or reconveyances and to enter into contracts;
- (c) subject to any restraints, reservation or condition contained in the document under which it shall have acquired title thereto, to sell, demise, grant, convey, reconvey, surrender, exchange or otherwise dispose of and deal with all or any property which is now or may from time to time be vested in or has been acquired by it.

9. The funds of the Institute shall consist of—

Funds and resources of the Institute.

- (a) contributions allocated, in accordance with an Agreement made on 6th May, 1963 between the Government of Trinidad and Tobago and the United Nations Development Programme (Special Fund) out of the Special Fund;

- (b) such other moneys as may from time to time be voted by Parliament for the purposes of this Act; and
- (c) such other moneys as may be lawfully paid to the Institute.

Board of Management and its composition. [33 of 1981].

10. (1) There is hereby established a Board of Management which shall consist of the following members appointed by the President (including such other members as the President may from time to time determine):

- (a) a representative of the Government of Trinidad and Tobago nominated by the Minister who shall be Chairman;
- (b) a person appointed by the President;
- (c) a representative of the Industrial Development Corporation;
- (d) four representatives of the University of the West Indies including the Dean, Faculty of Engineering;
- (e) three representatives of industrial and commercial organisations;
- (f) the United Nations Development Programme Regional Representative in Port-of-Spain or his nominee, whose membership shall be conterminous with the period during which the United Nations Development Programme assists the Institute;
- (g) persons nominated by such other governments in the Caribbean region as support the Institute;
- (h) the Director of the Institute who shall however have no voting rights.

(2) The Project Manager and the Co-director of the Institute though not members of the Board may nevertheless attend meetings thereof in the capacity of advisors.

(3) Membership on the Board of Management of the persons described at subsection (1)(g) shall be on such terms and conditions as the President may determine.

11. The Board shall manage the affairs of the Institute and may take such initiatives as are likely to help in achieving the objects of the Institute.

Powers and functions of the Board. [33 of 1981].

12. The accounts of the Institute shall be audited annually by auditors appointed by the Board.

Audit. [33 of 1981].

13. The privileges and immunities set out in the Schedule shall apply to the Executing Agency and such personnel (other than citizens of Trinidad and Tobago) as the President may, by Order, declare.

Privileges and immunities. Schedule. [33 of 1981].

SCHEDULE

Section 13.

PRIVILEGES AND IMMUNITIES

1. The Executing Agency's contractors and their personnel, except citizens and residents (within the meaning of the Immigration Act) of Trinidad and Tobago employed locally shall have the right to the following:

- (a) immunity from legal process in respect of all acts performed by them in their official capacity in the execution of the project;
- (b) immunity from national service obligations;
- (c) immunity from immigration restrictions;
- (d) the privilege of bringing into the country reasonable amounts of foreign currency for the purposes of the project or for 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; and
- (e) the same repatriation facilities in the event of international crises as diplomatic envoys.

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

3. 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 departure of such personnel.

4. The privileges and immunities to which such firm or organisation and its personnel may be entitled, referred to in paragraph 3.08, 3.09, 3.10 of the Plan of Operation agreed to by the Government of Trinidad and Tobago and the United Nations Industrial Development Organisation may be waived by the Executing Agency where, in its opinion or in the opinion of the Special Fund, 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 Special Fund of the Executing Agency.

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

6. Privileges and immunities of Executing Agency and Special Fund personnel are covered by the Agreement referred to in the preamble to the said Plan of Operation.
