

Third Session Third Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 35 of 1989

[L.S.]

AN ACT for the establishment and incorporation of a
Betting Levy Board and for matters incidental thereto.

[Assented to 6th September, 1989]

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

1. This Act may be cited as the Betting Levy Board Act, short title
1989.

Interpretation

2. In this Act—

“Board” means the Betting Levy Board established under section 3;

“member” means a member of the Board appointed in accordance with section 4;

“Minister” means the Minister with responsibility for Industry and Enterprise.

Establishment and incorporation of Board

3. There is hereby established a body to be known as the Betting Levy Board, hereafter referred to as “the Board”, which shall be a body corporate.

Constitution of Board

4. (1) The Board shall consist of eleven members appointed by the President as follows:

(a) four persons appearing to him to be suitably qualified, of whom one shall be the Chairman;

(b) three persons nominated by the Trinidad Race Club;

(c) one person nominated by the Tobago Race Club; and

(d) one person nominated by each of the following:

(i) the Racehorse Owners Association of Trinidad and Tobago;

(ii) the Stud Farm Association of Trinidad and Tobago; and

(iii) licensed betting pool operators.

(2) A member shall hold office for a fixed term of three years as specified in his instrument of appointment and shall be eligible for re-appointment.

(3) The Chairman may resign his office by instrument in writing addressed to the President.

(4) Any member other than the Chairman may resign his office by instrument in writing addressed to the Chairman.

(5) Resignation shall take effect on the date of the receipt of the instrument by the President or the Chairman as the case may be.

(6) The appointment and termination of office of every member shall be notified in the *Gazette*.

(7) A member of the Board shall be paid such remuneration and allowance as the President may determine.

(8) The validity of the proceedings of the Board shall not be affected by any vacancy in its membership or by any defect in the appointment of a member or by the presence or participation of any person not entitled to be present or to participate.

5. (1) The Board shall meet at such times as may be necessary or expedient for the transaction of its business and meetings shall be held at such places and times as the Board may determine. Meetings

(2) The Chairman shall preside at all meetings of the Board and shall call a special meeting within seven days of a written request therefor addressed to him by any three members.

(3) In the absence of the Chairman, the members present shall elect another person appointed under section 4(1)(a) to preside at the meeting.

(4) Where the position of Chairman becomes vacant the procedure at subsection (3) applies until the appropriate appointment is made under section 4(1)(a).

(5) Decisions of the Board shall be by a majority of votes and where the voting is equal the person presiding shall have a casting vote.

(6) Five members of whom at least one shall be a member appointed under section 4(1)(a), shall constitute a quorum.

(7) Subject to this section, the Board may regulate its own procedure.

6. (1) The Board shall have a seal which shall be kept in the custody of the Chairman or of any member of its staff authorised by the Board. Custody and use of seal

(2) The seal of the Board shall be attested by the signatures of the Chairman and such other member as the Board may authorise.

Function

7. The Board shall be responsible for the development and improvement of every aspect of horse and dog racing, including the breeding of race horses and dogs and the provision of benefits for jockeys and stable lads.

Taxes, duties, fees

8. Notwithstanding any written law relating to racing, the taxes, fees, duties and other payments in respect of—

(a) the granting of any permit or licence for betting on horse or dog races; and

(b) betting on any such race,

may be varied by the President by Order from time to time subject to affirmative Resolution of Parliament.

Collection of taxes, duties, fees, etc.

9. The Board shall collect all taxes, duties, fees or other payments referred to in this Act, and any such sums payable to it under the Gambling and Betting Act.

Chap. 11:19**General powers**

10. The Board has power to do all things necessary or convenient to be done for, or in connection with the performance of its function.

Financial year and Annual Report

11. (1) The financial year of the Board shall be the twelve-month period ending 30th June.

(2) The Board shall within three months of the end of each financial year make a report of its activities during that year to the Minister, the first such report being in respect of the period commencing with the incorporation of the Board and ending 30th June, 1990.

Application of funds

12. (1) The Board shall by means of monthly remittances pay one-half of the monies collected under section 9, into the Consolidated Fund.

(2) The remaining half of the monies collected under subsection (1) shall be applied—

(a) to meet its own expenses incurred in the performance of its function;

(b) to meet the administrative expenses of the Racing Authority established under the Racing Authority Act on the basis of a budget prepared by that Authority, in consultation with the Board, and where there is a dispute regarding the said budget, an appeal may be made to the Minister. Chap. 21:50

(3) The monies received by the Board under section 7, shall not be liable to corporation or any other tax, and disbursements made by it, shall not be liable to tax in the hands of the recipient except where these monies are to be used towards the making of profits or gains of a business of a commercial nature.

13. (1) The Board shall keep proper accounts and other records in relation to its functions and shall prepare annually a statement of its accounts. Accounts and audit

(2) The accounts of the Board shall be audited by auditors to be appointed annually by the Board.

(3) As soon as possible and in any case not later than six months after the termination of each financial year the Board shall submit an annual report to the Minister in such a form as the Minister may prescribe.

(4) The report shall include a balance sheet, such other statements as the Minister may from time to time require and the annual report of the auditor appointed in accordance with subsection (2).

(5) The Minister shall lay the report before Parliament—

(a) within fourteen days of receiving it; or

(b) where Parliament is not then in session, within fourteen days of the commencement of the next session.

14. The President may, for the purposes of giving effect to the provisions of this Act, make such regulations as may be necessary or expedient. Regulations

15. This Act comes into force on a date to be proclaimed by the President. Commencement

Passed in the Senate this 13th day of June, 1989.

R. CUMBERBATCH
Acting Clerk of the Senate

Passed in the House of Representatives this 31st day
of July, 1989.

N. COX
Acting Clerk of the House

House of Representatives Amendments were agreed
to in the Senate on the 8th day of August, 1989.

R. CUMBERBATCH
Acting Clerk of the Senate