



TRINIDAD AND TOBAGO

No. 14—1957

[L.S.]

I ASSENT,

E. B. BEETHAM

Governor.

18th October, 1957.

AN ORDINANCE to establish a Tourist Board charged with the duty of developing the tourist industry of Trinidad and Tobago and promoting its efficiency and for purposes incidental to or connected with the matters aforesaid.

[On Proclamation] *G.N. 193/57: No. 26/1957*

Commen-
cement.

ENACTED by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof.

Enactment.

1. (1) This Ordinance may be cited as the Tourist Board Ordinance, 1957.

Short title and
commencement

(2) This Ordinance shall come into operation on a day to be appointed by the Governor by Proclamation published in the *Royal Gazette*.

Interpretation.

2. In this Ordinance—

“the Board” means the Trinidad and Tobago Tourist Board established by this Ordinance;

“chairman” includes any person appointed or elected under this Ordinance to act as chairman;

“hotel” means any building or group of buildings within the same precinct, containing an aggregate number of not less than fifteen bedrooms for the accommodation of guests for reward together with the precinct thereof and all other buildings and structures within such precinct;

“member” includes chairman;

“Minister” means the member of the Executive Council for the time being charged with the administration of matters pertaining to tourism.

Establishment and composition of Board.

3. (1) There shall be established for the purpose of this Ordinance a body to be called the Trinidad and Tobago Tourist Board.

(2) The Board shall consist of eleven members. Four of such members, one of whom shall represent Tobago, shall be appointed by the Governor in Council and the remaining seven by the Governor in Council as follows :—

- (a) one member to represent hoteliers in Trinidad and Tobago;
- (b) one member to represent the several Chambers of Commerce of Trinidad and Tobago;
- (c) one member to represent Shipping and Air Lines and Travel Agencies;
- (d) one member to represent taxicab associations;
- (e) one member to represent local information and public relations organizations;
- (f) one member to represent the Ministry of Industry, Commerce and Tourism;
- (g) one member to represent the Trade Union Movement.

Temporary appointments.

4. The Minister may appoint any person to act temporarily in the place of a member of the Board other than the chairman in the case of the absence or inability to act of such member, and any person so appointed to act shall be representative of the same interests as the member in whose place he is appointed.

5. (1) On the commencement of this Ordinance and thereafter during the month of January in every year the Governor in Council shall appoint one of the members of the Board to be chairman of the Board. Chairman.

(2) The chairman of the Board shall hold office as such until the appointment of his successor: Provided that he shall cease to be chairman if he ceases to be a member of the Board.

(3) A retiring chairman shall be eligible for re-appointment.

(4) In the case of the absence or inability to act of the chairman, the Governor in Council may appoint any other member of the Board to act as chairman temporarily in the place of the chairman; and in the absence of such an appointment the members present at a meeting of the Board shall elect one of their number to act as chairman for such meeting.

(5) If a vacancy occurs in the office of chairman before the time appointed in subsection (1) of this section for the next appointment of a chairman, the Governor in Council shall, as soon as may be practicable, appoint from among the members of the Board a chairman who shall, subject to the provisions of this Ordinance, hold office as such until the appointment of a chairman at the time appointed in subsection (1) of this section.

6. A member of the Board shall, subject to the provisions of this Ordinance, hold office for such period not exceeding three years as may be fixed by the Governor in Council, but such member shall be eligible for re-appointment. Tenure of office of member.

7. (1) Any member of the Board, other than the chairman, may at any time resign his office by instrument in writing addressed to the Minister and transmitted through the chairman, and such resignation shall take effect from the date of the receipt of such instrument by the Minister. Resignation of members of the Board.

(2) The chairman may at any time resign as a member of the Board by instrument in writing addressed to the Minister and such resignation shall take effect as from the date of the receipt of such instrument by the Minister.

8. The Governor in Council may at any time revoke the appointment of any member of the Board. Revocation of appointment.

9. The names of all members of the Board as first constituted and every change in the membership thereof shall be published in the *Royal Gazette*. Publication of membership of Board.

Incorporation

10. (1) The Board shall be a body corporate under the name of the Trinidad and Tobago Tourist Board having perpetual succession and a common seal with power to purchase, lease or otherwise acquire and hold and dispose of land and other property of whatever kind.

(2) The seal of the Board shall be authenticated by the signature of the chairman or one member of the Board authorised by the Board to act in that behalf and the secretary of the Board, and such seal shall be officially and judicially noticed.

(3) All documents other than those required by law to be under seal, made by, and all decisions of, the Board may be signified under the hand of the chairman, or of any member authorised by the Board to act in that behalf, or of the Secretary or of the general manager of the Board.

(4) The Board may sue or be sued in their corporate name and may for all purposes be described by such name.

Procedure and meetings.

11. (1) The Board shall meet at such times as may be necessary or expedient for the transaction of business, and such meetings shall be held at such places and times and on such days as the Board may determine.

(2) The chairman may at any time call a special meeting of the Board and shall, on the receipt by him of a written request for the purpose addressed to him by any three members of the Board, call a special meeting of the Board to be held not later than seven days after the receipt by him of such request.

(3) The chairman shall preside at the meetings of the Board, and shall have an original and a casting vote.

(4) The quorum of the Board shall be six including the chairman.

(5) Subject to the provisions of this section the Board shall have the power to regulate their own proceedings.

(6) The validity of any proceeding of the Board shall not be affected by any vacancy amongst the members thereof or by any defect in the appointment of a member thereof.

Duties and functions of Board.

12. The duties and functions of the Board shall be, within the limits of their resources—

- (a) to develop all aspects of the tourist industry of Trinidad and Tobago and to promote its efficiency;
- (b) to adopt all such measures as they may deem fit to advertise and publicise Trinidad and Tobago as a tourist resort throughout the year;

- (c) to promote and secure such increased shipping and airline facilities as will tend to increase tourist traffic to Trinidad and Tobago;
- (d) to secure the most favourable arrangements for the entry of tourists into Trinidad and Tobago;
- (e) to encourage by such measures as they may deem fit the development of such amenities in Trinidad and Tobago as may be calculated to enhance the attractiveness of Trinidad and Tobago to tourists with special reference to entertainment, conservation of local flora and fauna, deep sea fishing and handicrafts;
- (f) to undertake such research, experiments and operations as may appear to them to be necessary for the improvement of the tourist industry and to control or eliminate any undesirable factors that may affect it;
- (g) to make all such enquiries and to collect all such information as they may think necessary for the purpose of carrying out their duties and functions under this section;
- (h) generally to take all such other lawful measures as they may consider likely to assist them in carrying out most effectually the purposes of this Ordinance.

13. (1) Subject to the provisions of this Ordinance, the Board shall have power, for the purpose of the execution of their duties and the discharge of their functions under section 12 of this Ordinance—

General powers of Board.

- (a) to carry on all activities the carrying on whereof appears to them to be requisite, advantageous or convenient for or in connection with the carrying out of their said duties and functions;
- (b) to do anything and to enter into any transaction (whether or not involving expenditure, borrowing, granting of loans or investment of money or the acquisition of any property or rights) which in their opinion is calculated to facilitate the proper carrying out of their duties and functions or is incidental or conducive thereto.

14. (1) Subject to the provisions of subsection (2) of this section the Board may borrow sums required by them for meeting any of their obligations or discharging any of their duties or functions.

Borrowing powers.

(2) The Board shall not borrow any sums whereby the aggregate amount outstanding on loan to the Board at any one time exceeds two hundred and forty thousand dollars without the approval of the Governor in Council as to the amount, the sources of the borrowing, and the terms on which the borrowing may be effected, and an approval given in any respect for the purposes of this subsection may be either unconditional or subject to conditions.

Remuneration
of members.

15. The Board shall pay to each member of the Board, in respect of his office as such, such remuneration and allowances, if any, as the Governor in Council may determine and to the chairman, in respect of his office as such, such remuneration and allowances if any, (in addition to any remuneration or allowances to which he may be entitled in respect of his office as a member) as may be so determined.

Appointment of
officers, agents
and servants.

16. (1) The Board may appoint and employ at such remuneration and on such terms and conditions as they think fit a general manager, a secretary, and such officers, agents and servants as they consider necessary for the proper carrying out of the provisions of this Ordinance.

(2) Except in cases in which the Governor otherwise directs, the persons who, immediately before the commencement of this Ordinance, held offices established for the purposes of the former Tourist Board shall be deemed, on the commencement of this Ordinance, to be transferred to the service of the Board and to hold offices under the Board, on the like terms and conditions of employment, as if they had been originally appointed to the service of the Board.

(3) For the purposes of this section "the former Tourist Board" means the Tourist Board in being immediately prior to the commencement of this Ordinance.

Delegation
of powers

17. The Board may, by a two-thirds majority vote of the members thereof, delegate to the chairman or to the general manager appointed by the Board the routine administration of any of the business of the Board.

Regulations.

18. (1) The Board may, with the approval of the Governor in Council, make regulations generally for the better carrying out of the purposes of this Ordinance and in particular but without prejudice to the generality of the foregoing may make regulations providing for—

(a) the measures and methods to be adopted for the improvement of the tourist industry in Trinidad and

- Tobago and for controlling or eliminating undesirable factors that may affect it;
- (b) the registration and grading of hotels catering for tourists;
 - (c) the keeping of records of the number of tourists in Trinidad and Tobago during any period and of the countries to which they belong; and
 - (d) the imposition of fees or charges in such cases as may be determined by the Board for services rendered by the Board, their servants or agents, in carrying out the provisions of this Ordinance.
- (2) Regulations made under this section may—
- (a) empower any person, whether such person be a member or officer or servant of the Board or not, to issue such directions to owners or managers of hotels and other persons engaged in the tourist industry as may be necessary for securing compliance with or carrying out the purposes of this Ordinance or of any regulations made thereunder; and
 - (b) prescribe in respect of any contravention thereof or failure to comply therewith or with any directions issued thereunder a penalty not exceeding two hundred and forty dollars on summary conviction.
- (3) Regulations made under this section shall have no force or effect until they have been approved by the Legislative Council.

19. No member of the Board shall be personally liable for any act or default of the Board done or omitted to be done in good faith in the course of the operations of the Board. Liability of members of Board.

20. The Minister may give to the Board directions of a general character as to the policy to be followed under this Ordinance in relation to matters appearing to him to concern the public interest and the Board shall give effect to any such directions. Powers of Minister.

21. The funds and resources of the Board shall consist of— Funds and resources of Board.

- (a) such sums as may be provided annually for the purpose in the Estimates of Revenue and Expenditure of Trinidad and Tobago;
- (b) all sums received by the Board as payment for advertisements;
- (c) all sums collected under the authority of regulations made under this Ordinance;

(d) all other sums or property which may in any manner become payable to or vested in the Board in respect of any matter incidental to their powers and duties.

Accounts and
audit.

22. The Board shall keep proper accounts in a form which shall conform with the best commercial standards, of their receipts, payments, credits and liabilities and shall submit the same from time to time with vouchers to a duly qualified auditor to be audited.

Annual report
and estimates.

23. (1) The Board shall in each year prepare and present on or before the 1st day of July to the Governor in Council a report of their proceedings during the twelve months ending on the 31st day of December of the preceding year.

(2) A copy of such report shall be laid on the table of the Legislative Council and shall be published in the *Royal Gazette*.

(3) The Board shall, as soon as may be practicable after the 1st day of June in each year, submit through the Minister to the Governor in Council, for approval, their estimates of revenue and expenditure in respect of their next succeeding financial year, and a copy of such estimates, as approved, shall be published in the *Royal Gazette* and in a daily newspaper circulating in Trinidad and Tobago.

(4) In this section "financial year" means the year commencing on the 1st day of January and ending on the 31st day of December.

Passed in Council this eleventh day of September in the year of Our Lord one thousand nine hundred and fifty-seven.

G. E. L. LAFOREST
Clerk of the Council