



TRINIDAD AND TOBAGO

No. 27—1960

[L.S.]

I ASSENT,

SOLOMON HOCHOY

Governor.

22nd August, 1960.

AN ORDINANCE to amend the County Councils
Ordinance, Ch. 39. No. 15.

[On Proclamation]

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

Commence-
ment.

Enactment.

1. (1) This Ordinance may be cited as the County Councils (Amendment) Ordinance, 1960, and shall be read as one with the County Councils Ordinance, in this Ordinance referred to as the Principal Ordinance.

Short title
and commence-
ment.Ch. 39. No. 15.
Laws 1951-1953
Vol. I. p. 199.

(2) This Ordinance shall come into operation on such day as the Governor may appoint by proclamation published in the *Royal Gazette*.

Section 2 of
Principal
Ordinance
amended.

2. Subsection (1) of section 2 of the Principal Ordinance is hereby amended—

- (a) by deleting the definition “clerk of a County Council” or “County Clerk” occurring therein; and
- (b) by inserting in its appropriate alphabetical order the following new definition:

““Chief Executive Officer” means the person for the time being discharging the duties of Chief Executive Officer with respect to County Councils;”.

Section 82 of
Principal
Ordinance
amended.

3. Section 82 of the Principal Ordinance is hereby amended by substituting for subsection (5) thereof the following:—

- “(5) At the election of the Chairman of the County Council, the members present shall select one of their number, not being a candidate for the office of Chairman, to preside at the election, but such member shall not have a casting vote and shall vacate the chair in favour of the Chairman immediately after the Chairman is elected. If an equal number of votes is cast for two or more persons and such number is the highest number of votes cast for any one person the meeting shall determine by lot which of such persons shall be elected as Chairman.”

Section 85 of
Principal
Ordinance
amended.

4. Section 85 of the Principal Ordinance is hereby amended by substituting for subsection (1) thereof the following:—

- “(1) A person elected as a member of a County Council shall not, until he has made and subscribed a statutory declaration in the form set forth in the Fourth Schedule hereto, act as such. Every such declaration shall be delivered to the appropriate Chief Executive Officer and shall form part of the records of the County Council.”

Section 87 of
Principal
Ordinance
amended.

5. Section 87 of the Principal Ordinance is hereby amended by substituting for subsection (2) thereof the following:—

- “(2) Such vacancy shall be formally declared by the County Council on the report of a committee of such Council specially appointed under the provisions of section 94 of this Ordinance by motion made by any Councillor to consider and verify the grounds relied on as causing the vacancy. Any

such declaration of vacancy shall be signified forthwith by a notice under the hand of the Chief Executive Officer and shall be posted up in a conspicuous position on or near the main outer door of the usual place of meeting of a County Council."

6. Section 98 of the Principal Ordinance is hereby repealed and replaced by the following:—

Section 98 of
Principal
Ordinance
repealed and
replaced.

"Duties of
Chief
Executive
Officer.

98. (1) There shall be assigned to each County Council a Chief Executive Officer who shall be responsible for the efficient administration of all functions pertaining to the County Council.

(2) The Chief Executive Officer shall be the principal financial officer of the Council and shall have the charge and custody of and be responsible for the proper keeping of accounts, deeds, records and other documents of the County Council.

(3) The Chief Executive Officer shall—

- (a) attend all meetings of the County Council and of the Finance and General Purposes, Roads and Health Committees thereof and draw up the minutes of such meetings; and he shall also, wherever by general or special direction of the Chairman required so to do, attend meetings of any other Committee and draw up the minutes and reports thereof;
- (b) issue notices and prepare the agenda papers of all meetings of the Council and of the Committees thereof;
- (c) see that the business of the Council is carried out in accordance with the bye-laws, regulations and resolutions of the Council and shall conduct such negotiations on behalf of the Council as the Council may require;
- (d) carry out all lawful resolutions or orders of the County Council, provided that if the Chief Executive Officer has reasonable doubt as to the legality of any order he shall forthwith refer the matter for Government's decision;

- (e) subject to the provisions of this Ordinance, order and obtain such supplies of goods, materials and services as are necessary for the carrying out of County Council functions:

Provided that the Governor in Council may make regulations as to the procedure to be followed by the Chief Executive Officer in carrying out the duties referred to in this paragraph;

- (f) for the purposes of the functions mentioned in this subsection, be assisted by such subordinate officers as may from time to time be assigned for the purpose;
- (g) within the establishment approved in accordance with the provisions of paragraph (f) of this subsection be responsible for the control and supervision of all staff employed for County Council purposes and shall direct the work of all employees in the service of the County Council, and may make any necessary changes in relation to the daily-paid employees of the County Council by way of promotion or otherwise as he may deem necessary:

Provided always that this duty shall not extend to any of the technical officers whose services are made available to the County Council by the Governor or by any Department of Government from time to time;

- (h) do such other acts as may be necessary to maintain the efficiency of the administration of the County."

Section 99 of
Principal
Ordinance
repealed.

Minor and
consequential
amendments.

7. Section 99 of the Principal Ordinance is hereby repealed.

8. The amendments specified in the second column of the Schedule to this Ordinance which relate to consequential matters shall respectively be made in the sections of the Principal Ordinance specified in the first column of the said Schedule.

SCHEDULE

<i>Section</i>	<i>Amendment</i>
86(1)	The words "Chief Executive Officer" shall be substituted for the words "Warden or Assistant Warden of the County" or the word "Warden" wherever the latter words occur.
89(e)	The words "Chief Executive Officer" shall be substituted for the words "Clerk of the Council" wherever the latter words occur.
110(3)	The words "Chief Executive Officer" shall be substituted for the words "Clerk of the Council".
124(2)	The words "Chief Executive Officer" shall be substituted for the words "Clerk of the Council".

Passed in Council this twenty-ninth day of July, in the year of Our Lord one thousand nine hundred and sixty.

G. R. LATOUR
Clerk of the Council.

for nurses, one either a person trained in the teaching of public health nursing or a nurse engaged in the administration of the public health nursing services, one a nurse-midwife or a person trained in teaching midwifery, and one a person having experience in matters pertaining to general education ;

- (c) two persons appointed by the Medical Board ;
- (d) eleven persons, of whom not more than two may be medical practitioners, elected by the persons who are registered as nurses under this Ordinance at the date of the election ; and
- (e) one person elected from among their own number by the persons who are registered as midwives under this Ordinance at the date of the election.

(2) It shall be the duty of the Council from time to time to give due notice to the persons or bodies concerned and to take all such other steps as may lie in their power with regard to the making of appointments and the holding of elections.

5. (1) Members of the Council other than the *ex officio* members shall hold office for three years but shall be eligible for re-appointment or re-election. Tenure of office.

(2) If the place of a member of the Council becomes vacant before the expiration of his term of office, whether by death, resignation or otherwise, the vacancy for the unexpired portion of his term shall be filled in accordance with the provisions of subsection (1) of section 4 of this Ordinance:

Provided that where the vacant place is that of a person elected under paragraph (d) or paragraph (e) of that subsection, the Council shall appoint to fill the vacancy the person who polled the highest number of votes among the unsuccessful candidates at the election held for the purpose of the said paragraph (d) or paragraph (e), as the case may be, who are available and willing and able to serve ; and if there be no such person, the Council shall appoint such person as the Council shall think fit from among the persons eligible for election under the said paragraph (d) or paragraph (e), as the case may be ; and no proceedings of the Council shall be challenged on the ground that an appointment purporting to be made under this subsection is invalid.

(3) If it appears to the Council that any member is, by reason of illness, absence from Trinidad and Tobago, or for any other cause, unlikely to be able for some time to perform his duties as a member of the Council, the Council may declare the seat of such person to be temporarily vacant, and such