



TRINIDAD AND TOBAGO.

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No. 13—1944.

*Amended by No. 17—1948.*

[L.S.]

I ASSENT,

A. B. WRIGHT,

*Acting Governor.*

28th April, 1944.

AN ORDINANCE to provide for the management and control of a Club for seamen and for the appointment and incorporation of a Board for the management thereof, and for purposes incidental to the matters aforesaid.

[1st May, 1944.]

Commencement.

**E**NACTED by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the British and short title.  
Allied Merchant Navy Club Ordinance, 1944.

Interpretation.

2. In this Ordinance, unless the context otherwise requires—

“Board” means the Board of Management established by this Ordinance;

“seaman” means any person employed or engaged in any capacity on board any ship but does not include any longshoreman or other worker on the waterfront;

“ship” means any description of vessel used in navigation but does not include vessels habitually employed in the coasting trade of the Colony or any vessel forming part of any naval forces.

The British and Allied Merchant Navy Club.  
Schedule.

3. (1) The organisation known as the British and Allied Merchant Navy Club established and functioning at St. Ann's, Port-of-Spain, in the premises described in the Schedule hereto comprising Officers' Quarters and Seamen's Quarters shall, as from the date of coming into force of this Ordinance, be controlled, managed and maintained in the manner hereinafter provided by the Board and shall continue to be designated as the British and Allied Merchant Navy Club (hereinafter referred to as “the Club”).

(2) The Schedule hereto may be amended or varied by an order of the Governor in Council made at the request of the Board, and such amendment or variation when notified in the *Royal Gazette* shall have effect as if enacted by an amendment of this Ordinance.

Objects of the Club.

4. (1) The Club shall continue to be maintained for the following objects:

(a) to provide the usual amenities of a social club for the comfort, recreation and welfare of seamen who are members of the Club during their stay in the Colony;

(b) to provide during the present emergency for the housing of seamen of the British and Allied merchant navies whose vessels have been lost or damaged;

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Ord 17/1948*

*Repealed and replaced  
by Sec 4 of  
Ord 17/48*

(c) to provide, when convenient, for the housing of seamen who are temporarily without a ship: Provided that the seamen referred to in the last preceding paragraph shall be given priority.

(2) The property of the Club whencesoever derived shall be applied solely towards the promotion of the objects of the Club and any profit or other income shall be similarly employed: Provided that nothing herein shall prevent the payment in good faith of remuneration of any employees or servants or persons, employed by the Board for the purposes of the Club, in return for any services rendered to the Club.

5. (1) Except as otherwise provided by the subsection next following, no person shall be a member of the Club unless he is a seaman possessing the qualifications required by the rules made by the Board under the provisions of the next following section of this Ordinance. Membership.

(2) The members of the Board shall be deemed to be members of the Club, and honorary membership may be conferred by the Board on persons who have been benefactors of the Club or who take or have taken a share in promoting its objects: Provided that such honorary membership shall cease and determine at the Board's pleasure.

(3) The Board shall cause separate registers of members and of honorary members to be kept and the signature of every member of the Club shall be recorded in such registers which shall remain at all times on the Club premises.

6. (1) The Board shall have power from time to time to make rules for the good government of the Club and such rules may, in particular, provide for the qualifications necessary in order to be admitted to membership of the Club, the conditions which must be observed by members while on the Club premises, the charges to be made for meals and refreshments, and the right of members to invite guests. Board may make rules.

(2) There shall be no membership fee.

(3) A copy of the rules made by the Board under the powers conferred by this section, with the alterations made from time to time, shall be kept conspicuously posted up in every Club premises and shall be authenticated by the signature of the secretary-treasurer.

(4) Nothing in this, or in the next preceding section shall be deemed to restrict the power of the Board or of any person acting under the directions of the Board to refuse to accept any person as a member of the Club or to admit any person on the Club premises if such person, whether already admitted as a member or not, is considered by the Board to be an undesirable member or guest or if such person has been guilty of a breach of the rules made by the Board.

Board of  
Management.

7. (1) For the purposes of this Ordinance there shall be established a Board to be called the Board of Management of the British and Allied Merchant Navy Club which shall consist of a chairman, a vice-chairman, a secretary-treasurer and nine other members.

(2) The Board shall be a body corporate and shall have perpetual succession and a common seal which shall be officially and judicially noticed and the seal shall be authenticated by the signature of any two members of the Board.

(3) The Board may sue and be sued in its corporate name and may for all purposes be described by that name.

Power of  
Board to  
acquire and  
dispose of  
property.

8. (1) The Board may purchase or otherwise acquire and hold any personal property required for the purposes of the Club and may dispose of any such personal property which is no longer required for such purposes.

(2) The Board may purchase or otherwise acquire and hold and may take on lease any real property and any interest therein required for the purposes of the Club.

(3) It shall be lawful for the Board, with the consent in writing of the Governor but not otherwise, to sell and alienate any real property or interest therein vested in them or to demise any such property or interest.

9. (1) The chairman, vice-chairman, secretary-treasurer and other members of the Board shall be appointed by the Governor and shall hold office during the Governor's pleasure for a period not exceeding two years: Provided that at the expiration of his term of office any member of the Board may be re-appointed by the Governor.

Constitution  
of the Board.

(2) The Governor may allow a member of the Board to be absent on leave.

(3) The Governor may appoint any person to act in the place of any member of the Board in case of such member's temporary absence or inability to act.

(4) The Board shall not be disqualified from holding any meeting or transacting any business by reason only of any vacancy or vacancies in the membership of the Board unless the number of members present in the Colony and capable of acting be reduced below six.

(5) A member of the Board may vacate his office by sending in his resignation in writing to the Colonial Secretary and any member who departs from the Colony and is absent therefrom, without the leave of the Governor, for a longer period than two months shall be deemed to have vacated his office.

(6) No member of the Board shall receive any remuneration in respect of his services as such.

(7) The appointment, removal or resignation of any member of the Board shall be notified in the *Royal Gazette*.

10. (1) The Board shall meet at least once in every month. The chairman or any three members of the Board may convene a special meeting of the Board. Minutes of each meeting shall be kept by the secretary-treasurer and shall be confirmed by the chairman at the next succeeding meeting.

Meetings of  
the Board.

(2) Four members shall constitute the quorum necessary to constitute a meeting of the Board.

(3) The chairman, or if he be absent, the vice-chairman, shall preside at meetings of the Board and, in the absence at any meeting of the chairman and vice-chairman, the members present may elect one of their number to preside at that meeting.

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(4) The member presiding at any meeting of the Board shall have a casting vote as well as a deliberative vote.

(5) Save as provided by this Ordinance, the Board shall have power to regulate its procedure.

Books re-  
quired to be  
kept.  
Accounts and  
audit.

**11.** (1) The Board shall cause proper books of account and other books in relation thereto to be kept, and shall prepare an annual statement of accounts as at the 30th day of April in each year. Such statement shall be audited by an auditor appointed by the Board subject to the Governor's approval.

(2) As soon as the accounts have been audited, the secretary-treasurer of the Board shall send a copy thereof together with a copy of any report of the auditor thereon to the Colonial Secretary and to the Financial Secretary.

Indemnity to  
members of  
the Board.

**12.** No personal liability shall attach to any member of the Board in respect of anything done or suffered in good faith under the provisions of this Ordinance, and any sums of money damages or costs which may be recovered against them or any of them for anything done or suffered as aforesaid shall be paid out of the funds of the Board.

Vesting of  
property.

**13.** (1) As from the date of coming into force of this Ordinance, all the personal property, funds and other assets of the organisation functioning under the style of British and Allied Merchant Navy Club prior to the said date shall vest in the Board and the Board shall be liable for any debts or obligations incurred by the said organisation prior to the coming into force of this Ordinance.

(2) All property, funds and other assets vested in the Board by this Ordinance, or which may hereafter be acquired by the Board, shall be held by the Board for the use and benefit of the Club.

Powers and  
duties of the  
Board.

**14.** The Board shall have the duty and power of—  
(a) equipping and maintaining the Club premises for use as a Club;

- (b) employing and paying such employees, servants and other persons as may be necessary for the proper and convenient working of the Club;
- (c) doing any such other thing as may be deemed by the Board to be necessary or expedient to ensure the carrying out of the objects of the Club.

15. (1) Notwithstanding anything to the contrary in any law at present or from time to time hereafter in force, the Board may provide beer for sale and consumption on the Club premises ~~described in the Schedule hereto~~ to members of the Club and may fix and collect the price of such beer: Provided that no beer shall be sold to any person who is not a member of the Club and that no beer shall be sold or consumed except during the hours prescribed by the law in force from time to time for the sale or consumption of intoxicating liquor in clubs registered under the Registration of Clubs Ordinance.

Power to provide refreshments.

Schedule. *in which the Club is from time to time authorized to function*  
(See 5 of Ord. 17/44)

Ch. 32, No. 12.

(2) Any person guilty of any contravention of any of the provisions of the preceding subsection of this section shall be liable on summary conviction to a fine of two hundred and forty dollars or to imprisonment for six months or to both such fine and such imprisonment.

(3) At all times there shall be kept on the Club premises all accounts for beer supplied to the Club during the preceding six months.

16. Any commissioned officer of police may, at any time during such hours as the Club premises are open to members, enter upon such premises and call for and inspect all books and documents required to be kept on the premises and take copies of any entry in any such book or document.

Police officers may enter upon Club premises.

17. Any member or any servant or other employee of the Club who obstructs or prevents a commissioned officer of police from having free access to the Club premises during such hours as the said premises are open to members, or from obtaining information such as he is empowered to obtain for the purposes of this Ordinance, shall be liable on summary conviction to a fine of ninety-six dollars.

Penalty for obstructing police.

Winding up  
of Club.

18. (1) The Club shall cease to exist if—

(a) a unanimous decision of all the members of the Board so decide, or

(b) the Governor in Council so orders.

(2) Any decision or order made under the provisions of the preceding subsection shall be notified in the *Royal Gazette*.

(3) In either of the cases specified in subsection (1) of this section, the Governor in Council shall direct the steps to be taken for the winding up of the Club and may, *inter alia*, appoint one or more liquidators and fix his or their remuneration, specify the powers to be exercised by the liquidator or liquidators, direct the handing over by the Board to the liquidator or liquidators of all the property, funds and things in action vested in the Board together with all books of accounts and other documents held by the Board, and make such other order as may be necessary for the purpose.

(4) Any balance left over after all liabilities have been discharged shall be paid over to such institutions or societies providing for the welfare of merchant seamen as the Governor may direct.

Registration  
of Clubs Ordinance,  
Ch. 32.  
No. 12, not to  
apply.

19. The provisions of the Registration of Clubs Ordinance shall not apply to the Club.

Saving of  
Crown and  
other rights.

20. Nothing in this Ordinance shall affect or be deemed to affect the rights of His Majesty, His Heirs or Successors, or of any bodies politic or corporate or of any other persons except such as are mentioned or are referred to in this Ordinance and those claiming by, through, from or under them.

Section 3.

#### SCHEDULE

1. That piece of land situate at St. Ann's in the County of St. George bounded by a line commencing at the point of intersection of the Eastern boundary of St. Ann's Road and the Southern boundary of Cascade Road and proceeding thence along the Southern boundary of the Cascade Road to the Cascade River; thence down stream in a South-Westerly direction along the Cascade River to its confluence with the St. Ann's River; thence

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up stream in a North-Westerly direction along the left bank of St. Ann's River to the South side of a bridge over which passes a Road into Coblentz House; thence South-Westerly along the South side of the said Road to the Eastern boundary of St. Ann's Road; thence Northerly along the Eastern boundary of St. Ann's Road to the point of commencement, together with the buildings standing thereon, the whole known as "Coblentz" and forming part of the Estate of the late Lady Huggins.

2. That piece of land situate at St. Ann's in the County of St. George containing 2 acres 3 roods 0 perches shown coloured pink on a plan signed by the Deputy Director of Surveys, dated 29th December, 1942, filed in his office and bounded as follows:—

North By lands of Hugh Mendes.  
 South By the La Fantaisie Road.  
 East By the St. Ann's Road.  
 West By Crown Lands,

together with the buildings standing thereon, the whole being the property of the Government of the Colony of Trinidad and Tobago.

Passed in Council this thirteenth day of April, in the year of Our Lord one thousand nine hundred and forty-four.

W. J. BOOS,  
*Clerk of the Council.*

*Replaced by  
 Schedule to  
 Ord No 17/1948*