
Fourth Session Third Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 13 of 1990

[L.S.]

AN ACT to amend the Institute of Marine Affairs Act,
Chap. 37:01

[Assented to 4th July, 1990]

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

1. This Act may be cited as the Short title Institute of Marine
Affairs (Amendment) Act, 1990.

Section 2
amended

2. Section 2 of the Institute of Marine Affairs Act (hereinafter referred to as "the Act") is amended—

(a) by repealing the definitions of the following terms:—

- (i) "Agreement";
- (ii) "Council";
- (iii) "Executing Agency";
- (iv) "Plan of Operation";

(b) by repealing and replacing the definition of "Board" as follows:

" "Board" means the Board of Governors established under section 10;" and

(c) by inserting in the appropriate sequence the following:

" "Minister" means the Minister to whom the responsibility for the environment is assigned;".

Section 3
amended

3. Section 3 of the Act is amended by repealing and replacing subsection (2) as follows:

" (2) The Institute shall be comprised of a Board of Governors established under section 10."

Act amended

4. Section 4 of the Act is repealed and replaced as follows:

"Objects
of the
Institute

4. (1) The objects of the Institute are—

- (a) to develop and implement programmes and projects that translate the marine and related policies of the Government into activities that contribute to national development;
- (b) to develop and execute programmes and projects that foster and encourage regional and international collaboration in the exploitation of the marine and other related areas of the environment;

- (c) to promote a public understanding of and appreciation for all aspects of the marine and related environment;
- (d) to stimulate and advance the conduct of marine scientific research in Trinidad and Tobago;
- (e) to promote the utilisation and conservation of the marine resources for the economic and social benefit of Trinidad and Tobago and to enhance the national capabilities;
- (f) to do all such things as are incidental or conducive to the attainment of the above objects.

(2) The Institute may enter into contracts with the Government or industrial or commercial enterprises in furtherance of the objects outlined above.”.

5. Section 5 of the Act is repealed and replaced as Act amended follows:

“Functions
of the
Institute

5. The functions of the Institute are—

- (a) to conduct research and development on the marine and related resources of Trinidad and Tobago, the Caribbean and adjacent regions;
- (b) to conduct research and development on the marine environment and other areas that impact upon the environment of Trinidad and Tobago, the Caribbean and adjacent regions;

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- (c) to study the multiple uses of the sea and coastal zones, their resources and use potential in Trinidad and Tobago, the Caribbean and adjacent regions and to evaluate and promote such studies with a view to minimising possible conflicts which may result from such uses;
 - (d) to establish at the Institute an information centre for collection and dissemination of information relating to economic, social, technological, scientific, environmental and legal developments in the marine areas and coastal zones of the Caribbean and adjacent regions;
 - (e) to provide information and advice to the Government in its formulation of policies relating to the marine and other related aspects of the environment;
 - (f) to respond to technical enquires and questions made by policy-making organs of the Government, private sector organisations and individuals;
 - (g) to organise training courses and projects that foster and encourage regional and international collaboration in exploitation of the marine and other related aspects of the environment;
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- (h) to advise on the development and optimum utilisation of the marine and coastal resource potential of Trinidad and Tobago;
- (i) to take such action as may be necessary or expedient for the proper performance of its functions.”.

6. Section 8 of the Act is amended in section 8 by substituting for the word “Council” the word “Board”.

Section 8
amended

7. Section 9 of the Act is amended in section 9 by substituting for the word “Council” the word “Board”.

Section 9
amended

8. Section 10 of the Act is repealed and replaced as follows:

Act amended

“Establish-
ment and
composition
of Board of
Governors

10. (1) There is established a Board of Governors which shall consist of—

- (a) a Chairman appointed by the President on the advice of the Minister;
- (b) not more than six members appointed by the President on the advice of the Minister, who are suitably qualified in or have technical competence and experience in one or more of the following disciplines—
 - (i) marine fisheries and aquaculture;
 - (ii) physical and engineering sciences;
 - (iii) marine legal affairs;
 - (iv) marine technology;
 - (v) environmental science;
 - (vi) business management;

- (c) three members appointed by the President on the advice of the Minister, representing—
 - (i) the Ministry;
 - (ii) the Ministry responsible for planning; and
 - (iii) the Tobago House of Assembly;
- (d) the Director who shall be a member of the Board *ex officio* and who shall not have a vote;
- (e) the Deputy Chairman who shall be elected by the Board from amongst the members appointed under paragraph (b).

(2) Five members shall constitute a quorum.”.

Act amended

9. Sections 11 and 12 of the Act are repealed.

Section 13 amended

10. Section 13 of the Act is amended—

- (a) by deleting in subsection (1) the words “the Council and of” occurring in lines one and two, and the words “Council or the” occurring in line four;
- (b) by deleting the words “Council and of the” in subsection (2);
- (c) by deleting the words “Council or of the” in subsection (5);
- (d) by deleting subsection (6).

Act amended

11. Section 14 of the Act is repealed and replaced as follows:

“Functions
of the
Board

14. (1) The Board shall be the policy-making organ of the Institute and shall be responsible for the proper administration of the Institute including—

- (a) approving the work programmes;

- (b) approving the budget;
- (c) considering the annual reports;
- (d) securing finances for the Institute; and
- (e) generally doing and taking all such steps as may be deemed necessary for the achievement of the object of the Institute.

(2) In the exercise of its functions the Board may—

- (a) appoint committees to examine and submit reports to it on any matters arising out of or connected with any of its functions, and such committee may consist of at least one member of the Board together with such other person, whether a member or not, whose advice or assistance the Board may consider necessary;
- (b) by resolution—
 - (i) reject or adopt wholly or with modifications the report of any committee appointed under paragraph (a);
 - (ii) declare the remuneration and allowances, if any, payable to persons other than members of the Board, appointed to a committee;
 - (iii) determine the limit on the value of goods and services which the Director may procure without the consent of the Board;

- (c) do all such other things as may be necessary or expedient for the proper performance of its functions.”.

Section 15
amended

12. Section 15 of the Act is amended by substituting for the word “three” occurring in line four of subsection (4), the word “four”.

Act amended

13. Section 16 of the Act is repealed and replaced as follows:

“Appoint-
ment of
Director,
Deputy
Director,
and senior
professional
staff

16. (1) The Board shall appoint a Director, a Deputy Director and senior professional staff upon such terms and conditions as it thinks fit and as shall be approved by the Minister.

(2) Prior to appointing any person to the post of Director or Deputy Director the Board shall obtain the approval of the Minister.

(3) The Director shall be responsible to the Board for—

- (a) the implementation of policy and the effective management of research projects and consultancy services of the Institute;
- (b) the day to day administration and management of the Institute and its staff, including the programme of its activities, the control and use of its equipment, vessels and vehicles;
- (c) the appointment of all staff other than those appointed by the Board under subsection (1) after consultation with appropriate senior departmental officers and in keeping with policies and guidelines approved by the Board;

(d) such other duties as the Board may from time to time determine.

(4) The Director shall actively explore opportunities from local, regional and international sources for funding the research programmes of the Institute.

(5) In the exercise of his functions the Director shall consult with such members of staff as may be necessary.

(6) The Deputy Director shall—

(a) lead and co-ordinate the research programmes under the direction of the Director;

(b) be responsible for the training of research personnel for the purpose of carrying out the research goals of the Institute;

(c) assist the Director in the administration and management of research staff of the Institute and the control and use of its equipment, vessels and vehicles.”

14. Section 17 of the Act is repealed.

Act amended

15. Section 18 of the Act is amended by repealing and replacing paragraph (a) as follows:

Section 18 amended

“(a) contributions allocated to it from regional and international sources;”

16. Section 19 of the Act is amended by substituting the words “by the Auditor General” for the words “by the Auditors appointed by the Board”.

Audit

17. Section 21 of the Act is repealed and replaced as follows:

Act amended

“Exemptions 21. The Government may either exempt the Institute from payment of or bear the cost of, any taxes, customs duties, fees, or levies which may be imposed on

the Institute in respect of any equipment, materials and supplies that are imported into Trinidad and Tobago by the Institute and which are essential for its operations.”.

Act amended

18. The Schedule to the Act is repealed.

Passed in the House of Representatives this 18th day of May, 1990.

R. CUMBERBATCH
Acting Clerk of the House

Passed in the Senate this 5th day of June, 1990.

J. SAMPSON
Acting Clerk of the Senate

Senate amendments were agreed to in the House of Representatives this 8th day of June, 1990.

J. SAMPSON
Acting Clerk of the House