

LAWS OF TRINIDAD AND TOBAGO

MARINERS CLUB ACT

CHAPTER 50:05

Act
8 of 1954
Amended by
5 of 1957
16 of 1962

Current Authorised Pages

<i>Pages</i> <i>(inclusive)</i>	<i>Authorised</i> <i>by L.R.O.</i>
1-9	1/1980

Note
on
Subsidiary Legislation

This Chapter contains no subsidiary legislation.

CHAPTER 50:05

MARINERS CLUB ACT

ARRANGEMENT OF SECTIONS

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**An Act to make provision for the organisation and management . 8 of 1954.
of the Mariners Club, for the welfare of seamen.**

[18TH MARCH 1954]

Commencement.

WHEREAS the former Merchant Navy Club and The Missions to Seamen, Trinidad Branch, respectively accepted on the 3rd July, 1952, the proposals contained in a joint memorandum dated the 24th July 1951, for the combining of their activities under the name of the Mariners Club:

AND WHEREAS it is deemed expedient to make legislative provision for the organisation and management of the said Club along the lines agreed upon;

Enacted by the Parliament of Trinidad and Tobago as follows:

Short title.

1. This Act may be cited as the Mariners Club Act.

Interpretation.

2. In this Act—

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

“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 Trinidad and Tobago.

Board of Management of Mariners Club.

3. For the purposes of this Act there shall be established a Board, to be called the Board of Management of the Mariners Club, whose duty it shall be to control, manage and maintain the organisation known as the Mariners Club (in this Act referred to as “the Club”), in accordance with the provisions of this Act.

Objects of Club.

4. The Club shall be maintained for the spiritual and temporal welfare of seamen who are members of the Club during their stay in Trinidad and Tobago, and may provide for their comfort and recreation the usual amenities of a social club for its members, and, when convenient, for the housing of seamen who are for the time being without a ship.

Composition and incorporation of Board.

5. (1) The Board shall consist of a chairman, a vice-chairman, a secretary, a treasurer and eleven other members.

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

(3) The Board may for all purposes be described by its corporate name.

Constitution of Board. [16 of 1962].

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

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

(3) The President 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 Trinidad and Tobago 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 Minister responsible for Social Services and any member who departs from Trinidad and Tobago and is absent therefrom, without the leave of the President, 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 *Gazette*.

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

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

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

(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 Act, the Board shall have power to regulate its procedure.

8. (1) Except as otherwise provided by subsection (2), 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 section 9. Membership of Club.

(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 but the 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.

Board may
make rules.

9. (1) The Board shall have power from time to time to make rules for the good government of the Club; and the 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 conditions on which persons may be admitted as guests, and the charges to be made for meals, refreshment and sleeping accommodation.

(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 the Club premises and shall be authenticated by the signature of the secretary.

(4) Nothing in this section or in section 8 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.

Club premises.

10. The Club shall function in such premises as the President, at the request of the Board, may from time to time approve for the purpose.

Power of Board
to acquire, deal
with and
dispose of
property.
[5 of 1957].

11. (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) The Board may, with the consent in writing of the President but not otherwise, sell and alienate any real property or interest therein vested or which may hereafter be vested in them or demise any such property or interest.

(4) The Board may from time to time—

(a) borrow money and give as security for the loan a mortgage or charge on all or any of the personal property vested or which may hereafter be vested in them;

(b) with the consent in writing of the President but not otherwise, borrow money and give as security for the loan a mortgage or charge on all or any of the real property vested or which may hereafter be vested in them.

12. (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 of November in each year. Such statement shall be audited by an auditor appointed by the Board subject to the President's approval.

Books required to be kept. [16 of 1962].

(2) As soon as the accounts have been audited, the treasurer of the Board shall send a copy thereof together with a copy of any report of the auditor thereon to the Minister responsible for Social Services and to the Minister responsible for Finance.

13. 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 Act, 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.

Indemnity to members of the Board.

14. (1) As from the date of the coming into force of this Act, all the property, funds and other assets formerly vested in the Board of Management of the Merchant Navy Club shall be deemed to be vested in the Board, and the Board shall be liable for any debts or obligations incurred by the said Board of Management of the Merchant Navy Club prior to the coming into force of this Act.

Vesting of property and liability for debts.

(2) All property, funds and other assets vested in the Board by this Act, 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 Board.

15. The Board shall have the duty and power of—

- (a) equipping and maintaining the Club premises for use as a club;
- (b) maintaining in a proper state of repair any place for the time being provided by The Missions to Seamen as a residence for their Chaplain in Trinidad;
- (c) employing and paying such employees, servants and other persons as may be necessary for the proper and convenient working of the Club;
- (d) 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.

Power to sell beer to members.

16. (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 in which the Club is from time to time authorised to function, to members of the Club and may fix and collect the price of such beer except 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 Act.

Ch. 21:01.

(2) Any person who contravenes subsection (1) is liable on summary conviction to a fine of one thousand dollars and to imprisonment for six months.

(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.

Powers of police to enter, inspect and take copies of entries.

17. (1) It shall be lawful for any police officer not below the rank of sergeant, at any time during such hours as the Club premises are open to members, to enter upon the 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.

(2) Any person who obstructs any such police officer or prevents any such police officer from having free access to the

Club premises during such hours as the said premises are open to members, or from inspecting any book or document or from taking copies of any entry as he is empowered to do under this Act is liable on summary conviction to a fine of four hundred dollars.

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 President so orders.

Winding up of Club.

(2) Any decision or order made under subsection (1) shall be notified in the *Gazette*.

(3) In either of the cases specified in subsection (1) the President 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 the 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 seamen as the President may direct.

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

Ch. 21:01 not to apply.

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

Saving of State and other rights.