

LEGAL NOTICE No. 30

REPUBLIC OF TRINIDAD AND TOBAGO

THE TRINIDAD AND TOBAGO ELECTRICITY COMMISSION ACT, CHAP. 54:70

ORDER

MADE BY THE COMMISSION WITH THE APPROVAL OF THE MINISTER UNDER SECTION 34A(1) OF THE TRINIDAD AND TOBAGO ELECTRICITY COMMISSION ACT

THE TRINIDAD AND TOBAGO ELECTRICITY COMMISSION  
VESTING ORDER, 2000

WHEREAS it is provided by section 34A(1) of the Trinidad and Tobago Electricity Commission Act, Chap. 54:70 (hereinafter referred to as “the Act”) that where an agreement has been entered into by the Trinidad and Tobago Electricity Commission (hereinafter referred to as “the Commission”) with the other shareholders or partners of an approved generator of electricity of which the Commission is a shareholder or partner, the Commission may, with approval of the Minister, by Order transfer and vest in that approved generator of electricity, any of its property, assets, rights, powers and obligation:

And whereas, in accordance with section 31(2)(aa) of the Act, the Commission has, with the consent of the Minister, participated in the formation of The Power Generation Company of Trinidad and Tobago Limited (hereinafter referred to as “PowerGen”), a company incorporated in Trinidad and Tobago which engages in the generation of energy:

And whereas, in accordance with section 31(2)(ab) of the Act, the Commission, with consent of the Minister, holds shares and exercises the rights of a shareholder in PowerGen:

And whereas PowerGen was declared to be an approved generator of electricity by the Trinidad and Tobago Electricity Commission (Declaration of Approved Generator of Electricity) Order, 1994, made by the Commission with the approval of the Minister under section 31(3c) of the Act:

And whereas an agreement (hereinafter referred to as “the Transfer Scheme”) was on the 22nd day of December, 1994 entered into by the Commission with PowerGen, *inter alia*, for the transfer and vesting in PowerGen of the assets, properties, rights and obligations of the Commission, brief particulars of which are set out in the Schedule hereto and are more particularly described in the Transfer Scheme:

And whereas the Acting Director of Surveys, the person for the time being performing the duties of Commissioner of State Lands has

consented to the transfer and vesting of the assets, properties, rights and obligations of the Commission to and in PowerGen hereinafter effected:

Now, therefore, the Commission with the approval of the Minister, in exercise of the powers vested in it by section 34A(1) of the Act makes the following Order:

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| Citation  | 1. This Order may be cited as the Trinidad and Tobago Electricity Commission Vesting Order, 2000.   |
| Commencement  | 2. This Order shall come into effect on the        day of<br>2000 (hereinafter referred to as "the<br>Appointed Day").  |
| Transfer and vesting property, etc., in PowerGen Schedule | 3. Subject to the Transfer Scheme, the property, assets, rights and obligations of the Commission set out in the Schedule, are transferred to and vested in PowerGen as of the Appointed Day. |

#### SCHEDULE

##### PART I

##### THE ASSETS

1. The leasehold properties at Penal in the Ward of Siparia in the Island of Trinidad and the rights, liberties and easements appurtenant thereto more particularly described in Part II of this Schedule.

2. The benefits of those rights, liberties, easements and wayleaves at Penal in the Ward of Siparia in the Island of Trinidad more particularly described in Part III of this Schedule subject to the obligations relating thereto.

##### PART II

##### PARTICULARS OF LEASEHOLD PROPERTIES AND RIGHTS, LIBERTIES AND EASEMENTS REFERRED TO IN PART I OF THIS SCHEDULE

1. All and Singular those certain pieces or parcels of land situate at Penal in the Ward of Siparia in the Island of Trinidad comprising nine eight five point seven square metres (985.7M<sup>2</sup>) two seven eight two point nine square metres (2782.9M<sup>2</sup>) eight three five point five square metres (835.5M<sup>2</sup>) six two zero point four square metres (620.4 M<sup>2</sup>) and one zero zero point four square metres (100.4M<sup>2</sup>) be the same more or less delineated and more particularly described with the abuttals and boundaries thereof shown coloured pink and numbered 1, 3, 5, 7 and 10 on the Plan marked "A" annexed to deed registered as No. 25144 of 1998 (hereinafter referred to as "the said Plan").

2. All and Singular those certain pieces or parcels of land situate at Penal in the Ward of Siparia in the Island of Trinidad comprising one six eight point zero square metres (168.0 M<sup>2</sup>) and two four point six square metres (24.6 M<sup>2</sup>) be the same more or less delineated and more particularly described with the abuttals and boundaries thereof shown coloured orange and numbered 4 and 6 on the said plan which said seven pieces or

parcels of land together with the liberties, rights and easements appurtenant thereto were demised by the Republic of Trinidad and Tobago to the Commission by Deed of Lease dated the 24th day of October, 1998 registered as No. 25144 of 1998 and made between The Republic of Trinidad and Tobago of the one part and the Commission of the other part for the term of ninety-nine years from the 24th day of October, 1998 subject to the payment of the rents reserved by and the exceptions and reservations and the restrictions and stipulations contained in the said Deed of Lease.

PART III

PARTICULARS OF RIGHTS, LIBERTIES, EASEMENTS, WAYLEAVES AND  
OBLIGATIONS REFERRED TO IN PART I OF THIS SCHEDULE

1. The rights, liberties, easements and wayleaves set out and contained in the Second Schedule to Deed dated the 24th day of October, 1998 registered as No. 25145 of 1998 and made between The Republic of Trinidad and Tobago of the one part and the Commission of the other part for the unexpired term of 99 years from the 24th day of October, 1998 relating to those pieces of parcels of land situate at Penal in the Ward of Siparia in the Island of Trinidad comprising eight zero point six square metres (80.6 M<sup>2</sup>) two four six point six square metre (246.6 M<sup>2</sup>) and six five point three square metres (65.3 M<sup>2</sup>) be the same more or less delineated and more particularly described with the abutments and boundaries thereof shown coloured mauve and numbered 2, 8 and 9 respectively on the plan marked "A" attached to deed registered as No. 25144 of 1998.

2. The right and liberty set out and contained in the Second Schedule to Deed dated the 24th day of October, 1998 registered as No. 25146 of 1998 and made between The Republic of Trinidad and Tobago of the one part and the Commission of the other part for the unexpired term of 99 years from the 24th day of October, 1998 relating to that piece or parcel of land situate at Penal in the Ward of Siparia in the Island of Trinidad comprising zero point one nine six five of a hectare (0.1965 ha.) be the same more or less delineated and more particularly described with the abutments and boundaries thereof shown coloured yellow on the plan marked "A" annexed thereto.

Subject to the payment of the rents reserved by and the covenants, conditions and provisions contained in the said Deeds registered as Nos. 25145 of 1998 and 25146 of 1998 respectively.

Dated this 24th day of January, 2000.

D. RAMLAL  
*Chairman of the Commission*

Approved this 24th day of January, 2000.

G. SINGH  
*Minister of Public Utilities*