
Fifth Session Third Parliament Trinidad and Tobago
25 Elizabeth II



P.

TRINIDAD AND TOBAGO

Act No. 45 of 1976

[L.S.]

AN ACT to provide for the better management of the racing industry by the establishment of a Racing Authority and for matters connected therewith.

[Assented to 18th June, 1976]

BE IT ENACTED by the Queen's Most Excellent Majesty, by Enactment and with the advice and consent of the Senate and House of Representatives of Trinidad and Tobago, and by the authority of the same, as follows:—

1. This Act may be cited as the Short title Trinidad and Tobago Racing Authority Act, 1976.

Interpretation

2. In this Act—

- “Minister” means the member of the Cabinet to whom responsibility for industry is assigned;
- “Secretary” means the Secretary of the Racing Authority;
- “racing” means horse racing;
- “the Racing Authority” means the Trinidad and Tobago Racing Authority established under section 3;
- “racing rules” means rules made by the Racing Authority under section 17;
- “turf clubs” means the Trinidad Turf Club, the Arima Race Club, the New Union Park Turf Club and the Tobago Race Club.

Establishment of Racing Authority

3. (1) The Trinidad and Tobago Racing Authority is hereby established for the purposes of this Act, and is a body corporate.

(2) The Racing Authority shall consist of nine members appointed by the Minister as follows:—

- (a) four members appointed after consultation with the turf clubs;
- (b) one member representing the Ministry of Finance;
- (c) one member appointed after consultation with organisations most representative of racehorse owners;
- (d) three independent members with knowledge of racing at least one of whom shall have qualifications in law.

(3) The Minister shall appoint two of the members referred to in subsection (2)(d) as Chairman and Vice-Chairman, respectively, of the Racing Authority.

Term of office of members

4. (1) Members of the Racing Authority shall hold office for the term signified in the instrument of their appointment but shall be eligible for re-appointment.

(2) Members of the Racing Authority shall be paid such remuneration and allowances as the Minister may determine.

Resignation

5. (1) A member of the Racing Authority, other than the Chairman may resign his office by instrument addressed to the Chairman who shall forthwith cause it to be forwarded to the Minister. The Chairman may resign his office by instrument in writing addressed to the Minister.

(2) Resignation shall take effect from the date of receipt by the Minister of the instrument of resignation.

6. The Minister shall revoke the appointment of any member of the Racing Authority who— Revocation of appointment

- (a) absents himself from three consecutive meetings of the Racing Authority except on leave granted by the Racing Authority;
- (b) behaves in such a way as in the opinion of the Minister is likely to bring the Racing Authority into disrepute;
- (c) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit.

7. The appointment of any person as a member of the Racing Authority and the termination of office of any person as such, whether by death, resignation, revocation, effluxion of time or otherwise shall be notified in the *Gazette*. Appointments, etc. to be notified in the Gazette

8. (1) The Racing Authority shall meet at such times as may be necessary or expedient for the transaction of its business and meetings shall be held at such places and at such times as the Racing Authority may determine. Meetings, quorum and procedure

(2) The Chairman, or in his absence the Vice-Chairman, shall preside at all meetings of the Racing Authority and shall call a special meeting within seven days of a written request therefor addressed to him by any three members of the Racing Authority.

(3) Five members of the Racing Authority one of whom shall be the Chairman or Vice-Chairman shall constitute a quorum.

(4) Decisions shall be by a majority of the votes and in any case where the voting is equal the person presiding shall in addition to his original vote, have a casting vote.

(5) The validity of the proceedings of the Racing Authority shall not be affected by any vacancy in its membership or by any defect in the appointment of a member.

(6) Subject to this section, the Racing Authority shall regulate its own procedure.

Custody and
use of seal

9. (1) The Racing Authority shall have a seal which shall be kept in the custody of the Chairman or of any member of its staff authorised in that behalf.

(2) The seal may be affixed to instruments in the presence of the Chairman and the Secretary.

(3) The seal shall be authenticated by the signatures of the Chairman and the Secretary.

Functions of
Racing
Authority

10. (1) Subject to subsection (2) the Racing Authority shall regulate and control racing and the operation of racecourses and in particular shall—

- (a) issue such licenses and grant such permits as may be required by this Act;
- (b) establish training schemes for jockeys, stable lads and other personnel in the racing industry;
- (c) establish and undertake any scheme for the development of the racing industry generally and in particular for the improvement of the breeding of race horses.

(2) In the exercise of its functions the Racing Authority shall comply with any special or general directions which may be given to it by the Minister.

Staff of
Racing
Authority

11. (1) The Racing Authority may subject to the approval of the Minister appoint on such terms and conditions as it thinks fit, a Secretary and such other officers and employees as may be necessary for the due and efficient performance of its functions.

(2) An annual salary of twenty thousand dollars or such greater amount as the Minister may determine shall not be assigned to any post without the prior approval of the Minister.

Funds and
resources
of Racing
Authority

12. The funds and resources of the Racing Authority shall consist of—

- (a) such sums as may be appropriated by Parliament for the purposes of this Act;
- (b) fees collected in respect of licenses and permits;
- (c) penalties collected in respect of any breach of the racing rules;
- (d) all other sums or property as may become payable to or vested in the Racing Authority in respect of any matter incidental to its functions

13. (1) The financial year of the Racing Authority shall be the twelve-month period ending July, 31st. Financial year and annual report

(2) Subject to subsection (3) the Racing Authority shall within three months of the end of each financial year make a report of its proceedings and the operation of this Act in respect of that financial year to the Minister who shall within two months of the receipt of that report lay it before the Senate and the House of Representatives.

(3) The first report under this section shall be in respect of the period ending 31st July, 1977.

14. The Racing Authority shall apply its funds for— Application of funds

- (a) the payment of expenses incurred in the exercise of its functions under this Act;
- (b) the making of grants or loans for the increase in prize money in connection with racing;
- (c) the remuneration of its members;
- (d) any other expenditure properly chargeable to revenue account.

15. (1) The Racing Authority shall keep proper accounts and other records in relation to its business and shall prepare annually a statement of its accounts. Accounts and audit

(2) The accounts of the Racing Authority shall be audited annually by the Auditor General in accordance with the Exchequer and Audit Ordinance, 1959.

Ord. 20—1959

(3) As soon as the accounts have been audited the Racing Authority shall forward to the Minister a copy of the audited statement of accounts together with any report made thereon by the Auditor General.

(4) The Minister shall cause a copy of every such statement to be laid before the Senate and the House of Representatives at the same time as the annual report referred to in section 13.

16. (1) After 1st August, 1976 no person may hold himself out or be employed as— Licenses and permits

- (a) a trainee, jockey or apprentice unless he is the holder of a licence issued by the Racing Authority;
- (b) a stable lad or other worker in connection with any horse being trained for racing or at any establishment operated for the breeding of race horses unless he is the holder of a permit issued by the Racing Authority.

(2) Application for a licence or permit shall be in such form as may be prescribed.

(3) The Racing Authority may issue a licence or grant a permit upon payment of such fees as may be prescribed and for such time and subject to such conditions as it may think fit or may in its discretion refuse any application.

(4) A person who contravenes the provisions of subsection (1) shall be guilty of an offence and liable on summary conviction to a fine of five hundred dollars or imprisonment for six months or to both such fine and imprisonment.

Racing rules

17. The Racing Authority shall make rules relating to the conduct of racing and such rules may provide for—

- (a) the content and publication of programmes for race meetings;
- (b) the conditions for the acceptance of entries for races;
- (c) entry fees;
- (d) the payment of prize money;
- (e) the classification of horses;
- (f) handicapping;
- (g) any other matters relating to the breeding, training, grooming and racing of race horses;
- (h) for the imposition of fines and other penalties for any breach thereof.

Offences and penalties

18. A person who—

- (a) obtains a permit or licence under this Act by wilful misrepresentation;
- (b) wilfully or recklessly gives any false or misleading statement or information in connection with any application for a licence or permit,

is guilty of an offence and liable on summary conviction to a fine of two thousand five hundred dollars or to imprisonment for twelve months or to both such fine and imprisonment.

Regulations

19. (1) The Racing Authority may with the approval of the Minister make regulations generally for the giving effect to this Act and in particular for—

- (a) the authorising of inspectors for the purposes of this Act;
- (b) issue of licences and grant of permits;

- (c) the setting of minimum standard of competence for trainers and jockeys;
- (d) the compilation and publication of a stud book;
- (e) prescribing fees required to be prescribed by this Act and charges in respect of any other matter;
- (f) any other matter relating to racing not provided for in this Act;
- (g) prescribing penalties not exceeding five hundred dollars for offences against the regulations.

(2) Regulations made under this section shall be subject to affirmative resolution of the Senate and the House of Representatives.

20. (1) Rules relating to racing made by the Trinidad Turf Club and in force at the commencement of this Act shall remain in force and shall be administered by the Racing Authority until rules are made under section 17, save that any reference therein to the stewards of the Trinidad Turf Club shall be construed as a reference to the Racing Authority.

Transitional provisions

(2) Any licence, permit or other authorisation issued or granted by the Trinidad Turf Club under the rules relating to racing referred to in subsection (1) and in force at the commencement of this Act shall remain in force as if it had been issued or granted by the Racing Authority save that any reference to the Trinidad Turf Club in any such licence, permit or authorisation shall be construed as a reference to the Racing Authority.

Passed in the House of Representatives this 14th day of June, 1976.

J. E. CARTER
Clerk of the House

Passed in the Senate this 16th day of June, 1976.

R. L. GRIFFITH
Clerk of the Senate

