



TRINIDAD AND TOBAGO

No. 8—1954

[L.S.]

I ASSENT,

H. E. RANCE,
Governor.

12th March, 1954.

AN ORDINANCE to make provision for the organisation and management of the Mariners Club, for the welfare of seamen.

[18th March, 1954.]

Commence-
ment

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;

Enactment	BE IT ENACTED by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof.
Short title	1. This Ordinance may be cited as the Mariners Club Ordinance, 1954.
Interpretation	<p>2. In this Ordinance, unless the context otherwise requires—</p> <p>“Board” means the Board of Management established by this Ordinance;</p> <p>“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;</p> <p>“ship” means any description of vessel used in navigation but does not include vessels habitually employed in the coasting trade of the Colony;</p> <p>“police officer” means any member of the Police Force.</p>
Board of Management of Mariners Club	3. For the purposes of this Ordinance 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 Ordinance referred to as “the Club”), in accordance with the provisions of this Ordinance.
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 the Colony, 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	<p>5. (1) The Board shall consist of a chairman, a vice-chairman, a secretary, a treasurer and eleven other members.</p> <p>(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.</p> <p>(3) The Board may sue and be sued in its corporate name and may for all purposes be described by that name.</p>
Constitution of Board	6. (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.

(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*.

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 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.

(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.

Membership
of Club

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

(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.

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 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 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 of this Ordinance 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 Governor in Council, at the request of the Board, may from time to time approve for the purpose.

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.

Power of Board to acquire and dispose of property

(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.

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 Governor's approval.

Books required to be kept

(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 Colonial Secretary and to the Financial Secretary.

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 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.

Indemnity to members of the Board

14. (1) As from the date of the coming into force of this Ordinance, 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 Ordinance.

Vesting of property and liability for debts

(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
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 this Island;
 - (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: 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.

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(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.

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 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.

(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 Ordinance, shall be guilty of an offence and shall be liable on summary conviction to a fine of ninety-six dollars.

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

Winding up
of Club

- (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 subsection (1) of this section 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 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 Governor may direct.

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

Provisions of
Ch. 32. No. 12
not to apply

20. Nothing in this Ordinance shall affect or be deemed to affect the rights of Her Majesty, Her 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.

Saving of
Crown and
other rights

Passed in Council this nineteenth day of February, in the year of Our Lord one thousand nine hundred and fifty-four.

T. F. FARRELL

Clerk of the Council.