



TRINIDAD AND TOBAGO

No. 40—1951

[L.S.]

I ASSENT,

H. E. RANCE

Governor.

28th November, 1951.

AN ORDINANCE to incorporate the members of the Committee appointed to control and administer the Sugar Industry Labour Welfare Fund.

[1st December, 1951.]

Commence-
ment

ENACTED by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof.

Enactment

1. This Ordinance may be cited as the Sugar Industry Labour Welfare Committee (Incorporation) Ordinance, 1951.

Short title

Interpretation
No. 12 of 1948

2. In this Ordinance, "the Ordinance" means the Sugar Industry Special Funds Ordinance, 1948; and "the Fund" means the Sugar Industry Labour Welfare Fund established thereunder.

Incorporation
of Sugar
Industry Labour
Welfare
Committee

3. The members for the time being of the committee appointed under the provisions of subsection (3) of section 8 of the Ordinance to control and administer the Fund shall be and are hereby created a body corporate by the name of the Sugar Industry Labour Welfare Committee (hereinafter called "the Committee") and by that name shall have perpetual succession and may sue and be sued in any court. The Committee shall have a common seal which shall be authenticated by the Chairman of the Committee and shall be officially and judicially noticed.

Meetings of
Committee

4. (1) In the event of the absence of the Chairman from a meeting of the Committee, the members of the Committee present at the meeting, being a quorum, shall appoint one of their number to preside as Chairman and such appointed member shall for that meeting have all the powers of the Chairman.

(2) The Chairman of any meeting of the Committee shall have a deliberative, and, in case of an equality of votes, also a casting vote.

Power of
Committee to
take and hold
mortgages

5. (1) Where any disbursement from the Fund is made by way of loan, the Committee may take and hold a mortgage upon real or leasehold property by way of security therefor or for debts or liabilities due to the Committee in respect thereof and may exercise all the rights and powers of a mortgagee in relation to any such property.

Ch. 28. No. 2
No. 20 of 1945

(2) Any such mortgage shall be by deed registered under the Registration of Deeds Ordinance or by a memorandum of mortgage registered under the Real Property Ordinance, 1945: Provided that, notwithstanding anything contained in the latter Ordinance, the forms of memorandum of mortgage and discharge or receipt prescribed under the provisions of this Ordinance may be used in lieu of the forms provided by that Ordinance.

Release of
mortgage

6. Every mortgage to secure a loan made by the Committee from the Fund and registered under the Registration of Deeds Ordinance may be vacated by a receipt under the seal of the Committee duly authenticated. Such receipt shall vest the estate of and in the property comprised in the mortgage in the

person for the time being entitled to the equity of redemption without any reconveyance whatever. The Registrar General shall, on production of such receipt, endorse upon the mortgage instrument an entry to the effect that such mortgage is satisfied, and shall grant a certificate to that effect, which certificate shall be received in all courts and proceedings without further proof; and such entry shall have the effect of clearing the register or record of such mortgage.

7. All sums realized by the Committee by way of interest on loans made, or proceeds of sale of property held on mortgage, by the Committee shall, after deduction of proper expenses, be paid to the Accountant General and placed to the credit of the Fund.

Interest on loans and proceeds of sale of mortgaged property to be credited to Fund

8. All necessary disbursements made, and all expenses properly incurred, by the Committee in the capacity of mortgagee of property shall be deemed to be expenses of administering the Fund for the purposes of section 9A of the Ordinance.

Payment of necessary expenses of Committee as mortgagee

9. Any person who shall apply any loan made to him by the Committee or any part of such loan to any purpose other than those stipulated by the Committee when making the loan shall be liable on summary conviction to a fine of four hundred and eighty dollars or to imprisonment for six months.

Misapplication of loan

10. Any person who disposes of or deals with or attempts to dispose of or deal with any property comprised in any mortgage in favour of the Committee without first obtaining the leave in writing of the Committee shall be liable on summary conviction to a fine of four hundred and eighty dollars or to imprisonment for six months.

Unauthorized dealing with mortgaged property

11. Service of any process or notice on the Committee may be effected by leaving the same with the Accountant General.

Service of process or notice on the Committee

12. In the exercise of its powers and the performance of its duties the Committee shall conform with any general or special directions given to it by the Governor in Council.

Committee to conform to directions of Governor in Council

13. The Committee may prescribe forms of memorandum of mortgage and discharge or receipt for use in lieu of the forms provided by the Real Property Ordinance, 1945.

Forms may be prescribed

Powers
conferred on
Committee to
be additional
to those already
possessed

14. The powers conferred on the Committee hereunder shall be in addition to and not in derogation of the powers exercisable by the Committee under or by virtue of the provisions of the Ordinance.

Passed in Council this sixteenth day of November, in the year of Our Lord one thousand nine hundred and fifty-one.

(C 418/IV.)

T. F. FARRELL,
Clerk of the Council.