
Fifth Session First Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 41 of 1980

[L.S.]

AN ACT to provide for the registration of local agents
of foreign governments and foreign enterprises.

[Assented to 8th December, 1980]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:—

1. This Act may be cited as the Registration of Local Short title
Agents of Foreign Governments or Foreign Enterprises
Act, 1980.

Interpretation

2. In this Act—

“agent” means a resident individual, company or firm, carrying on business on behalf of a foreign government or a foreign enterprise under a contract and includes a consultant;

“consultant” means a resident individual, company or firm rendering financial, legal or other professional or specialist advisory services to a foreign government or a foreign enterprise either directly or through the agent of that foreign government or foreign enterprise;

“foreign enterprise” means a non-resident individual company or firm carrying on business whether in Trinidad and Tobago or elsewhere;

“foreign government” means a government other than the Government of Trinidad and Tobago;

“resident” and “non-resident” have the meanings respectively ascribed to them in the Exchange Control Act, 1970.

No. 24 of 1970

Non-application
of Act

3. This Act does not apply to a diplomatic representative or consular officer of a foreign government carrying on business on behalf of the foreign government by which he was so appointed.

Contract to be
in writing and
subject to the
laws of Trinidad
and Tobago

4. (1) Every agreement between a foreign government or a foreign enterprise and its agent shall be in writing and shall be subject to the laws of Trinidad and Tobago.

(2) Where an agreement establishing the relationship of principal and agent is not in writing or where though in writing it establishes foreign law to be the proper law of the contract the agent appointed thereby shall be guilty of an offence and liable on summary conviction to a fine of twenty thousand dollars or imprisonment for five years or to both such fine and imprisonment.

5. (1) Every agent shall within sixty days of the execution of his contract lodge with the Board of Inland Revenue a copy of his contract and register with the Registrar General and lodge with the Board of Inland Revenue—

Registration and
lodgment of
contract, etc.

- (a) his name and address in Trinidad and Tobago; and
- (b) the name and address of the foreign government or foreign enterprise of which he is agent.

(2) Every agent shall, at the time of the lodging of his contract as required by subsection (1) lodge with the Board of Inland Revenue a declaration stating that no other contract exists between himself and the foreign enterprise or foreign government pertaining to the subject matter of the contract being lodged.

(3) An agent who fails to comply with subsection (1) or who knowingly gives false information in the declaration under subsection (2) is guilty of an offence and liable on summary conviction to a fine of twenty thousand dollars or imprisonment for five years or to both such fine and imprisonment.

6. (1) Where there is a change of name or address of an agent of the foreign government or foreign enterprise for which he acts he shall within thirty days of the change notify the Registrar General and the Board of Inland Revenue and where there is a change in the terms of his contract he shall within thirty days of the change notify the Board of Inland Revenue.

Change of
information

(2) An agent who fails to comply with subsection (1) is guilty of an offence and liable on summary conviction to a fine of ten thousand dollars or imprisonment for three years and in the case of a continuing offence he is liable to a fine of one thousand dollars for each day that the offence continues after conviction.

7. (1) The Registrar General shall keep and maintain for the purposes of this Act a register in which shall be entered the name and address of every agent and the name and address of every foreign government or foreign enterprise of which that agent is the agent.

Registrar to
maintain register

(2) The register shall be open to examination on payment of the prescribed fee.

Existing
agreements

8. (1) Where at the commencement of this Act there exists a relationship of principal and agent between a foreign government or a foreign enterprise and a resident the agreement establishing that relationship shall within twenty-eight days of the commencement of this Act be brought in all respects within the provisions of this Act.

(2) Where within the period of twenty-eight days referred to in subsection (1)—

(a) the agreement is not brought within section 4(1), or

(b) the agent fails to comply with section 5(1), the agent is guilty of an offence and liable to the penalties set out in section 4(2) or section 5(2) as the case may be.

Regulations

9. The Registrar General may make regulations to prescribe the fees for inspection of the register and to fix the times during which inspection may take place.

Passed in the Senate this 19th day of September, 1980.

R. GRIFFITH
Clerk of the Senate

Passed in the House of Representatives this 21st day of November, 1980.

J. E. CARTER
Clerk of the House