

**Third Session Third Parliament Republic of Trinidad
and Tobago**



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 31 of 1988

[L.S.]

AN ACT to provide for the establishment and administration
of the Sport and Culture Fund and matters incidental
thereto.

[Assented to 28th December, 1988]

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

1. This Act may be cited as the Sport and Culture Fund Short title
Act, 1988.

Interpretation

2. In this Act—

“bank” means the bank designated by the Minister under section 7(1);

“Board” means the Sport and Culture Board of Management established under section 9(1);

“Culture” means activities and practices that are characteristic of the nation as a whole or any component group thereof, arising out of its customs, lifestyle, beliefs and values and includes activities related to the visual, performing and literary arts;

“educational institute” means the University of the West Indies or any other institute of learning prescribed by the Board;

“financial year” means a period of twelve months ending on 31st December;

“instant lottery” means a national lottery wherein a purchaser of a ticket is able to determine, at the time of purchase, whether or not he is a winner by—

(a) rubbing a coin on a section of the ticket which will reveal six numbered panels, and

(b) verifying that three out of the six panels bear the same number;

“instant lottery surplus” means the amount realised after defraying all the expenses and payment of prize money from the proceeds received from each instant lottery;

“Minister” means the Minister to whom the responsibility for Sport and Culture is assigned;

“National Lotteries Control Board” means the Board established under section 3 of the National Lotteries Act;

“Sport” means institutionalized psychomotor activities in which the rules are established and includes athletics, games, gymnastics and activities of an individual and team variety, whether competitive or non-competitive.

3. A Sport and Culture Fund (hereinafter referred to as "the Fund") is hereby established for the purposes of this Act as a body corporate. Establishment
of Fund

4. The purposes of the Fund are— Purposes of Fund

- (a) to facilitate the provision of sporting and cultural facilities;
- (b) to enable grants and loans to be made to deserving individuals, groups and organisations according to criteria prescribed by the Board;
- (c) to undertake any other activity related to Sport and Culture; and
- (d) to undertake or do all such things as are incidental or conducive to the attainment of the above purposes.

5. The resources of the Fund shall consist of— Resources of Fund

- (a) instant lottery surplus received from the National Lotteries Control Board;
- (b) all sums of money received by or falling due to the Fund in respect of loans made therefrom and the interest on these loans;
- (c) any sums of money that may, from time to time, be appropriated by Parliament;
- (d) all sums of money earned by or arising from investments made by the Board in respect of the Fund;
- (e) all other sums of money that may in any manner become payable to or vested in the Fund.

6. Notwithstanding any other law to the contrary, the resources of the Fund shall be wholly exempted from the payment of income tax. Fund exempt
from payment
of income tax

7. The Minister may, by Notification, designate a bank to act as the financial agent of the Fund; and the bank so designated shall be subject to the terms and conditions of any agreement for the purpose between the Fund and itself. Bank to be
designated as
financial agent

8. The Central Bank of Trinidad and Tobago shall act as depository for the resources of the Fund. Central Bank
to act as
depository

Board of
Management
of Fund

9. (1) A Sport and Culture Board of Management is hereby established for the purposes of this Act.

(2) The Board shall be responsible for advising the Minister on the general administration and management of the affairs of the Fund.

(3) The Board shall consist of the following members appointed by the President for a period of three years:

- (a) a Chairman to be nominated by the Minister;
- (b) the Permanent Secretary of the Ministry;
- (c) a representative of the Ministry, nominated by the Minister, who shall be the Secretary;
- (d) one representative of the Ministry with responsibility for Finance and the Economy; and
- (e) four persons, nominated by the Minister, who have contributed significantly in activities related to Sport and Culture.

Custody and
use of seal

10. (1) The Fund shall have a seal which shall be—

- (a) kept in the custody of the Chairman or the Secretary of the Fund and may be affixed to instruments pursuant to a resolution of the Board in the presence of the Chairman or the Secretary; and
- (b) attested by the signature of the Chairman or the Secretary.

(2) All documents, other than those required by law to be under seal, made by the Board and all decisions of the Board may be signified under the hand of the Chairman or the Secretary.

Duties and
functions of
the Board

11. The duties and functions of the Board shall be—

- (a) to determine the eligibility of individuals and organizations engaged in activities related to Sport and Culture for financial assistance from the Fund;
- (b) to determine the feasibility of undertaking projects and enterprises;
- (c) to process and determine applications for loans or grants;
- (d) to advise the Minister on the withholding or further disbursement of grants or loans to individuals or organisations engaged in activities related to Sport and Culture.

12. (1) The Board shall meet at such times as may be necessary or expedient and at such places and days as the Chairman may decide. Meetings and procedure

(2) The Chairman shall call a special meeting of the Board at any time within seven days of the receipt of a requisition in writing addressed to him by two or more members of the Board.

(3) The Chairman shall preside over meetings of the Board, but where the Chairman is absent, the members present and forming a quorum may appoint a member to preside over that meeting.

(4) Four members shall constitute a quorum.

(5) The decisions of the Board shall be a majority of votes of members present and in any case in which there is an equality of votes, the Chairman or the member appointed to preside over the meeting, as the case may be, shall, in addition to an original vote, exercise a casting vote.

(6) Minutes in proper form of each meeting shall be kept by the Secretary and shall be confirmed by the Chairman or the member appointed to preside over the meeting, as the case may be, at the next meeting.

(7) The Board may co-opt any one or more persons to attend any particular meeting of the Board for the purpose of assisting or advising the Board, but no person who has been so co-opted shall preside over the meeting of the Board or have the right to vote.

13. (1) The Board may, with the approval of the Minister, appoint committees to examine and report to it on any matter relevant to the purposes of the Fund. Appointment of committees

(2) The Minister may by regulations prescribe the remuneration and allowances payable to persons, other than the members of the Board, appointed to a committee.

14. (1) A member of the Board other than the Chairman may at any time resign his office by instrument in writing addressed to the Chairman who shall cause it to be transmitted to the Minister. Resignation

(2) The Chairman may at any time resign his office by instrument in writing addressed to the Minister.

(3) The resignation shall take effect on the date on which the Minister receives the instrument.

Accounts
and audit

15. (1) The Board, through the Bank, shall keep proper accounts and other records relative to its duties and functions and shall prepare annually a statement of accounts in a form to be approved by the Minister.

(2) The annual statement of accounts shall be audited at the end of each financial year of the Fund by the Auditor General.

(3) A copy of the audited statement of accounts shall be transmitted as soon as practicable, to the Minister who shall cause it to be laid before both Houses of Parliament.

Offences

16. Every person who by making or causing to be made a false representation induces or attempts to induce the Board to make a grant or a loan is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

Power of Board
to make rules

17. The Board may, with the approval of the Minister make rules for the purpose of regulating and controlling its financial operations.

Regulations

18. The Minister may make regulations for carrying out the provisions of this Act and without prejudice to the generality of the foregoing, the regulations may provide for—

- (a) the remuneration and allowances payable to persons appointed to a committee under section 13; and
- (b) any other matter which requires to be provided for carrying out the purposes of the Act.

Passed in the House of Representatives this 12th day of December, 1988.

J. E. CARTER

Clerk of the House

Passed in the Senate this 20th day of December, 1988.

N. COX

Acting Clerk of the Senate