

LAWS OF TRINIDAD AND TOBAGO

PRINCESS ELIZABETH HOME FOR HANDICAPPED  
CHILDREN ASSOCIATION (INCORPORATION) ACT

CHAPTER 29:04

Ordinance  
15 of 1953

**Current Authorised Pages**

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**Note on Subsidiary Legislation**

*See* Schedule to this Act for “The Rules of the Princess Elizabeth Home for Handicapped Children”.

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**PRINCESS ELIZABETH HOME FOR HANDICAPPED  
CHILDREN ASSOCIATION (INCORPORATION) ACT**

ARRANGEMENT OF SECTIONS

**SECTION**

1. Short title.
2. Incorporation
3. Functions.
4. Powers of the Association.
5. Mode of execution of documents.
6. Service of documents on the Association.
7. Rules.
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**SCHEDULE.**

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**CHAPTER 29:04**

**PRINCESS ELIZABETH HOME FOR HANDICAPPED  
CHILDREN ASSOCIATION (INCORPORATION) ACT**

15 of 1953. **An Act for the Incorporation of the Princess Elizabeth Home  
for Handicapped Children Association.**

Commencement. [30<sup>TH</sup> MAY 1953]

Preamble. WHEREAS there has been established in Trinidad and Tobago an Association known as “The Princess Elizabeth Home for Handicapped Children Association”:

And whereas it is expedient that the said Association should be incorporated for the purpose of exercising the powers hereinafter set forth:

Short title. **1.** This Act may be cited as the Princess Elizabeth Home for Handicapped Children Association (Incorporation) Act.

Incorporation. **2.** The Association known as “The Princess Elizabeth Home for Handicapped Children Association” shall be and is hereby created a body corporate by the name of “The Princess Elizabeth Home for Handicapped Children Association” (hereinafter called “the Association”) and by such name shall have perpetual succession and may sue and be sued in all Courts of Justice in Trinidad and Tobago by that name, and shall have and use a common seal with power from time to time to change such seal.

Functions. **3.** The functions of the Association shall be as follows:  
(a) To establish and maintain a convalescent Home for the physically handicapped children (other than blind or mentally defective or deaf and dumb) of Trinidad and Tobago.  
(b) To provide education, treatment, training and rehabilitation for such physically handicapped children.

- (c) To assist, develop, extend and co-ordinate the activities of agencies (public or private) institutions and associations for physically handicapped children now operating or hereafter to be established, which may be deemed advantageous to and for the welfare of the physically handicapped children of Trinidad and Tobago.
- (d) To co-operate with any other institution or association having objects similar in whole or in part to those of the Association.
- (e) To do all such other acts and things as are incidental to the attainment of the objects of the Association, and generally to promote the best interests of physically handicapped children of Trinidad and Tobago.

4. (1) Subject to the provisions of any law (including this Act) and any Rules thereunder from time to time in force, the Association shall have the powers hereinafter set forth and such other powers as are appropriate to its objects and are from time to time specified in any such Rules, that is to say—

Powers of the Association.

- (a) to acquire by purchase, transfer, devise, bequest, grant, gift, conveyance, or howsoever otherwise, any real or personal property or interest therein;
- (b) to accept surrenders and re-conveyances and to enter into contracts;
- (c) subject to any restraint, reservation or condition contained in any document under which the Association shall have acquired title thereto, to sell, demise, mortgage or otherwise dispose of and deal with, any property which may from time to time be vested in or acquired by the Association.

(2) The powers conferred by this section shall be exercised subject to the Rules of the Association.

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Mode of  
execution of  
documents.

**5.** All documents requiring the seal of the Association shall be sealed with its common seal in the presence of the President, or, if the President is not available, a member of the Council nominated by the Council for the purpose, and the Secretary, who shall both sign every such document, and such signing shall be *prima facie* evidence that the said seal was duly affixed and that the same is the lawful seal of the Association.

Service of  
documents on  
the Association.

**6.** The Association shall at all times have a fixed address for the service of documents on the Association and such address shall be registered with the Registrar General. Any document may be served on the Association by leaving the same at, or by sending the same by registered post to, the address so registered.

Rules.

**7.** (1) The Association may make Rules for the proper conduct of its proceedings and discharge of its duties and any of such Rules may be varied or revoked or added to by the Association.

(2) The Rules contained in the Schedule shall be deemed to be made under this section.

Saving of  
rights.

**8.** Nothing in this Act shall affect the rights of the State or of any bodies politic or corporate or of any other persons except such as are mentioned or referred to in this Act and those claiming by, through, from or under them.

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**SCHEDULE**

Section 7.  
[161/1953].

**RULES OF THE PRINCESS ELIZABETH HOME  
FOR HANDICAPPED CHILDREN**

**I—NAME**

1. The name of the Association shall be the Princess Elizabeth Home for Handicapped Children Association.

**II—MEMBERSHIP**

2. The Association shall consist of ordinary members and honorary members.

3. Any member of the Council who is not an ordinary member of the Association shall *ipso facto* be an honorary member until he ceases to be a member of the Council. In addition the Council may elect as honorary members such persons in Trinidad and Tobago or elsewhere who have performed meritorious service on behalf of crippled or otherwise handicapped children. Honorary members so long as they are in Trinidad and Tobago shall be entitled to receive notice of General Meetings of the Association and to vote at any such meeting at which they are present.

4. Every ordinary member in good standing and present at any General Meeting of the Association shall be entitled to one vote.

5. The General Secretary shall submit to the Council from time to time the names and addresses of prospective ordinary members duly recorded by him for whom qualifying subscriptions have been received at the office of the Association. All such persons may then be declared ordinary members and entered into the membership roll of the Association on a motion approved by a majority of the Council.

6. Ordinary members shall subscribe annually the sum of three dollars: Provided that where a husband and his wife subscribe jointly the sum of five dollars annually both shall be deemed to be ordinary members.

7. Initial annual subscriptions paid shall be in respect of the then current fiscal year ending on the following 31st December. Subsequent annual subscriptions become payable on the 1st January in each year. At any General Meeting of the Association only those members who have paid their subscriptions in respect of the fiscal year ended on the 31st December immediately preceding the meeting, or, in the case of new members, for the current fiscal year, shall be considered to be in good standing and be entitled to vote at the meeting.

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8. The name of any person who is in arrears in the payment of his subscriptions for two years, from the 31st December in any year, shall automatically be removed from the roll of members of the Association, unless the Council for some special reason decides otherwise.

9. Any member who, in the opinion of the Council (who shall be the sole and final authority), has been guilty of conduct detrimental to the best interest of the Association, shall upon a two-thirds vote of the members of the Council present and voting, have his or her name removed from the roll of membership forthwith and the name of any person so removed shall not be restored to the roll except upon a two-thirds vote of the members of the Council present and voting.

III—COUNCIL

10. (1) The Governing Body of the Association shall be a Council consisting of fifteen persons.

(2) The members of the Council shall be appointed in the manner hereinafter appearing within thirty days after the incorporation of the Association.

(3) The members of the Council shall be appointed by the persons and organisations authorised to appoint members in manner following, that is to say:

<i>Persons or organisations authorised to appoint</i>	<i>Number of members authorised to be appointed</i>
The President of Trinidad and Tobago ...	One
The British Red Cross Society ...	Eight
The Nursing Council ...	One
The Coterie of Social Workers ...	One
Les Amantes des Jesus Society ...	One
The Child Welfare League ...	One
The Mothers' Union ...	One
The Director of Medical Services or his duly authorised representative (either of whom may appoint himself) ...	One

(4) Members of the Council shall remain in office for a term of three years and shall then retire. Retiring members shall, however, from time to time be eligible for reappointment.

(5) The persons or organisations having power to appoint members to the Council shall be entitled to fill any vacancy created by the temporary absence from Trinidad and Tobago, or illness, or the resignation or death of a member, originally appointed by such persons or organisations. The person so

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appointed shall hold office only during the temporary absence of the original member or in the case of resignation or death only for the remainder of the term of office of the person whom he replaces.

(6) On the retirement of the members of the Council at the expiration of the term of three years the persons and organisations in (3) hereof shall forthwith appoint a new Council in the same manner and numbers as therein set out and shall continue so to do at the expiration of every period of three years thereafter: Provided however that at the end of the first triennial period after the incorporation of the Association the constitution of the Council shall be reviewed by the President of Trinidad and Tobago who shall be entitled to make such changes therein as may be deemed necessary for the best interests of the Association.

11. The Council may make such Rules for the general conduct and management of the business, affairs, property and estate of the Association, as the Council may deem necessary or advisable; and may, in its discretion, delegate any of its powers to any person, department, committee or association upon such terms and subject to such conditions as it may determine.

12. The Council shall engage or authorise the engagement of such officers, servants, agents and employees of the Association as it may think fit.

13. The President, or in his absence the senior Vice-President available, shall call a meeting of the Council as often as the interest of the Association demands, or if requested to do so by any five members of the Council, provided that at least one meeting of the Council shall be held in each half of the Association's Fiscal Year. At meetings of the Council seven members shall form a quorum and all matters dealt with shall be decided on a majority vote.

14. No paid official or employee of the Association shall be a member of the Council.

**IV—OFFICERS**

15. The officers of the Association all of whom shall be chosen by the Council, shall be a President, a Vice-President (both of whom shall be chosen from members of the Council), a General Secretary, a Treasurer, and such other officers with such duties as the Council may from time to time determine.

16. The Council may, in its discretion, elect a Patron or Patrons.

**V—DUTIES OF OFFICERS**

17. At all General Meetings of the Association and at all meetings of the Council the President, or in his absence a Vice-President shall preside. In the event of neither the President nor the Vice-President being present at a meeting, the meeting shall elect one of their number to be chairman for that meeting.

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18. The President shall be *ex officio* a member of all committees of the Association and shall preside at the meeting of any committee at which he is present provided that if a standing chairman has been elected for any committee the latter if present shall preside at all meetings of such committee. In the absence of the standing chairman, if any, and of the President from a committee meeting, the members present shall elect one of their number to be a chairman.

19. The paid officials of the Association shall perform such duties as the Council may from time to time prescribe, subject to the provisions of these Rules and the terms of their employment.

20. The General Secretary shall be the custodian of the seal of the Association and shall certify documents issued by the Association save as otherwise provided. He shall act as Secretary to the Council but shall not vote at meetings thereof.

**VI—EXECUTION OF DOCUMENTS**

21. The execution of documents shall be carried out in accordance with the terms of incorporation of the Association.

**VII—AUDITORS**

22. All accounts and other records relating to the finances of the Association shall be audited at least once in every year. The balance sheet and financial statement of the affairs of the Association for the fiscal year accompanied by the certificate of audit and report of the auditor or auditors shall be laid before the Council of the Association who shall within thirty days of the receipt thereof submit a complete copy of all documents received from the auditors to the Financial Secretary.

**VIII—BANKERS**

\*22A. The Council shall have power to appoint bankers to the Association, and by resolution, authorise the bank so appointed to accept the signatures of persons designated to operate the account or accounts.

**IX—FISCAL YEAR**

23. The fiscal year of the Association shall end on the 31st day of December.

24. The Council shall on or before the 31st day of May in each year submit to the Financial Secretary a complete copy of the estimated receipts and expenditure of the Association for the ensuing year.

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\*Part VIII of this Rule was not originally numbered.

**X—MEETINGS**

25. A General Meeting of the Association shall be held at least once in every year at such time and place as the Council may determine: Provided that the Annual General Meeting shall be held within three months of the end of the fiscal year.

20. Notice convening any meeting of the Association shall state the time and place of meeting and, in the case of special business, the general nature of such business, and shall be delivered or posted to members at least fifteen days before the meeting.

27. The business of the Annual General Meeting shall be to receive and adopt the audited accounts and the report of the Council, to appoint an auditor or auditors and to transact such other business as may be transacted at a general meeting.

28. Ten members shall form a quorum at meetings of the Association.

29. The Chairman of any meeting of the Association, the Council or any Committee shall have an original, and, in the event of a tie, a casting vote.

**XI—FURTHER POWERS OF THE ASSOCIATION**

30. The Association may seek paying members.

31. The Association may raise and acquire funds for the purpose of advancing its activities by Government grants, private subscriptions and donations, the proceeds of special efforts and by any other lawful means within the powers of the Association.

32. The Association may invest such monies of the Association as are not immediately required in such authorised trustees securities as the Association may from time to time determine.

**XII—AMENDMENT OF RULES**

33. No amendment to any rule of the Association shall be made except at a general meeting of the Association of which at least two weeks' notice has been given. Such notice shall also indicate the nature of the proposed amendment and no amendment shall be carried unless at least two-thirds of the members present and voting shall declare in favour thereof.