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No. 11 of 2006

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Fourth Session Eighth Parliament Republic of  
Trinidad and Tobago

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HOUSE OF REPRESENTATIVES

**BILL**

AN ACT to incorporate the National Carnival Bands  
Association of Trinidad and Tobago and for matters  
incidental thereto.

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## **BILL**

AN ACT to incorporate the National Carnival Bands Association of Trinidad and Tobago and for matters incidental thereto.

[ , 2006]

WHEREAS it was established in Trinidad and Tobago, <sup>Preamble</sup> in 1958, an organization known as the Carnival Bandleaders Association, consisting of a group of Carnival bandleaders:

And whereas the organization was engaged in making recommendations to governmental bodies for improved conditions, facilities and prize money for Carnival mas bands:

And whereas over the years membership was widened to accommodate designers, craftsmen, costume builders and other persons involved in Carnival activity and the name of the organization changed to the National Carnival Bands Association to reflect the new membership:

And whereas in 2001 the name of the organization was again changed to the National Carnival Bands Association of Trinidad and Tobago; which continues to promote the interests of its members:

And whereas it is expedient that the National Carnival Bands Association of Trinidad and Tobago be incorporated for the purposes of this Act:

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

Short title **1.** This Act may be cited as the National Carnival Bands Association of Trinidad and Tobago (Incorporation) Act, 2006.

Interpretation **2.** In this Act—  
 “Association” means the National Carnival Bands Association of Trinidad and Tobago, created a body corporate in section 3;  
 “organization” means the body in existence prior to the coming into force of this Act, known as the National Carnival Bands Association of Trinidad and Tobago.

Incorporation **3.** The National Carnival Bands Association of Trinidad and Tobago is hereby created a body corporate.

Aims and objectives **4.** The aims and objectives of the Association are to—  
 (a) foster and promote for the benefit of its members, the development and best interests of Carnival, the expressions of Carnival and ancillary arts and activities (hereinafter collectively referred to as “Carnival”);

- (b) protect and further the artistic, social, legal and other interests of the Association and its members in all matters relating to Carnival;
- (c) ensure the operation of the rights, including intellectual property rights, and liberties of the Association and its members so that each may be afforded equal facilities and equitable distributions of the benefits to be derived from Carnival;
- (d) represent the interests of the Association and its members in dealings with the State, the National Carnival Commission of Trinidad and Tobago, and other persons whether public corporation, corporate or individual, whether in Trinidad and Tobago or overseas;
- (e) promote policies and laws conducive to the attainment of the aims and objectives of the Association, and to resist and oppose anything which appears to be detrimental to the interests or welfare of the Association and its members by taking legal or other action;
- (f) promote friendly intercourse, fellowship, collaboration and united action between the Association and its members and other persons or bodies involved in Carnival, whether in Trinidad and Tobago or overseas, among other things, by—
  - (i) promoting activities and stimulating professional and social interaction;
  - (ii) honouring its members and other persons and bodies for outstanding accomplishment or contribution to Carnival;

- (iii) arranging and providing for the participation of its members in conventions, symposia, conferences, talks and meetings; and
  - (iv) providing opportunities for recreation, social intercourse and refreshment for its members;
- (g) liaise and collaborate with other bodies having similar objectives, whether in Trinidad and Tobago or overseas, and where appropriate, to seek affiliation with or membership in those bodies; and
- (h) do all such things as are necessary or expedient for the efficient administration of its aims and objectives or furthering the interests of the Association and its members.

Powers

**5.** In furtherance of its aims and objectives the Association shall have power to—

- (a) employ persons to organise, supervise and carry on the work of the Association;
- (b) acquire by purchase, transfer, donation, exchange, demise, bequest, grant, gift, conveyance or otherwise, any real or personal property or any estate or interest therein;
- (c) make regulations for the use of any property which may be so acquired;
- (d) sell, exchange, demise, mortgage, let or otherwise dispose of and deal with any property or assets of the Association;

- (e) enter into contracts on behalf of the Association, and commence, defend or compromise any proceedings in the name of the Association and its members before any Court or other authority of competent jurisdiction;
- (f) procure contributions to the Association and take any gift or money or other property from donors whether in Trinidad and Tobago or overseas and whether subject to any special trusts or not, for any one or more of the aims and objectives of the Association;
- (g) carry out, in keeping with the laws of Trinidad and Tobago, such disciplinary measures amongst the members of the Association as it may deem necessary for the effective control and management of the Association and for carrying out the aims and objectives of the Association;
- (h) invest or apply the money of the Association not immediately required for carrying out the aims and objectives of the Association, in or to such investments, securities or property as the Executive Committee may think fit; and
- (i) do all things necessary or expedient for the due conduct of the affairs of the Association, for the attainment of its aims and objectives and for the effective carrying out of the provisions of this Act.

**6.** All real and personal property of whatever nature Transfer and Vesting  
of Property now held by or vested in any person for the use and benefit of the organization is hereby transferred to and vested in the Association with the consent of the organization.

Mode of Execution of Documents

**7.** All documents requiring the seal of the Association shall be sealed with the common seal of the Association in the presence of the President and Secretary for the time being in office or in the event of incapacity, unwillingness to act, or absence from the territory, in the presence of some other person or persons authorized for the purpose by the Association who shall sign every such document and such signing shall be *prima facie* evidence that the seal was duly affixed and that the same is the lawful seal of the Association.

Service of Documents

**8.** (1) The Association shall have a fixed address in Trinidad and Tobago for the service of documents on the Association and the address and any changes thereof shall be registered with the Registrar General within twenty-eight days of the date of incorporation or the change of address as the case may be.

(2) Every document to be served on the Association may be served by leaving the same at or by sending the same by registered post to the registered address of the Association.

(3) Failure to register the address and any change thereof is a summary offence and renders the Association liable to a fine of one hundred and twenty dollars and a further fine of ten dollars for each day during which the offence continues after conviction thereof.

Management of affairs

**9.** (1) The affairs of the Association shall be managed by the Executive Committee which shall comprise of a President, Vice-President and such other members as prescribed in the Constitution and Rules of the Association.

(2) The election, powers and procedures of the members of the Executive Committee shall be prescribed in the Constitution and Rules of the Association.

(3) The Association shall appoint a Secretary.

**10.** (1) The Association shall have power to make Power to make rules such rules as they may deem necessary or expedient or convenient for the proper conduct and management of the affairs of the Association and its members and for the discharge of its duties, powers and functions and from time to time to alter, amend, vary, revoke or repeal such rules.

(2) The rules of the organization, which existed and were in force before the commencement of this Act, shall have full force and effect as rules of the Association unless varied, altered, amended or revoked by rules made under subsection (1).

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

Passed in the House of Representatives this \_\_\_\_\_ day  
of \_\_\_\_\_, 2006.

*Clerk of the House*

I confirm the above.

*Speaker*

Passed in the Senate this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

*Clerk of the Senate*

I confirm the above.

*President of the Senate*



No. 11 of 2006

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FOURTH SESSION  
**EIGHTH PARLIAMENT**  
REPUBLIC OF  
TRINIDAD AND TOBAGO

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Received and read the

First time.....

Second time.....

Third time.....

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