

CHAPTER 343

DISPLACED WORKERS ALLOWANCES (BRIDGETOWN HARBOUR) 1961-18

This Act came into operation on 19th June, 1961.

Amended by:

1962-12

1967/168

Guide to symbols in historical notes:

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument

CHAPTER 343

DISPLACED WORKERS ALLOWANCES (BRIDGETOWN HARBOUR) 1961-18

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BARBADOS

DISPLACED WORKERS ALLOWANCES (BRIDGETOWN HARBOUR)
1961-18

An Act to provide for the payment of allowances to certain categories of workers and to their dependants in cases where such workers are displaced as the direct result of the coming into operation of the Bridgetown Harbour.

[Commencement: 19th June, 1961]

Short title

1. This Act may be cited as the Displaced Workers Allowances (Bridgetown Harbour) Act.

Interpretation

2. For the purposes of this Act, the expression—
“dependant” means a person who—
 - (a) is a child of a displaced worker; or
 - (b) was living in the household of a displaced worker at a time mentioned in paragraph (c) of this definition; and

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- (c) was wholly or mainly dependent upon the earnings of such displaced worker at the times and in the circumstances following—
- (i) when the displaced worker died or left the Island, in the case of a displaced worker who has died or is not in the Island, as the case may be;
 - (ii) when the Board first found it inconvenient for an allowance or any part thereof under any regulations made under this Act to be paid to the displaced worker in person, where, for reasons other than the death of such displaced worker or his absence from the Island, the Board is satisfied that it is not convenient for the said allowance or any part thereof to be paid to the displaced worker in person;

“displaced worker” means any stevedore, lighter-commadore, lighterman, lighter-line boy, steamer-warehouse porter, launchman, launch watchman, ship’s watchman, tally clerk, warehouse clerk, clerk employed in a lighterage department, lorry driver, lorry hand, produce porter, sugar porter, sugar-bag sewer, member of any produce warehouse staff or member of any sugar room staff, who the Board is satisfied has become unemployed as such as a direct result of the coming into operation of the Bridgetown Harbour;

“Minister” means the Minister responsible for Labour;

“sugar room staff” means any worker employed at a sugar factory in activities, after the sugar has been cured, connected with the preparation of sugar for bagging, the weighing or bagging of sugar, or the sewing, storing or delivering of bags of sugar to lorries for transportation.

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Establishment and constitution of Board

3.(1) For the purposes of this Act, there shall be established a Board to be known as the Displaced Workers Allowances Board (hereinafter referred to as the Board).

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- (2) The Board shall consist of—
- (i) the officer for the time being lawfully discharging the functions of Chief Labour Officer, who shall be chairman;
 - (ii) three members to be appointed by the Minister to represent the employers concerned;
 - (iii) three members to be appointed by the Minister to represent the workers concerned.
- (3) A member of the Board other than the chairman shall, subject to subsections (10) and (11), hold office for such period not exceeding two years as the Minister may direct in the instrument appointing such member, but such member shall be eligible for re-appointment.
- (4) The Minister may appoint in accordance with subsection (2) any person as a member of the Board to act temporarily in the place of any member of the Board in the case of the absence or inability to act of such member.
- (5) The powers of the Board shall not be affected by any vacancy in the membership thereof.
- (6) The chairman shall preside at all meetings of the Board at which he is present, and in his absence the members present and constituting a quorum shall elect a temporary chairman from among their number.
- (7) At any meeting of the Board four members shall form a quorum:
- Provided that at a meeting of the Board there shall be no quorum unless there are present at such meeting at least one member appointed in accordance with paragraph (ii) of subsection (2) and at least one member appointed in accordance with paragraph (iii) of subsection (2).
- (8) The decisions of the Board at any meeting shall be by a majority of votes.
- (9) Minutes of each meeting shall be recorded and kept by the secretary or such other officer of the Board as the Board may appoint and shall be confirmed

by the chairman or the temporary chairman, as the case may be, at the next meeting.

(10) Any member of the Board other than the chairman may at any time resign his office by instrument in writing addressed to the chairman thereof, and upon the date of the receipt by the chairman of such instrument such member shall cease to be a member of the Board.

(11) The Minister may at any time revoke the appointment of any member of the Board if he thinks it expedient so to do.

Meeting may be summoned on initiative of chairman or at request of two members

4.(1) The chairman of the Board may at any time summon a meeting of the Board and on requisition signed by any two members of the Board shall summon a meeting of the Board within seven days after receipt by him of the requisition.

(2) A requisition under subsection (1) shall state the object for which the meeting is required to be summoned.

Incorporation

5. The Board shall be a body corporate having perpetual succession and a common seal and shall be capable of suing and of being sued under the name of the Displaced Workers Allowances Board.

Appointment of officers and servants

6.(1) The Board shall appoint and employ at such remuneration and on such terms and conditions as it thinks fit a secretary and such other officers and servants as it deems necessary for the proper carrying into effect of this Act:

Provided that—

- (a) no salary in excess of the rate of three thousand six hundred dollars *per annum* shall be assigned to any post without the prior approval of the Minister;

- (b) no appointment shall be made to any post to which a salary in excess of the rate of three thousand six hundred dollars *per annum* is assigned without the prior approval of the Minister; and
 - (c) no provision shall be made for the payment of any pensions, gratuities or other like benefits to any officers or servants or to others by reference to their service without the prior approval of the Minister.
- (2) The salaries of all officers and servants appointed under this section shall be payable out of the funds of the Board.

Funds of Board

7. The funds of the Board shall consist of—
- (a) such sums as may be provided from time to time for the purposes of this Act by Parliament;
 - (b) such sums as may from time to time be paid out of the Price Stabilisation Reserve Fund in accordance with regulations made under the *Sugar Industry (Rehabilitation, Price Stabilisation and Labour Welfare) Act*, Cap. 270, for the purposes of this Act; and
 - (c) such other sums as may from time to time be paid to the Board.

Functions of Board

8. It shall be the duty of the Board—
- (a) to provide out of their funds for the payment of allowances to such categories of workers and their dependants in such amounts as may be prescribed by regulations made by the Board under this Act and for such other expenses as may be incurred in carrying this Act into effect; and
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 - (b) otherwise to administer their funds for the purposes and in the manner prescribed by regulations made by the Board under this Act.

Power to make regulations

- 9.(1) The Board may, subject to this Act, make regulations—
- (a) governing the proceedings of the Board and the manner and transaction of its business;
 - (b) prescribing the manner in which documents, cheques and instruments of any description shall be signed and executed on behalf of the Board;
 - (c) providing for the payment of allowances out of its funds to specified categories of workers and the dependants of such workers in cases where the said workers are displaced as a direct result of the coming into operation of the Bridgetown Harbour;
 - (d) prescribing the terms and conditions under which the payment of such allowances may be made;
 - (e) requiring information to be supplied to the Board for the purposes of this Act;
 - (f) generally as to all matters necessary for the proper keeping and control of the finances of the Board;
 - (g) generally for the exercise of its powers and duties under this Act;
 - (h) generally for giving effect to this Act:

Provided that any regulations so made shall not be valid until approved by the Minister.

(2) Until varied or revoked by regulations made by the Board under subsection (1), the regulations contained in the Schedule to the Displaced Workers Allowances (Bridgetown Harbour) Act, 1961-18* shall be in force.

**[Act 1961-18, the original of this chapter.]*

Accounts and audit

10.(1) The Board shall keep proper accounts and adequate financial and other records in relation thereto to the satisfaction and in accordance with any directions of the Auditor-General and shall prepare a statement of accounts in respect of each calendar year.

(2) The accounts of the Board shall as soon as may be after the end of each calendar year be audited by the Auditor-General or by an auditor appointed for the purpose by the Minister.

(3) The members, officers and servants of the Board shall grant to the auditor appointed to audit the accounts of the Board under subsection (2) access to all books, documents and cash of the Board and shall give to him on request all such information as may be within their knowledge in relation to the operation of the Board.

Report

11.(1) The Board shall, not later than six months after the end of each calendar year, submit to the Minister a report containing—

- (a) an account of its transactions throughout the preceding calendar year in such detail as the Minister may direct; and
- (b) a statement of the accounts of the Board audited in accordance with section 10.

(2) A copy of the report together with a copy of the auditor's report shall be printed and laid on the table of both Houses and published in the *Official Gazette*.

Protection of members of Board

12.(1) No action, prosecution or other proceedings shall be brought or instituted personally against any member of the Board in respect of any act done *bona fide* in pursuance or execution or intended execution of this Act.

(2) Where any member of the Board is exempt from liability by reason only of this section, the Board shall be liable to the extent that it would be if the said member was a servant or agent of the Board.