

Section 11(1).
[17 of 2003].

FIRST SCHEDULE

APPOINTMENT OF BOARD

Appointment of
Members.

1. (1) The President shall appoint the members of the Board other than the Director-General, as follows:

- (a) six suitably qualified persons with proven experience in the fields of civil aviation, law, financial management, economics or human resource management;
- (b) a nominee of the Tobago House of Assembly;
- (c) a nominee of the Environmental Management Authority; and
- (d) *(Deleted by Act No. 17 of 2003).*

(2) The President may appoint any two members excluding the *ex officio* member to be Chairman and Deputy Chairman of the Board.

Tenure of office.

2. (1) A member of the Board, other than the Director-General, shall hold office for such a term not exceeding three years, as shall be specified in the instrument of appointment and shall be eligible for reappointment.

(2) No member of the Board, other than the Director-General, shall hold office for more than two consecutive terms.

(3) The performance of the functions or the exercise of the powers of the Board is not invalidated by reason only of a vacancy in the membership of the Board.

(4) The appointment of a person is not invalidated and shall not be called into question, by reason of a defect or procedural irregularity in, or in connection with, his appointment.

(5) The performance of the functions or the exercise of the powers of the Board, is not invalidated by reason only that—

- (a) there is a vacancy in the office of the Chairman or Director-General; or
- (b) the number of persons appointed under subparagraph (1), falls below five for no longer than two months.

(6) A member who is absent without leave for three consecutive meetings of the Board is deemed to have resigned his membership of the Board.

(7) Any member of the Board other than an *ex officio* member may at any time resign his office by instrument in writing addressed to the Chairman of the Board who shall forthwith forward the same to the Minister and, from the date of the receipt by the secretary of such instrument, such member shall cease to be a member of the Board and the vacancy caused by such resignation or by the death of a member shall be filled by the President by the appointment of any other person.

(8) The President may terminate the appointment of a member appointed under section 11(1) where the member—

- (a) becomes of unsound mind or incapable of carrying out his duties;
- (b) becomes bankrupt or compounds with his creditors;
- (c) is convicted of any offence which brings the Authority into disrepute;
- (d) is guilty of misconduct in relation to his duties;
- (e) is absent, except on leave granted by the Board, from all meetings of the Board held during two consecutive months or during any three months in any period of twelve months; or
- (f) fails to carry out any of the duties or functions conferred or imposed on him under this Act.

(9) The appointment of any member and the termination of office of any member, whether by death, resignation, revocation, effluxion of time or otherwise, shall be notified in the *Gazette*.

3. (1) The President may appoint a suitably qualified person of the Board to act as a member— Acting members of the Board.

- (a) during a vacancy in the office of a member; or
- (b) during the period when a member is absent from duty or from Trinidad and Tobago or is, for any reason, including the reason that a member is acting as Chairman, unable to perform the duties of the office of member, and a person appointed to act during a vacancy, shall not continue to act for more than six months.

(2) An appointment of a person under subparagraph (1), may be expressed to have effect only in such circumstances as are specified in the instrument of appointment.

(3) A person who is appointed to act as a member shall enjoy the same terms and conditions of a substantive member save that the appointment may be terminated before the vacancy is filled or re-occupied by the substantive member.

(4) Where a person is acting in an office under subparagraph (1)(b) and the office becomes vacant while the person is so acting, that person may continue so to act until the vacancy is filled or a period of six months from the date on which the vacancy occurred expires, whichever occurs first.

4. The Board shall pay to its members such remuneration and allowances as are approved by the Minister. Remuneration of members of Board.

5. The Chairman may excuse a member from attending a meeting of the Board. Leave of absence.

LAWS OF TRINIDAD AND TOBAGO

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Chap. 49:03

Civil Aviation

Resignation of
Chairman and
members.

6. (1) The Chairman may resign by instrument in writing addressed to the President, through the Minister.

(2) A member, other than the Chairman and the Director-General, may resign by instrument in writing addressed to the Chairman, who shall cause the instrument to be forwarded to the President through the Minister.

(3) The Director-General may resign by instrument in writing addressed to the Board.
