

CHAPTER 131
GRENADA RESORTS CORPORATION ACT

• Act • Subsidiary Legislation •

ACT

Act No. 99 of 1979

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CHAPTER 131
GRENADA RESORTS CORPORATION ACT

An Act to provide for the establishment of the Grenada Resorts Corporation for the management of certain properties on behalf of the Government, and for connected matters.

[Act No. 99 of 1979.]

[21st December, 1979.]

1. Short title

This Act may be cited as the Grenada Resorts Corporation Act.

2. Interpretation

In this Act—

“Board” means the Board of directors of the Corporation;

“chairperson” means the chairperson of the Board;

“Corporation” means the Grenada Resorts Corporation established by section 3;

“General Manager” means the person appointed under section 7(1);

“Minister” means the Minister for the time being responsible for tourism;

“secretary” means the person appointed as secretary of the Corporation under section 8.

3. Establishment of the Grenada Resorts Corporation

(1) There is hereby established a corporation called the Grenada Resorts Corporation with perpetual succession and a Common Seal. The Corporation may sue and be sued in its corporate name.

(2) The Corporation may acquire by purchase, lease, exchange, gift or otherwise, movable or immovable property for any estate or interest therein in Grenada.

4. Board of directors

(1) There shall be a Board of directors of the Corporation which, subject to the provisions of this Act, shall be responsible for the policy and the general administration of the affairs of the Corporation.

(2) The provisions of the First Schedule shall have effect as to the constitution and proceedings of the Board.

5. Functions of the Corporation

The Corporation has responsibility for maintaining, administering and developing the property vested in or administered by it and for that purpose may—

- (a) make charges for the tenancy or occupation of buildings or land;
- (b) erect buildings on land belonging to or administered by it;
- (c) alter or reconstruct any building on property belonging to or administered by it;
- (d) manage hotels or resorts;
- (e) purchase, sell or mortgage property;
- (f) dispose of, by sale, lease, sublease, easement or otherwise, any land or interest in land;
- (g) operate pleasure boats and make charges incidental thereto.

6. Board shall comply with directions of Minister

In the performance of its functions and duties the Board shall comply with any special or general directions given to it in writing by the Minister pursuant to the policy of the Government in relation thereto.

7. Appointment, etc., and duties of General Manager

(1) The Board shall, with the approval of the Minister, appoint a General Manager at such salary and upon such terms as it may determine.

(2) The General Manager shall be the senior officer of the Corporation responsible for carrying out its general policy and for the general supervision of the activities of the Corporation. He or she shall have general administrative control of all officers, employees and agents of the Corporation.

(3) The Minister may, with the approval of the Board, terminate the appointment of the General Manager if the General Manager is found guilty of gross misconduct; but he

or she shall first be informed in writing of the charge made against him or her and shall have the right to appear before the Board and to be heard in his or her defence.

(4) The General Manager may at any time resign his or her office by letter addressed to the Minister.

(5) The Minister may grant the General Manager leave of absence.

(6) The Board may, subject to such conditions as it may specify, delegate to the General Manager the power to appoint and the power to dismiss all or any of the officers and employees of the Corporation except the secretary, including the power to suspend those officers pending consideration of their dismissal by the Board.

8. Appointment of officers

The Board may appoint and employ a secretary and such other persons as may be deemed necessary for the proper carrying out of the provisions of this Act at such remuneration as the Board shall determine.

9. Borrowing powers

Subject to the provisions of this Act, the Corporation may, with the consent of the Minister, borrow sums required by it for meeting any of its obligations or discharging any of its functions.

10. Funds of the Corporation

The funds of the Corporation shall consist of—

- (a) such sums as the Corporation may borrow for the purposes of this Act;
- (b) such sums as may be placed at the disposal of the Corporation from time to time by the Government;
- (c) such sums as may accrue to the Corporation from its operations under this Act;
- (d) sums from any other source whatsoever.

11. Application of funds of the Corporation

The funds of the Corporation shall be applied towards—

- (a) payment of the salaries, remuneration and other allowances of the persons, employed by it;
- (b) the payment of any interest on sums borrowed by, or placed at the disposal of, the Corporation, and the repayment of any such sums;
- (c) the payment of rates, taxes, insurance premiums and other outgoings and expenses of maintenance and disposal in connection with lands or buildings vested in the Corporation;
- (d) the creation of a reserve fund;
- (e) the payment of all other expenses authorised by, or incidental to the operation of, this Act and of any other sums the payment of which is approved by the Minister.

12. Accounts to be kept

(1) The Corporation shall keep proper accounts of all its transactions to the satisfaction of the Minister and a statement of accounts shall be kept and made up in respect of each financial year.

(2) The statement of accounts in respect of each financial year shall present a true and fair view of the financial position of the Corporation, and of the results for the financial year to which it relates of the operations of the Corporation.

13. Sums payable to and by the Corporation

(1) Every sum payable to the Corporation shall be collected and received for and on account of the funds of the Corporation. Receipts for all sums paid to the Corporation shall be signed by an officer of the Corporation authorised by the General Manager.

(2) All payments out of the funds of the Corporation shall be made by officers of the Corporation generally or specially authorised by resolution of the Board signified in writing by the chairperson.

14. Annual audit

The Corporation shall cause to be kept proper books and accounts to the satisfaction of the Accountant-General. The Director of Audit, or such other auditor as may be approved by the Minister, shall in each financial year audit the accounts of the Corporation and a report of the audit shall be made to the Board and the Minister.

15. Protection of the Board

Notwithstanding anything to the contrary, an act done or proceeding taken under this Act by the Board shall not be questioned on the ground of any omission, defect or irregularity not affecting the merits of the case.

16. Protection of directors of the Corporation

No action, suit, prosecution or other proceedings shall be brought or instituted personally against a director of the Corporation in respect of any act done in good faith in pursuance or execution or intended execution of this Act.

17. Vesting of property in the Corporation

(1) The property listed in the Second Schedule is vested in the Corporation by virtue of this section and without further assurance.

(2) The Minister may, by Order published in the *Gazette*, and without any conveyance or other instrument vest other Government property in the Corporation.

(3) The Minister may by Order amend the Second Schedule.

First Schedule

GRENADA RESORTS CORPORATION ACT

Constitution and Proceedings of the Board

[Section 4(2).]

1. Board of Directors

The Board shall consist of not less than five nor more than fifteen directors appointed in writing by the Minister from persons appearing to him or her to have experience and ability in commerce, industry, finance, economics, law or administration.

2. Temporary appointments

The Minister may appoint any person to act temporarily in the place of a director who is absent or unable to act as such.

3. Chairperson

(1) The Minister shall appoint one of the directors to be chairperson.

(2) The Minister shall appoint one of the directors to be deputy chairperson.

(3) If the chairperson is absent or unable to act as such, the deputy chairperson shall exercise the functions of the chairperson.

4. Tenure of office

Subject to the provisions of this Schedule, a director of the Corporation shall be appointed for a period of two years and shall be eligible for re-appointment at the expiration of that period.

5. Resignation

(1) Any director of the Corporation other than the chairperson may at any time resign his or her office by giving notice in writing to that effect to the Minister transmitted through the chairperson, and from the date the Minister receives the notice that director shall cease to be a director of the Corporation.

(2) The chairperson may at any time resign his or her office by giving notice in writing to that effect to the Minister, and the resignation shall take effect from the date the Minister receives the notice.

6. Removal of Director

The Minister may, at any time, revoke the appointment of a director if he or she considers it expedient to do so.

7. Publication

The names of the directors of the Corporation as first constituted and every change in the membership of the Corporation shall be notified in the *Gazette*.

8. Authentication of Seal and documents

The Common Seal of the Corporation and all documents required by law to be under seal shall be authenticated by the signatures of—

(a) the chairperson, or one director authorised to act in that behalf; and

(b) the General Manager or the secretary of the Corporation.

9. Procedure at meetings

(1) The Board shall meet at such times as may be necessary or expedient for the transaction of business, and such meetings shall be held at such places and times and on such days as the Board shall determine.

(2) The quorum of the Board shall be five including the chairperson when the Board consists of more than six directors and three when the Boards consists of only five directors.

(3) Subject to the provisions of this Schedule the Board may regulate its own proceedings.

(4) The validity of any proceeding of the Board shall not be affected by a vacancy amongst the directors of the Corporation or by any defect in the appointment of a director.

10. Remuneration of Directors

There shall be paid to the chairperson and the directors of the Corporation such remuneration, if any, whether by way of salaries, travelling allowances, or other allowances, as the Minister may determine.

Second Schedule

GRENADA RESORTS CORPORATION ACT

Property Vested in the Corporation

[Section 17.]

Tropical Inn Hotel

Government shares in Horse Shoe Limited (a company registered under the Companies Act)

Knights Inn Hotel

Carifta Cottages

Rock Gardens

Evening Palace

Rum Runner

Thirty-five acres and thirteen poles of land in Woodlands confiscated and vested in the Government under the provisions of the Property Confiscation (Eric Matthew Gairy) Act, 1979 Golf Club.

CHAPTER 131

GRENADA RESORTS CORPORATION ACT

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
