

1990

## Numbering of sections

Original number	Comment	Present number
1 - 15	—	1 - 15
16	spent/omitted	—
17	—	16

## Index of subsidiary legislation

Nil

## CHAPTER 329

SAINT VINCENT AND THE GRENADINES  
NATIONAL TRUST ACT

## Arrangement of sections

1. Short title.
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AN ACT to establish a body corporate to be known as the Saint Vincent and the Grenadines National Trust.

Commencement: 25th October 1969

1. This Act may be cited as the Saint Vincent and the Grenadines National Trust Act. Short title.

2. In this Act, unless the context otherwise requires— Interpretation.  
 “Board” means the Board of Trustees established under section 7;  
 “Minister” means the Minister charged with responsibility for museums and antiques;  
 “Trust” means the Saint Vincent and the Grenadines National Trust established under section 3;  
 “trust property” means property of any kind owned by the Trust.

Establishment of National Trust.

3. There is hereby established a body corporate called the Saint Vincent and the Grenadines National Trust which, by that name, may sue and be sued in all courts of justice in Saint Vincent and the Grenadines and shall have and use a common seal with power from time to time to change such seal.

Objects of Trust.

4. The objects of the Trust shall be—

- (a) to conserve, acquire and hold land, buildings and other property;
- (b) to locate, restore and conserve areas of beauty including marine zones within the territorial waters of Saint Vincent and the Grenadines and to protect and conserve the natural life existing therein;
- (c) to locate, restore and conserve buildings and objects of archaeological, architectural, artistic, historic, scientific or traditional interest;
- (d) to list the flora and fauna in areas of natural beauty for the purpose of such conservation;
- (e) to make and keep inventories of buildings and property held by the Trust;
- (f) to make and keep photographic records of Saint Vincent and the Grenadines;
- (g) to educate the public in the historical assets and natural amenities of Saint Vincent and the Grenadines;
- (h) to cooperate with persons and associations having similar objects;
- (i) to collect and allocate funds in the execution of the above objects;
- (j) with the consent of the House of Assembly, to sell or exchange any land or other property or interest therein, subject to the exception in the proviso to section 5; and
- (k) to administer the trust property for the furtherance and achievement of the above objects.

Powers of Trust.

5. The Trust shall have the powers herein set forth and such other powers as are appropriate to its objects—

- (a) to acquire by purchase, exchange, devise or otherwise all messuages, land, tenements and hereditaments of any tenure and also all moneys, securities for money, goods or chattels whatsoever, and may hold and enjoy the same;

- (b) to accept surrenders and reconveyances and to enter into and perform contracts;
- (c) to sell, demise, convey, exchange or otherwise dispose of any land or interest in land from time to time vested in it:

Provided that the Trust shall not sell, demise, convey, mortgage, exchange or otherwise dispose of any land or interest in land without the approval of the House of Assembly, save and except that the Trust may, with the consent of the Governor-General, grant leases of, or licences over, land for agricultural purposes not inconsistent with the objects of the Trust.

6. All documents requiring the seal of the Trust shall be sealed with its common seal in the presence of the chairman or vice-chairman, the honorary secretary or the honorary treasurer, and of one other member of the Board for the time being, the three of whom shall sign 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 Trust. Seal.

7. (1) The Trust shall be managed by a Board of Trustees which shall consist of not less than eight members, and shall include a chairman, vice-chairman, honorary secretary and honorary treasurer. In the deliberations of the Board, the chairman or member of the Board acting as such shall have a casting vote as well as an original vote. The Minister shall be an *ex officio* member of the Board. Board of Trustees.

(2) Members of the Board shall, on the termination of the life of the first Board, hold office for three years save in the case of the Minister whose appointment is *ex officio*. Membership of the Board may nevertheless be sooner determined by—

- (a) resignation;
- (b) incapacity;
- (c) death;
- (d) absence from three consecutive meetings of the Board without reasonable explanation to the satisfaction of the Board.

(3) The first Board shall make rules providing for membership of the Board after the end of its term of office.

(4) The Board may make rules for regulating its procedure and for all matters requisite to the sound management of the Trust. *for*

Membership of Trust.	<p>8. Every member of the Board shall be <i>ex officio</i> a member of the Trust and the Board may make, revoke and amend rules of association providing for the enrolment of members of the Trust, classes of member thereof, the holding and conduct of general meetings and rates of subscription.</p>	<p>12. No member of the Trust shall be liable to any creditor of the Trust for any sum over and above such subscription as he may have undertaken to pay and which still remains unpaid.</p>	Liability of members.	
Publication of rules.	<p>9. All rules which the Board is required or empowered to make shall be published in the Gazette and shall become effective from the date of such publication.</p>	<p>13. The Trust shall be exempt from <i>ad valorem</i> and other stamp duty and other Government fees whatsoever in respect of any instrument conveying or transferring any land or any interest in land to the Trust.</p>	Exemption from stamp duty, etc.	
Collection and allocation of funds.	<p>10. The powers of the Trust shall be exercised by the Board in the name of the Trust, and the power in relation to section 4(i) shall include the power—</p> <ul style="list-style-type: none"><li>(a) to raise money by borrowing in any way, save that without the prior consent of the House of Assembly, the Trust shall not raise money on any interest in land;</li><li>(b) to retain the services of professional and technical advisers and pay the fees of such advisers;</li><li>(c) to employ, upon a temporary or permanent basis, professional, technical, clerical and other officers and servants, and to make provision for pensions and other incentives;</li><li>(d) to make charges to the public for viewing or making use of trust property;</li><li>(e) to improve the amenities of trust property by means of construction, horticulture, agriculture and landscaping;</li><li>(f) notwithstanding section 4 (a), to sell or write off items of plant or equipment not exceeding five hundred dollars in value in respect of any one item;</li><li>(g) to sell to the public agricultural and horticultural produce and also matured timber;</li><li>(h) to maintain, rear and agist domesticated animals on any trust property and sell the same or market the produce thereof.</li></ul>	<p>14. The Trust shall be exempt from paying rates and taxes in respect of any land held or administered by or on behalf of the Trust.</p> <p>15. For the purposes of section 58 of the Income Tax Act the Trust shall be deemed to be a trust established within Saint Vincent and the Grenadines exclusively for charitable, educational or scientific purposes and a deduction of any amount paid as a gift to the Trust shall be made in ascertaining the chargeable income of any person who has made such a gift during the year preceeding the year of assessment, whether or not such payment was made under a covenant and whether or not it forms part of a series of payments to be made to the Trust over a number of years.</p>	Exemption from rates.	Relief from income tax on gifts to Trust. Cap. 312
Audit.	<p>11. It shall be the duty of the Board to keep full and proper accounts of all moneys received and expended on behalf of the trust and to submit such accounts annually to the Director of Audit on such dates as he may direct.</p>	<p>16. The Governor-General may make regulations for protecting and controlling trust property and for the prevention of trespass thereupon and injury thereto by fire and otherwise, as well for the prevention and abatement of nuisances thereon and may prescribe penalties by way of fine and imprisonment of persons found to be in breach of such regulations:</p> <p>Provided that such penalties shall not exceed a fine of two thousand five hundred dollars and imprisonment for three months in respect of any offence punishable on summary conviction.</p>	Regulations.	