

## CHAPTER 713

THE WEST INDIES AGRICULTURAL SOCIETY  
ACT, 1961.

## ARRANGEMENT OF SECTIONS

*Section*

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**AN ACT** to incorporate the West Indies Agricultural Society and for purposes connected therewith. *Act*  
6/1961.

*Date of assent* .. .. . 29th April, 1961.

S.I.  
14/1961

*Commencement* .. .. . 15th August, 1961.

1. (1) This Act may be cited as the West Indies Short title and application. Agricultural Society Act, 1961.

(2) This Act shall apply to the Cayman Islands and to the Turks and Caicos Islands.

2. In this Act unless the context otherwise requires—Interpretation.

“Executive” means the Executive Committee of the Society or a quorum of the members thereof;

“member” includes a subscribing member;

“representative” means the representative of a member appointed under the provisions of subsection (7) of section 5 of this Act;

Establishment and constitution.

3. (1) There shall be established a Society to be known as the West Indies Agricultural Society which by that name shall be a body corporate with perpetual succession and a common seal.

(2) The Society may sue and be sued in such name and may for all purposes be described by such name.

(3) The Society shall consist of the Jamaica Agricultural Society and the Agricultural Society of Trinidad and Tobago together with such agricultural societies of the Territories of the Federation, British Guiana, British Honduras and the British Virgin Islands as may be admitted to membership and such associate and honorary members as may be admitted to membership under the provisions of this Act.

Objects.

4. It is hereby declared that the objects of the Society are—

- (a) to promote and encourage fruit growing, horticulture, arboriculture, seed growing, dairy farming, livestock rearing and breeding, apiculture, fisheries, market gardening and the use of lands for woodlands within the Federation, British Guiana, British Honduras and the British Virgin Islands and generally to encourage and develop all types of agriculture and of trade in agricultural products within the said areas and with other parts of the world and to further the interests of all persons directly or indirectly engaged in any of the above-mentioned activities;
- (b) to collect and coordinate information and statistics and any other information relating to any of the activities set out in the immediately preceding paragraph and to the production, transportation and marketing of all kinds of agricultural products of the Territories of the Federation, British Guiana, British Honduras and the British Virgin Islands;

- (c) to diffuse among the members of the Society and the public information appertaining to the objects of the Society and to print, publish, issue and circulate whether gratis or otherwise such papers, periodicals, books and other literary undertakings as may be conducive to the promotion of any of the objects of the Society;
- (d) to carry on publicity work for the production, sale and consumption of agricultural products of the Territories of the Federation, British Guiana, British Honduras and the British Virgin Islands and to organise and conduct if so requested by the producers concerned such mutual consultations by way of conferences, correspondence or otherwise as may be conducive to the objects of the Society;
- (e) to communicate the views and opinions of the Society to any government, public authority, official or other body and to promote in the Territories of the Federation, British Guiana, British Honduras and the British Virgin Islands new laws and modifications of existing laws relating to or affecting agriculture and the manufacture and processing of agricultural products; to assist in effecting improvements in the administration of such laws; and for the objects of the Society to petition governments, parliaments and other public authorities in all parts of the Commonwealth and elsewhere;
- (f) to promote, encourage and, if deemed expedient, to carry out and administer scientific, agricultural and industrial research for the development of forestry, fisheries, livestock and all kinds of agricultural products and the extension of their uses;
- (g) to purchase, exchange, lease, hire or otherwise acquire in any of the Territories of the Federation, British Guiana, British Honduras

and the British Virgin Islands any real or personal property or any rights or privileges necessary or convenient for the purposes of the Society and to sell, let on lease, exchange, hire or otherwise dispose of the whole or any part of the real or personal property of the Society on such terms as the Society shall determine;

- (h) to construct, alter, pull down, or maintain any building or part of a building as may be required for the purposes of the Society;
- (i) to apply for, and accept grants of money, gifts of land or other assistance from governments, public authorities, chambers of commerce, companies or firms or other institutions or associations or from private persons for any of the objects of the Society and to award such privileges to them or any of them as benefactors of the Society as may be deemed advisable;
- (j) to raise money by assessments on the members of the Society in accordance with the provisions of this Act;
- (k) to promote and encourage commodity and cooperative associations;
- (l) to borrow and raise within the limits from time to time fixed by the members of the Society in general meeting any moneys, secured or unsecured, required for the purposes of the Society and in particular by the issue of debentures or debenture stock perpetual or redeemable and to secure the repayment of any moneys borrowed or raised or owing by the Society by mortgage charge or lien upon the whole or any part of the Society's property or assets, whether present or future, and also by a mortgage charge or lien to secure and guarantee the performance by the Society of any obligation or liability it may undertake;

- (m) to draw, make, accept, endorse, discount, execute and issue all instruments both negotiable and non-negotiatble and transferable and non-transferable including promissory notes, bills of exchange, bills of lading, warrants and debentures and bonds;
- (n) to invest and deal with the moneys of the Society not immediately required in such manner as may from time to time be determined; and
- (o) to do all such other lawful things as may be incidental or conducive to the attainment of these objects.

5. (1) There shall be three classes of members of the <sup>Member-</sup>Society namely:—<sub>ship.</sub>

- (a) subscribing members;
- (b) associate members, and
- (c) honorary members.

(2) Any agricultural society incorporated or registered in any Territory, British Guiana, British Honduras or the British Virgin Islands shall be eligible for admission as a subscribing member of the Society.

(3) Application for membership by an agricultural society shall be in writing under its common seal; such applications shall be considered by the Executive, who shall have power to admit such applicants to membership.

(4) Individuals, corporations, commodity associations and other bodies shall be eligible for election to the Society as associate members on such terms and conditions as the Executive by regulation or otherwise may prescribe.

(5) The Society may from time to time elect such person or persons, corporations, cooperatives, commodity associations, companies or firms as the Executive may consider fit to be honorary members of the Society.

(6) Associate and honorary members shall have the right to attend meetings of the Society under conditions as set out in the bye-laws of the Society.

(7) A member of the Society may appoint such person as it thinks fit to be its representative at any meeting of the Society or of any of its committees and may vary such appointment from time to time in such manner as may be prescribed by regulations made under section 14 of this Act and a representative so appointed shall be entitled to exercise on behalf of the member which he represents the same powers as the member would have been entitled to exercise.

Executive  
Committee.

6. (1) The affairs of the Society shall be administered by an Executive Committee consisting of not more than twelve persons who shall be appointed annually by the subscribing members of the Society at the annual general meeting of the Society; provided always that each subscribing member shall have at least one member on the Executive Committee.

(2) The Executive shall have and exercise all the powers conferred on the Society for the accomplishment of its objects except in regard to such matters as may be reserved for the Society in general meeting.

(3) The chief executive officer of the Society shall be the President who shall be elected at the annual general meeting from among the persons appointed to the Executive and shall be, ex officio, chairman of the Executive.

(4) Two Vice-Presidents shall be elected annually by the Society at the annual general meeting from among the persons appointed to the Executive.

(5) In the absence of the President, the Vice-President first elected or in his absence the Vice-President next elected shall perform the duties of President. If at any meeting both the President and the two Vice-Presidents are absent the members of the Executive present shall elect a chairman from among themselves to be chairman of that meeting.

(6) The first Executive shall consist of six persons appointed, as to one half, by the Jamaica Agricultural Society and as to the other half by the Agricultural Society

of Trinidad and Tobago who shall hold office until the first annual general meeting of the Society when they shall retire but shall be eligible for re-election.

(7) The Society shall have power to make such regulations as to the procedure of the Executive, including the quorum required at its meetings, the voting of members and the transaction of business, as it shall deem fit.

(8) Any member may appoint any person to be an alternate representative for a specified meeting or meetings and such appointment shall have effect and such appointee while he holds office as an alternate representative may attend and vote at any meeting or meetings, as the case may be, of the Executive, and shall ipso facto vacate office if and when the substantive representative vacates office or the member revokes the said appointment.

(9) Each representative may when attending meetings of the Executive have two advisers who shall be responsible for their own expenses.

(10) The office of a representative shall, notwithstanding anything contained in this Act, be vacated if—

- (a) by notice in writing to the Society he resigns his office;
- (b) the member whom he represents ceases to be a member of the Society; or
- (c) he becomes of unsound mind.

7. (1) Whenever two or more members interested in any particular commodity decide that it would be in their interest to have a committee appointed for that commodity they shall so inform the Executive in writing addressed to the Secretary and the Executive may, if it considers it desirable, appoint the commodity committee which shall consist of representatives of members. A commodity committee shall have power to add to its number provided that the person or persons so added are nominated by members, and shall prescribe the quorum for the transaction of its business.

(2) A commodity committee shall elect its own chairman who shall retire annually but shall be eligible for re-election, and shall carry on all work which it may deem desir-

able for the promotion of the welfare of the producers of the commodity which it represents but shall in respect of any and every matter submit its findings to the Executive for final consideration.

Meetings.

8. (1) All meetings of the Society shall be held in such place as the Executive may determine.

(2) A general meeting of the Society, to be called the annual general meeting, shall be held once in every calendar year at such time, not being more than fifteen months after the holding of the last annual general meeting, and at such place as may be determined upon by the Executive.

(3) The business of the annual general meeting shall be—

- (a) to receive the accounts of the past year with the auditor's certificate and report;
- (b) to receive the report of the Executive on the transactions and accounts of the past year;
- (c) to fix the assessments to be levied on members for the current year;
- (d) to appoint the Executive for the ensuing year;
- (e) to elect a President and two Vice-Presidents for the ensuing year;
- (f) to consider and approve the estimates of revenue and expenditure and the programme of work for the Society for the ensuing year;
- (g) to elect an auditor or auditors;
- (h) to consider any motions or business on the agenda;
- (i) to consider any matter of general business which the annual general meeting may deem it necessary to discuss or decide provided that it is not inconsistent with the objects of the Society or the provisions of this Act.



(4) Any representative who is desirous of bringing before a general meeting any business other than the business specified in the agenda for the meeting shall give notice in writing to the Secretary so as to be received by him not less than ten days before the date of the meeting.

(5) A general meeting of the Society, to be called an extraordinary general meeting, may be convened at any time by the Executive and shall be convened by the Executive on a requisition in writing signed by three members of the Society, including associate members, and addressed to the Secretary. Such requisition shall state the nature of the business to be considered at such meeting and no other business than that specified in the notice shall be considered.

(6) No business shall be transacted at any meeting unless a quorum of not less than three members, including associate members, is present at the time when the meeting proceeds to business; if on the day appointed for the meeting a quorum is not present the meeting shall stand adjourned until the following day at the same time and place, and if at such adjourned meeting a quorum is not present the members present, being not less than two, shall form a quorum for the purpose of holding the annual general meeting; in any other case the meeting shall stand adjourned to a date and place to be appointed by the Executive.

9. The Executive shall have power to fix the date of the termination of the first financial year of the Society.

10. (1) A member shall pay to the Society such annual sum or sums and at such time as the Society in general meeting may from time to time prescribe.

(2) Every member shall further to the best of his ability the objects, interest and influence of the Society, and shall observe all regulations, rules and bye-laws of the Society.

(3) The liability of members of the Society is limited: provided that if the Society shall at any time by law be dissolved every member shall be liable in a sum not exceeding two dollars and fifty cents for payment of the debts and liabilities of the Society contracted before the time at which he

ceases to be a member and of any consequential costs of the dissolution and the adjustment of the rights of members among themselves.

Property  
and  
finance.

11. (1) All property, income and funds of the Society whencesoever derived shall be vested in the Society.

(2) The Executive shall at the annual general meeting present a written report of its proceedings since the last annual general meeting signed by the President together with audited accounts of the Society for the last financial year certified by the auditor or auditors.

(3) All the income and property of the Society shall be applied solely towards the promotion of the objects of the Society and no portion thereof shall be paid or transferred by way of dividend bonus or otherwise by way of profit to the members of the Society.

(4) Notwithstanding the provisions of the subsection immediately preceding it shall be lawful for the Society to pay reasonable and proper remuneration to any officer or servant of the Society or to any member of the Society for services actually rendered to the Society and interest at the current rate on money borrowed by the Society from any member and reasonable and proper rent for any premises demised or let by any member of the Society.

(5) If the Society shall at any time be dissolved by any law amending or repealing this Act any property remaining after the satisfaction of all debts and liabilities of the Society shall be transferred to some other society or association having objects similar to the objects of the Society or to some charitable institution as the Society in general meeting or the Federal Supreme Court shall determine on the application of the Executive.

Officers.

12. (1) It shall be lawful for the Executive to appoint, on such terms and conditions as it thinks fit, a Secretary who shall also be Treasurer of the Society.

(2) The Secretary shall, subject to the direction of the President or the Executive, summon and attend all meetings of the Society and its committees, keep the accounts and min-

utes of proceedings of the Society and of the Executive, conduct all correspondence and be the custodian of all books, papers and other property of the Society.

13. (1) A member of the Society having paid all assess-Resigna-  
ments due from such member may withdraw from the tion.  
Society by giving six calendar months' notice in writing of  
such intention, but may with the consent of the Executive  
withdraw notice.

(2) Membership in the Society shall cease—

- (a) if the member resigns;
- (b) if the member being a corporation or com-  
pany is dissolved; or
- (c) if by resolution of a majority of at least two-  
thirds of the representatives present and vot-  
ing at an extraordinary general meeting the  
Society votes for the exclusion from mem-  
bership of any member who fails to observe  
the requirements of section 10 of this Act.

(3) A member excluded in accordance with the pro-  
visions of this section shall forfeit all claims to the return  
of any money paid to the Society by way of annual assess-  
ment or otherwise and shall cease to be a member of the  
Society subject nevertheless to any obligations which he may  
have incurred prior to his ceasing to be a member.

14. It shall be lawful for the Society in general meet-Regula-  
ing to make, amend or rescind rules, regulations and bye-tions and  
laws for regulating and carrying on the business of the bye-laws.  
Society and for the custody of and intromission with the  
funds of the Society or to delegate such power to the Execu-  
tive by resolution passed in general meeting provided that  
no rule, regulation or bye-law so made or amended shall be  
repugnant to the provisions of this Act.

15. Nothing in this Act shall be deemed by implicationSaving of  
or otherwise to take away, abridge or prejudicially affect the rights of  
rights and prerogatives of the Crown. Crown.