



TRINIDAD AND TOBAGO

No. 22—1957

[L.S.]

I ASSENT,

E. B. BEETHAM

Governor.

29th December, 1957.

AN ORDINANCE for the Incorporation of the "Trinidad

Island Wide Cane-Farmers Association" and to impose a cess for the purposes of such Association, upon all canes supplied by cane-farmers to sugar manufacturers, also for purposes incidental thereto. [29th December, 1957.]

Commencement.

Sec. 7 of Ord 57/62

WHEREAS there has been established in the Colony a Cane-Farmers Association known as the "Trinidad Island Wide Cane-Farmers Association".

Preamble.

And Whereas it is expedient that the said Association should be incorporated for the purpose of exercising the powers hereinafter set forth:

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Enactment.

Be it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

Short title.

nd 5/60

Incorporation of the Association.

1. This Ordinance may be cited as the "Trinidad Island Wide Cane-Farmers Association" (Incorporation) Ordinance, 1957.

1A. New section added.

2. The Association known as the "Trinidad Island Wide Cane-Farmers Association" shall be and is hereby created a body corporate and by that name shall have perpetual succession, and may sue and be sued in all courts of justice in the Colony by that name, and shall have and use a common seal which may from time to time be changed in accordance with the rules of the same body corporate. The said body corporate is hereinafter referred to in this Ordinance as the "Trinidad Island Wide Cane-Farmers Association".

Rules.

nd 5/60

3. The rules of the "Trinidad Island Wide Cane-Farmers Association" are set forth in the Schedule hereto. No variation (whether by way of amendment, addition, cancellation or replacement) of the said rules or of any other rules of the "Trinidad Island Wide Cane-Farmers Association" from time to time in force, shall have effect until confirmed by the Governor in Council. All such variations so confirmed shall be published in the *Royal Gazette*.

Powers of the Association.

4. (i) Subject to all laws (including this Ordinance) and to its rules from time to time in force, the "Trinidad Island Wide Cane-Farmers Association" shall have the powers hereinafter set forth in this section and such other powers as are appropriate to its objects as from time to time specified in such rules.

(ii) Subject as aforesaid the "Trinidad Island Wide Cane-Farmers Association" shall have power:—

- (a) To acquire by purchase, exchange, gift, bequest, devise or otherwise all messuages, lands, tenancies 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 contracts.
- (c) To sell, demise, grant, convey, mortgage, reconvey, surrender, exchange or otherwise dispose of all or any property from time to time vested in it.

5. All deeds, documents or other instruments requiring the seal of the Association shall be sealed with the common seal of the "Trinidad Island Wide Cane-Farmers Association" in the presence of two members of the Committee, who shall sign every such deed, document or other instrument to which the common seal is affixed, and such signing shall be sufficient evidence that such seal was duly and properly affixed, and that it is the lawful seal of the Association.

Mode of execution of documents.

6. The "Trinidad Island Wide Cane-Farmers Association" shall at all times have a permanent address for the service of documents on the Corporation and such address shall be registered with the Registrar General. All documents to be served on the Corporation may be served by leaving the same at, or by sending the same by registered post to the address so registered.

Service of documents on the corporation.

7. ~~Nothing in this Ordinance shall affect or be deemed to affect the rights of Her Majesty, Her Heirs or Successors, or of any body politic or corporate or of any other persons except such as are mentioned or referred to in this Ordinance and those claiming by, through, from, or under them.~~

Saving of Crown and other rights.

R & R by Sec.
5 ord. 5/60.

S. 6(a) ord 5/60 — FIRST SCHEDULE

RULES OF THE TRINIDAD ISLAND WIDE CANE-FARMERS ASSOCIATION

Name

1. The name of the Association shall be the "Trinidad Island Wide Cane-Farmers Association".

Objects

2. (a) To promote, foster and encourage the growing of canes by cane-farmers and the orderly and proper delivery thereof to factories, and the extension and welfare of cane-farming as an Island Wide Industry.

(b) The preparation of and the setting out of terms for cane-farmers' contracts with sugar or other factories, and labour organisations.

(c) To aid in settling disputes which may arise between cane-farmers and sugar factories, cane-farmers and workers, and cane-farmers *inter se* :

(d) To act as agents for cane-farmers, or any of them in any matters.

(e) To promote any bill in furtherance of the interests of cane-farmers.

(f) To make representation to the Government on any matters affecting the interests of cane-farmers;

(g) To buy and sell and deal in fertilizers and agricultural implements and supplies if and when it may deem necessary to do so for the benefit of the members of the Association.

(h) To invest and deal with the money of the Association in such manner as may from time to time be determined by the Committee of Management.

To pay all costs, charges and expenses that may be incurred by the Association at any time.

- (i) To become members of any Association, with similar aims and objects except any political body.
- (j) To endeavour to obtain or to extend financial aid to such members who may require such aid in the carrying on of their cane cultivation.
- (k) Generally to do such acts, matters and things as may appear to the Association to be conducive to the attainment of the aims and objects, or any of them.
- (l) To print and publish any newspapers, books or leaflets that the Association through its Executive Committee may think desirable for the promotion of all or any of its objects.
- (m) To acquire funds by levies, contributions, subscriptions, donations, bequests or otherwise for the carrying out of all or any of its objects.
- (n) To purchase, take or lease, or exchange, hire or otherwise to acquire and control any real or personal estate which may be deemed necessary or convenient for all or any of its objects.
- (o) To accept any gift of property whether subject to any special trust or not for any or all of its objects.
- (p) To sell, manage, lease, mortgage, dispose of or otherwise deal with all or any of the property of the Association, for its benefits.

3. The income and property of the Association, however derived, shall be applied solely towards the promotion of the objects of the Association as heretofore mentioned, and no portion thereof shall be paid directly or indirectly, to any member or officer thereof, by way of bonus or profit. Provided that nothing herein shall prevent the payment to any officer or member, in good faith, of any sum by way of remuneration for service actually rendered to the Association.

ACQUISITION AND DISPOSAL OF PROPERTIES

4. (a) No property shall be acquired or disposed of unless a resolution to that effect is passed by two-thirds of the members present, at any of its regular, special or annual general meetings.
- (b) If upon the winding up or dissolution of the Association there remains after the satisfaction of all debts and liabilities any property whatsoever the same shall be transferred to some other body or bodies, institution or institutions either in this Colony or elsewhere, having similar aims and objects. Such body or bodies, institution or institutions must be determined prior to or at the dissolution of the Association by two-thirds of the members of the Association present at such meeting.

Membership

5. (a) All persons who are cane-farmers or who may hereafter become cane-farmers shall be entitled on registration to become members of the Association.
- (b) The Secretary of the Association shall keep a Register in which he shall enter the names of all members of the Association.
- (c) Every person enrolled as a member of the Association shall pay an enrolment fee of 6 cents or such other sums as may be determined by the Committee of Management.

Management

6. (a) The affairs of the Association shall, subject to the provision of this Ordinance, be managed by a Committee of Management (hereinafter referred to as the Committee) which, subject always to such provisions, shall control the income, capital funds and property, of the Association and govern directly and decide all matters connected with the appointment of the officers and servants of the Association and with the administration of the affairs and the accomplishment of the objects and general purpose of the Association, and the Committee shall have and may exercise all the powers conferred on the Association by this Ordinance.

(b) The Committee shall give effect to any resolution passed by the Association in special general meeting or annual general meeting.

7. (1) The following provisions shall apply in respect of the Committee:—

(a) The Committee shall consist of 12 members who shall be elected at the annual general meeting of the Association.

(b) One-third of the members of the Committee elected under the foregoing paragraph shall retire each year in rotation.

(c) Every member of the Committee retiring under sub-paragraph (b) shall be eligible for re-election.

(d) Every member of the Committee elected under this section shall vacate his seat if:

(i) He ceases to be a registered cane-farmer.

(ii) He is absent from 3 consecutive meetings of the Committee without leave of the Committee.

(iii) He becomes incapable of acting as a member.

(e) The Committee shall annually elect from amongst its members a Chairman and Vice-Chairman.

(f) The Committee may fill any vacancy among its elected members caused by death, resignation, illness, absence from the Island or inability to act, as a member, by a temporary appointment made by the Association in general meeting.

(g) (i) Notwithstanding any temporary vacancy or vacancies in the body of members composing the Committee, it shall be deemed to be fully constituted for the purpose of this Ordinance.

(ii) Every member of the Committee elected under subsection (1) of this section may be removed by a majority of two-thirds of the members present at a special meeting convened for that purpose.

8. (1) Subject to the provisions of this Ordinance the Committee may make standing orders for:

(a) The regulation of its proceedings, the calling of meetings, the quorum necessary for the transaction of business, the voting of the members of the Committee, and retirement in rotation of elected members of the Committee.

(b) The appointment of an Executive Committee, a sub-committee, and the delegation to such Committee, and sub-committee of the powers and duties of the Committee.

(c) The appointment and removal of a Manager and Secretary and of such other officers and servants as the Committee may think fit, and the allocation of the duties of the officers and servants.

(d) The keeping and presentation of accounts, and generally for carrying into effect the objects of the Association.

9. (1) Subject to the provisions of this Ordinance, the Association in general meeting may make rules for:—

- (a) The establishment of Branch Associations and affiliated associations.
- (b) The admission of associate members.
- (c) Prescribing the rights and privileges, and for regulating the admission and removal of members of the Association.
- (d) Prescribing the annual subscription to be paid by associate members or branch associations or affiliated associations.

(2) Until rules are made by the associations under subsection (1) of this section, the rules of the association in force on the date of the coming into operation of this law shall continue in force in so far as they are consistent with the provisions of this Ordinance.

10. A general meeting of the Association (hereinafter referred to as the annual general meeting) shall be held once in each year on such date and at such place as the Committee may appoint.

11. (1) A special general meeting of the Association shall be called by the Secretary:—

- (a) Upon the direction of the Committee.
- (b) Upon the receipt by him of a requisition signed by not less than 25 members of the Association and specifying the business to be transacted thereat.

(2) Every special general meeting called on the requisition of members of the Association shall be held not less than 21 and not more than 30 days from the receipt of the requisition by the Secretary.

12. (1) The quorum at any general meeting whether annual or special shall be 25.

(2) Every member of the Association shall be given at least 14 days notice of every general meeting, whether annual or special, either by posting such notice or by advertising in not less than 2 issues of a newspaper circulating in the Island.

(3) Every notice referred to in subsection (2) of this section shall, in the case of a special general meeting, specify the business to be transacted thereat.

13. The Association shall elect at its annual general meeting one or more Auditors for the purpose of auditing the books of the Association for that year.

14. These rules may be amended or otherwise altered at the annual general meeting or special general meeting called for that purpose, provided that notice of such amendment or alteration be given on the agenda and approved of by not less than two-thirds of the members present at the meeting. Provided further that such amendment or alteration shall not have effect until confirmed by the Governor in Executive Council.

6/21 and 5/76.

Passed in Council this fifteenth day of November, in the year of Our Lord one thousand nine hundred and fifty-seven.

G. E. L. LAFOREST
Clerk of the Council.