



TRINIDAD AND TOBAGO

No. 4—1959

[L.S.]

I ASSENT,

E. B. BEETHAM

Governor

26th February, 1959.

AN ORDINANCE to amend the Exportation of Cocoa
Ordinance, Ch. 23. No. 21.

[On Proclamation]

Commence-
ment.

ENACTED by the Governor of Trinidad and Tobago with the
advice and consent of the Legislative Council thereof. Enactment

1. (1) This Ordinance may be cited as the Exportation of
Cocoa (Amendment) Ordinance, 1959, and shall be read as one
with the Exportation of Cocoa Ordinance, hereinafter referred
to as the Principal Ordinance. Short title and
commence-
ment.
Ch. 23. No. 21.

(2) This Ordinance shall come into operation on a day to be appointed by the Governor by proclamation published in the *Royal Gazette*.

Sections 3, 4
and 5 of
Principal
Ordinance
repealed and
replaced.

2. Sections 3, 4 and 5 of the Principal Ordinance are hereby repealed and replaced by the following:—

“Establish-
ment and
constitution
of the Cocoa
Exporters
Committee.

3. (1) There shall be established for the purposes of this Ordinance a Committee to be known as the Cocoa Exporters Committee.

(2) The Committee shall consist of the following members—

- (a) the Accountant General or any senior officer of his Department acting for him at his request, in this Ordinance referred to as “the official member”.
- (b) five persons representing the interests of exporters of cocoa, to be appointed by the Governor on the nomination of exporters licensed under this Ordinance; and
- (c) three producers to be appointed by the Governor on the nomination of the Agricultural Society of Trinidad and Tobago, one of whom shall be the owner or occupier of less than twenty-five acres of land cultivated in cocoa, and another of whom shall be or shall have been the holder of a permit to export cocoa, either by himself or by an agent, granted under the provisions of paragraph (b) of subsection (1) of section 11 of this Ordinance.

(3) The members of the Committee other than the official member shall hold office for a period of two years from the date of their respective appointments but shall be eligible for re-appointment.

(4) In the exercise of their powers and the performance of their duties the Committee shall conform with any general or special directions of the Governor in Council.

Chairman.

4. The members of the Committee shall, from time to time appoint one of their number to be Chairman of the Committee.”.

Section 6 of
Principal
Ordinance
amended.

3. Section 6 of the Principal Ordinance is hereby amended by inserting immediately after the word “Committee” appearing in the first line thereof, the words “other than the official member.”.

4. Section 8 of the Principal Ordinance is hereby amended by substituting for the word "four" appearing therein, the word "five".

Section 8 of
Principal
Ordinance
amended.

5. Section 11 of the Principal Ordinance as amended by section 2 of the Exportation of Cocoa (Amendment) Ordinance, 1954, is hereby further amended—

Section 11 of
Principal
Ordinance
amended.
Ordinance,
No. 24—1954.

(a) by substituting for paragraph (b) of subsection (1) thereof the following paragraph—

"(b) to grant to any producer who may apply to the Committee not later than the 30th day of November in any crop year, and subject to such terms and conditions as the Committee may deem fit, a permit to export, during such crop year, either by himself or by an agent approved by the Committee for such purpose, cocoa grown on lands owned or occupied by such producer;"

(b) in paragraph (i) thereof, by substituting for all the words and stops from the beginning of the paragraph to the word "dealer" appearing therein, the following:—

"to arrange for the payment, into a common fund to be held by the Accountant General, of the net proceeds from the sale of cocoa exported in pursuance of licences granted under paragraph (c) of this subsection, during any period which the Minister, after consultation with the Committee, shall from time to time fix, and for the payment from such fund of a dividend as ascertained in accordance with subsection (3) of this section, to such producers, other than producers who during such period have held permits granted under paragraph (b) of this subsection, as may submit to the Accountant General, on or before a date to be fixed by the Minister in respect of such payment, a sales slip or sales slips showing that during such period they sold cocoa to a licensed dealer";

(c) by substituting for subsections (3) and (4) thereof the following subsections:—

"(3) The Minister shall declare the rate per pound of the dividend referred to in paragraph (i) of subsection (1) of this section, and such rate shall be approximately the sum arrived at by dividing the amount of money remaining in the common

fund, after the deduction of expenses authorised under section 13 of this Ordinance, by the total number of pounds of cocoa shown on sales slips submitted by producers in accordance with the provisions of the said paragraph.

(4) A dividend payable out of the common fund may be paid by means of an interim and a final payment or in such other manner as the Minister may determine.”;

(d) by substituting for subsection (5) thereof the following subsection:—

“(5) (a) Notwithstanding anything to the contrary contained in paragraph (i) of subsection (1) of this section, if any portion of the common fund remains after the payment therefrom of a dividend, it shall be lawful for the Accountant General to dispose of such portion remaining in such manner as the Minister may, under the provisions of paragraph (b) of this subsection, direct.

(b) The Minister may give directions to the Accountant General for the distribution of any portion of the common fund remaining after payment of a dividend declared by the Minister, among such persons as shall produce any sales slips which, if they had been submitted to the Accountant General on or before the date fixed by the Minister in that behalf, would lawfully have been admitted in respect of such payment:

Provided that the amount distributed to any such person shall not exceed the sum arrived at by multiplying the number of pounds of cocoa shown on the said sales slips of such person by the rate per pound of such dividend.”.

“Section 13 of
Principal Ordinance repealed
and replaced.

6. Section 13 of the Principal Ordinance is hereby repealed and replaced as follows:—

“Expenses.

13. All expenses incurred by the Accountant General in connection with the administration of the common fund provided for in section 11 of this Ordinance shall be paid out of the common fund.”.

Passed in Council this twenty-third day of January in the year of Our Lord one thousand nine hundred and fifty-nine.

P. A. GRANNUM

Acting Clerk of the Council