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3rd Session First Parliament Trinidad and Tobago  
13 Elizabeth II

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TRINIDAD AND TOBAGO

**Act No. 1 of 1965**

[L.S.]

AN ACT to amend and revise the law relating to the Trinidad Island Wide Cane-Farmers Association and for purposes incidental thereto.

BE IT ENACTED by the Queen's Most Excellent Majesty, Enactment by and with the advice and consent of the Senate and House of Representatives of Trinidad and Tobago, and by the authority of the same, as follows :—

*[Assented to 2nd February, 1965]*

**1.** This Act may be cited as the Cane-Farmers Incorporation and Cess Act, 1965. Short title

Interpretation

## 2. In this Act—

- (a) “annual general meeting” means the annual general meeting of delegates of the Branch Association held in accordance with section 8;
- (b) “Branch Association” means a Branch Association constituted in accordance with the Rules made under section 7;
- (c) “cane-farmer” means a person who cultivates sugar cane for sale or delivery under contract to a sugar manufacturer at a factory, but does not include a sugar manufacturer who cultivates sugar on his own land;
- (d) “Committee” means the Committee of Management of the Association constituted in accordance with section 12;
- (e) “crop-season” means the period between the 1st day of December in any year and the 31st day of July in the succeeding year;
- (f) “Minister” means the Minister to whom responsibility for agriculture has been assigned;
- (g) “sugar manufacturer” means a person owning or having control of a factory specified in the Second Schedule;
- (h) “the Ordinance” means the Cane-Farmers Association (Incorporation and Cess) Ordinance, 1961;
- (i) “special meeting” means a meeting of delegates of the Branch Association held in accordance with section 9.

Second  
Schedule

Ord. No. 17-1961

## PART I

## INCORPORATION AND FUNCTIONS OF ASSOCIATION

Incorporation of  
Association

3. (1) As from the date of the coming into operation of this Act, the organisation known as the Trinidad Island Wide Cane-Farmers Association, incorporated by the Trinidad Island Wide Cane-Farmers' Association (Incorporation and Cess) Ordinance, 1957 and continued as a body corporate by section 3 of the Cane-Farmers' Incorporation and Cess Ordinance, 1961, (herein referred to as “the former Association”) shall be deemed to be and is hereby established as a body corporate under the name of

the Trinidad Island Wide Cane-Farmers' Association (herein referred to as "the Association").

(2) Service on the Association of any notice, order or other document shall be executed by delivering the same or by sending it by registered post addressed to the secretary of the Association at its registered address.

(3) The Association shall at all times have a permanent address for the service of documents on the Association and such address shall be registered with the Registrar General.

(4) All deeds, documents, or other instruments requiring the seal of the Association shall be sealed with the common seal of the 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 is sufficient evidence that the seal was duly and properly affixed, and that it is the lawful seal of the Association.

4. (1) On the date of coming into operation of this Act—

Members of the Association Register

(a) the Register of names of all members of the former Association shall be deemed to be the Register of members of the Association under this Act; and

(b) every cane-farmer who has entered into a contract with a sugar manufacturer under the Production of Cane Ordinance, shall be deemed to be a member of the Association.

Ch. 23. No. 12

(2) Every cane-farmer who, after the coming into operation of this Act, enters into any contract described in paragraph (b) of subsection (1) shall be a member of the Association as from the date of the contract.

(3) A member of the Association may at any time resign therefrom by giving one month's notice in writing to the secretary of the Association.

(4) A member of the Association whose contract under the Production of Cane Ordinance expires or is terminated shall be deemed to have resigned from the Association on the date of the expiration or termination of his contract.

Vesting of  
property

5. All real and personal property which, on the date of coming into operation of this Act is vested in or purports to be vested in the former Association, shall, as from such date, be vested in the Association for the like estate and interest and to the like extent as such property was held by or vested in, or purported to be vested in the former Association, and subject to all trusts, mortgages, charges or encumbrances affecting such property or any part thereof.

Objects and  
functions of  
Association

6. (1) The objects of the Association are to promote, foster and encourage the growing of cane by cane-farmers, the orderly and proper delivery thereof to factories and the extension and welfare of cane-farming as an industry.

(2) The functions of the Association are—

- (a) to prepare and settle the terms for cane-farmers' contracts with sugar or other factories and with labour;
- (b) to aid in settling disputes that may arise between cane-farmers and sugar factories, cane-farmers and labour, and among cane-farmers;
- (c) to act as agent for cane-farmers or any of them in any matter;
- (d) to make representations to the Government on any matter affecting the interest of cane-farmers;
- (e) to buy and sell and deal in fertilizers and agricultural implements and supplies, if and when it may be deemed necessary to do so for the benefit of the members of the Association;
- (f) to invest and deal with the money of the Association in such manner as may from time to time be determined by the Committee and to pay all costs, charges and expenses that may be incurred by the Association at any time;
- (g) to become members of any Association for the benefit of the members of the Association;
- (f) to invest and deal with the money of the Association in such manner as may from time to time be determined by the Committee and to pay all costs, charges and expenses that may be incurred by the Association at any time;
- (g) to become members of any Association except any political body or association;
- (h) to endeavour to obtain or to extend financial aid for such members who may require such aid in the carrying on of their cane cultivation; and

- (i) generally to do all such acts, matters and things as may appear to the Association to be conducive to the attainment of the objects of the Association.

**7. (1)** The Association may make Rules for— Rules

- (a) the establishment of Branch Associations and the regulation of the affairs of such Associations;
- (b) the admission of associate members;
- (c) prescribing the rights and privileges, and for regulating the admission of members of the Association;
- (d) regulating the use of the facilities of the Association by members of the Association and by the public;
- (e) regulating the conduct of meetings of the Association;
- (f) prescribing the annual subscription to be paid by associate members or branch associations or affiliated associations; and
- (g) prescribing the fees to be charged by the Association for any of the services specified in paragraphs (a), (b), (c), (e) and (h) of section 6.

(2) Rules made under subsection (1) shall have effect only when approved by the Minister.

(3) Until varied, amended or revoked by Rules First Schedule made under subsection (1), the Rules contained in the First Schedule shall be the Rules of the Association.

**8. (1)** Subject to subsection (2), the Annual General Annual General Meeting Meeting shall be held once a year on such day in the month of November and at such place as the Committee may appoint.

(3) Until varied, amended or revoked by Rules First Schedule made under subsection (1), the Rules contained in the First Schedule shall be the Rules of the Association.

**8. (1)** Subject to subsection (2), the Annual General Annual General Meeting Meeting of the Association shall be held once a year on such day in the month of November and at such place as the Committee may appoint.

(2) The first annual general meeting after the commencement of this Act shall be held not later than three months after such commencement.

## Special Meetings

**9.** (1) A Special Meeting of the Association shall be called by the secretary

(a) upon the direction of the Committee, or

(b) upon the receipt by him of a request signed by not less than one-sixth of the total number of branches of the Association and specifying the business to be transacted thereat.

(2) Every special meeting called in accordance with paragraph (b) of subsection (1) shall be held no less than twenty-one and not more than thirty days from the receipt by the secretary of the request.

## Quorum and notice of meetings

**10.** (1) Subject to subsection (2), at any meeting of the Association fifty persons entitled to be present and to vote shall form a quorum.

(2) If within an hour of the time appointed for the holding of an annual general meeting or of a special meeting, a quorum is not present, the meeting shall stand adjourned to a date and time to be fixed by a notice published in one issue of a daily newspaper circulating in Trinidad and Tobago, so, however, that such date shall not be less than seven days after the publication of such notice.

(3) If within an hour of the time fixed in accordance with subsection (2) for the holding of an adjourned meeting, a quorum is not present, the persons then present and entitled to vote shall form a quorum.

(4) At least twenty-one days notice of every meeting shall be given to every member of the Committee and to every Branch Association by posting the same and by advertising in not less than two issues of daily newspapers circulating in Trinidad and Tobago.

(5) In the case of a special meeting, a notice referred to in subsection (4) shall contain a statement indicating the nature of the business to be transacted thereat.

(6) Every notice sent by post to a Branch Association shall be sent by registered post and addressed to the secretary of the Branch Association.

11. (1) A Branch Association shall consist of not less than fifty and not more than four hundred members. Branch Associations, delegates and persons entitled to vote at meetings.

(2) The number of persons which a Branch Association may, in accordance with its rules, elect as its delegates to a meeting of the Association shall be in the proportion of one delegate to each forty members or part of forty members.

(3) At any meeting of the Association only the delegates of Branch Associations and the members of the Committee are entitled to be present and to vote.

## PART II

### COMMITTEE OF MANAGEMENT

#### *Constitution, Powers and Duties*

12. (1) The affairs of the Association shall, subject to the provisions of this Act, be managed by a Committee of Management which, subject always to such provisions, shall control the income, capital funds and property of the Association and govern, direct and decide all matters connected with the appointment of the officers and servants of the Association and with the administration of the affairs, the accomplishment of the objects and the carrying out of the functions of the Association, and the Committee shall have and may exercise all the powers conferred on the Association by this Act. Committee of Management

(2) The Committee of Management shall consist of—

- (a) two persons nominated by the Minister, and
- (b) twelve members of the Association elected in accordance with the provisions of this Act and of the Rules.

(3) One-third of the members of the Committee elected under paragraph (b) of subsection (2) shall retire each year in rotation but shall be eligible for re-election.

(4) A member of the Committee elected under paragraph (b) of subsection (2) shall vacate his seat if—

- (a) he ceases to be a member of the Association;
- (b) he is absent from three consecutive meetings of the Committee without reasonable cause to be determined by the Committee;

- (c) he becomes incapable of acting as a member;
- (d) he is removed from the Committee under the provisions of subsection (9).

(5) Every member of the Committee nominated by the Minister under paragraph (a) of subsection (2) shall hold office for two years unless, within such period, he resigns or is removed by the Minister.

(6) The Committee shall annually elect from among its members a chairman and a vice-chairman.

(7) The Committee may fill any vacancy among its elected members caused by the death, resignation, absence from Trinidad and Tobago or inability to act of a member by a temporary appointment from among the members of the Association until some person is elected by the Association at a special meeting called for that purpose; and any person elected under this subsection shall not hold office longer than the time when the person in whose place he is elected would have gone out of office.

(8) The Committee shall be deemed to be fully constituted for the purpose of this Act, notwithstanding any temporary vacancy or vacancies in the membership of the Committee.

(9) A member of the Committee elected under paragraph (b) of subsection (2) may be removed from office by a majority of two-thirds of the members present and entitled to vote at a special meeting of the Association called for that purpose.

(10) The Committee shall, subject to the provisions of section 16, give effect to any resolution passed by the Association in special meeting.

(11) Notwithstanding the provisions of subsection (3), the members of the Committee who are required by that subsection to retire each year shall remain in office until their successors are elected.

OR SECTION 10, GIVE EFFECT TO ANY RESOLUTION PASSED BY THE Association in special meeting.

(11) Notwithstanding the provisions of subsection (3), the members of the Committee who are required by that subsection to retire each year shall remain in office until their successors are elected.

**Standing Orders**

**13.** 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 members of the Committee, and the retirement in rotation of elected members of the Committee;

(9) A member of the Committee elected under

- (b) the appointment of executive committees and sub-committees and the functions of such executive committees and sub-committees;
- (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 election of such officers and servants;
- (d) the keeping and presentation of accounts; and
- (e) the carrying into effect generally of the objects and functions of the Association.

### PART III

#### SUPERVISION BY GOVERNMENT

**14.** (1) The Committee shall, on or before the fifteenth day of January in each year, prepare and submit to the Minister true estimates of the income receivable and the expenditure to be incurred during the financial year commencing the first day of April next following. Estimates to be submitted

(2) The Committee shall submit its estimates in the form required by the Minister, who may approve or amend such estimates.

(3) When the Minister approves the estimates submitted under subsection (1) whether with or without amendments, he shall cause the estimates so approved to be published in the *Gazette*.

**15.** (1) The Committee shall present to the annual general meeting a report of its proceedings together with a complete statement of its financial position and its accounts audited and certified by an auditor approved by the Minister in respect of the preceding financial year. Annual Report of the Association

(2) The Committee shall forward certified copies of such report, statement and accounts to the Minister who shall cause the same to be laid before the Senate and the general meeting a report of its proceedings together with a complete statement of its financial position and its accounts audited and certified by an auditor approved by the Minister in respect of the preceding financial year. of the Association

(2) The Committee shall forward certified copies of such report, statement and accounts to the Minister who shall cause the same to be laid before the Senate and the House of Representatives.

**16.** (1) Every resolution passed in special meeting, directly or indirectly affecting the finances of the Association, shall be submitted by the committee to the Minister within seven days of its being so passed. Resolutions passed in Special Meeting to be submitted to the Minister

(2) The Minister may either approve, amend or disallow any resolution submitted under subsection (1).

(3) If the Minister approves any resolution submitted under subsection (1), the Committee shall forthwith give effect to such resolution as approved.

(4) If the Minister disallows any resolution submitted under subsection (1), the Committee shall not give effect to such resolution.

(5) If the Minister amends any resolution submitted under subsection (1), the Committee shall not give effect to such resolution except as amended.

#### PART IV

##### FINANCIAL PROVISIONS

Imposition  
of a cess

**17.** (1) The Governor-General, on the application of the Committee, acting on a proposal approved by a general meeting of the Association, may impose by order a cess upon all canes supplied by any cane-farmer to any sugar manufacturer.

(2) Every cess imposed under subsection (1) shall be at such rate not exceeding ten cents per ton as may be specified in the order.

(3) Every cess imposed under subsection (1) shall apply to all canes delivered by a cane-farmer to a sugar manufacturer during the crop season in respect of which such cess is expressed to be imposed and shall not be varied during such crop season.

Deduction  
of cess

**18.** (1) Every sugar manufacturer to whom a cane-farmer delivers canes in any crop season in respect of which there is in force a cess under this Act shall deduct the amount of such cess from any sums payable by him to such cane-farmer for such canes.

(2) All sums deducted by a sugar manufacturer under subsection (1) shall be paid by him to the Accountant General within such time as may be prescribed.

(3) If any sugar manufacturer fails to deduct from any moneys payable by him to a cane-farmer the cess imposed under this Act or having deducted such cess fails to pay it to the Accountant General within the time prescribed, the Accountant General may recover such sum by action as if it were a debt owed by the sugar manufacturer to the Accountant General.

19. The Accountant General shall hold all sums paid to him by, or received by him from, any sugar manufacturer under section 18 until the publication in the *Gazette* of the estimates as provided in subsection (3) of section 14, and upon the publication thereof, shall pay the sums to the Association.

Disposal  
of cess

20. (1) Subject to subsection (2), the Association may create such reserve fund as it may consider adequate for the following purposes—

Creation of  
reserve fund

- (a) the issue of loans to cane-farmers whose lands have been damaged or destroyed by flood, drought, fire, hurricane, disease or any other *vis major* or act of God, or as a result of labour strikes or lockouts, for the purpose of rehabilitating such lands;
- (b) to meet any deficit in the annual estimates of expenditure of the Association as approved by the Minister, not being a deficit arising from capital expenditure.

(2) The Association may apply such portion of such reserve fund as may be necessary for the operating expenses of the Association between the first day of April and the last day of September in any current financial year, but any sum so applied shall be repaid by the Association to the reserve fund out of the income of the Association for such financial year before the thirty-first December in that year.

## PART V

### GENERAL

21. The Minister may make Regulations—

Regulations

- (a) for the making of returns by a sugar manufacturer to the Accountant General or to the Association in such form as may be prescribed—
  - (i) of all canes delivered to him by cane-farmers;
  - (ii) of all sums deducted under this Act from any moneys payable by him to a cane-farmer;

- (b) for the auditing by an auditor approved by the Minister after consultation with the Association and sugar manufacturers of any accounts of a sugar manufacturer in relation to any deductions made under this Act;
- (c) for the payment of any sums so deducted to the Accountant General;
- (d) for the repayment by the Accountant General of any sums received by him under this Act.

Amendment  
of Second  
Schedule

**22.** The Minister may, by order, add or remove any factory to or from the Second Schedule.

## PART VI

### TRANSITIONAL PROVISIONS AND REPEAL

Former  
Committee to  
remain in office  
for three months  
after coming  
into operation  
of Act

**23.** Notwithstanding any other provisions of this Act, the Committee of Management in existence immediately before the commencement of this Act shall be the Committee of Management for the purposes of this Act, and shall continue to act as such for the period beginning on the date of the commencement of this Act and ending three months after the date of the said commencement.

Branch Associa-  
tions established  
before commence-  
ment of Act

**24.** (1) Subject to subsection (2), the Branch Associations established under the Ordinance and in existence immediately before the commencement of this Act shall continue to be Branch Associations for the purposes of this Act as if they had been established in accordance with this Act and the Rules made thereunder.

(2) A Branch Association established before the commencement of this Act whose membership exceeds four hundred members, shall, notwithstanding the provisions of this Act, continue to be a Branch Association under this Act, but shall within three months of the commencement of this Act as if they had been established in accordance with this Act and the Rules made thereunder.

(2) A Branch Association established before the commencement of this Act whose membership exceeds four hundred members, shall, notwithstanding the provisions of this Act, continue to be a Branch Association under this Act, but shall within three months of the commencement of this Act comply with the requirements of the Act and the Rules set out in the First Schedule.

(3) Any Branch Association which contravenes the provisions of subsection (2) may, on the recommendation of the Committee of Management, be dissolved by order of the Minister.

25. Nothing in this Act shall affect or be deemed to affect any legal proceeding pending by or against the former Association immediately before the commencement of this Act. Pending actions

26. The Cane-Farmers Incorporation and Cess Ordinance, 1961 is hereby repealed. Repeal.  
Ord. No. 17 of  
1961

THE FIRST SCHEDULE

1. These Rules may be cited as the Trinidad Island Wide Cane-Farmers Association Rules, 1964. Citation

2. The registered office of the Association shall be 19A Sutton Street, San Fernando, Trinidad or such other place as the Committee may from time to time determine. Registered office

PART I—MEMBERSHIP OF BRANCH ASSOCIATION

3. (1) Every member of the Association shall be a member of a Branch Association.

(2) Subject to paragraph (3), and to the provisions of section 11 of the Act, membership of a Branch Association shall be determined by the cane-farming district in which the member has his holding. Members of Branch Associations

(3) Where a member holds cane-land in more than one cane-farming district or delivers cane to more than one factory, he shall be permitted subject always to section 11 of the Act, to become a member of the Branch Association nearest to that factory to which he supplies the majority of his canes.

(4) Within thirty days of the coming into force of a contract to deliver canes between a factory and a cane-farmer, the manager of the factory or some other duly authorised officer of the factory shall notify the Committee of the name, address and situation of the holding of the cane-farmer and the Committee shall thereupon register such cane-farmer as a member of the Association.

(5) Upon registration of a cane-farmer under paragraph (4), the Committee shall, subject to paragraph (3), notify the Secretary of the Branch Association for the cane-farming district nearest to which such cane-farmer's holding is situated and the Secretary shall—

(a) enrol such cane-farmer on the Register of the Branch Association; and  
of the cane-farmer and the Committee shall thereupon register such cane-farmer as a member of the Association.

(5) Upon registration of a cane-farmer under paragraph (4), the Committee shall, subject to paragraph (3), notify the Secretary of the Branch Association for the cane-farming district nearest to which such cane-farmer's holding is situated and the Secretary shall—

(a) enrol such cane-farmer on the Register of the Branch Association; and  
of the cane-farmer and the Committee shall thereupon register such cane-farmer as a member of the Association.

(5) Upon registration of a cane-farmer under paragraph (4), the Committee shall, subject to paragraph (3), notify the Secretary of the Branch Association for the cane-farming district nearest to which such cane-farmer's holding is situated and the Secretary shall—

(a) enrol such cane-farmer on the Register of the Branch Association; and

(b) inform the cane-farmer in writing of his enrolment as a

(7) Subject to these Rules, a member of a Branch Association has the right to be present and to vote at the Annual General Meeting and at Special Meetings of the Branch Association of which he is a member.

(8) Where a cane-farmer resigns as a member of the Association or ceases to be a member of the Association for any other cause, the Committee shall remove his name from the Register of members and shall forthwith notify the Secretary of the Branch Association who shall also remove the name of such cane-farmer from the Register of the Branch Association.

(9) A person whose name has been removed from the Register of the Branch Association in accordance with paragraph (8) shall not be entitled to be present or to vote at any meeting of a Branch Association.

Cane-farming district and Branch Association relating thereto

#### PART II.—ESTABLISHMENT AND CONSTITUTION OF BRANCH ASSOCIATIONS

4. (1) For the purposes of these Rules, the district specified in Appendix I to these Rules are the cane-farming districts of Trinidad and the Branch Associations established in relation thereto immediately before the commencement of the Act are the Branch Associations of the Trinidad Island Wide Cane-Farmers Association.

(2) The Committee may, subject to these Rules, amend Appendix I by adding thereto or removing therefrom any cane-farming district.

Admission and Registration of new Branch Associations

5. (1) Where the Committee is satisfied—

- (a) that in any cane-farming area there has not been established a Branch Association to represent cane-farmers in that area;
- (b) that the allocation of cane-farmers to the Branch Association nearest to such cane-farming area would cause undue hardship on such cane-farmers; and
- (c) that it is in the interest and for the general welfare of such cane-farmers that a Branch Association be established in such area,

the Committee may, on an application in writing addressed to the Secretary of the Committee and signed by not less than fifty cane-farmers who hold cane-land in such area, recommend the establishment of the proposed new Branch Association to a Special Meeting of the Association.

(2) An application made under paragraph (1) shall be accompanied by—

- (a) two copies of the Rules of the proposed new Branch Association; and
  - (b) two copies of the list of officers and members of the proposed new Branch Association; and
- and by a memorandum signed by not less than fifty cane-farmers who hold cane-land in such area, recommend the establishment of the proposed new Branch Association to a Special Meeting of the Association.

(2) An application made under paragraph (1) shall be accompanied by—

- (a) two copies of the Rules of the proposed new Branch Association; and
- (b) two copies of the list of officers and members of the proposed new Branch Association; and
- (c) two copies of a memorandum setting out the reasons in support of the application.

(3) The Association in Special Meeting may by resolution approve the application for the establishment of a proposed new Branch Association and upon such approval shall direct the Committee to register such Branch Association and to inform the Secretary thereof accordingly.

- (b) that the allocation of cane-farmers to the Branch

6. Where the membership of a Branch Association exceeds four hundred members, the Committee shall, after consultation with the officers of such Branch Association divide the membership of such Branch Association by the establishment of a new Branch Association so that, however, the membership of such new Branch Association is not less than fifty members.

Establishment of new Branch Association where membership of existing Branch exceeds statutory maximum.

7. Where a new Branch Association is established under rule 5 or rule 6, the Committee may vary Appendix I by adding thereto the name of the new cane-farming district and of the new Branch Association.

Variation of Appendix I

8. The officers of a Branch Association shall be a Chairman, a Vice-Chairman, a Secretary and (if necessary) an Assistant Secretary.

Officers of Branch Associations

9. The Annual Meeting of a Branch Association shall be held in the month of September and the Branch Association shall meet not less than once a quarter during the year. Fifteen members shall form a quorum except for Branch Associations of which the membership exceeds one hundred in which case the quorum shall be twenty-five.

Annual Meeting of Branch Associations

10. (1) Special Meetings of a Branch Association shall be called:—
- (a) at the direction of the Chairman of the Branch Association;
  - (b) in an emergency in his absence, by the Vice-Chairman; or
  - (c) within seven days of the receipt by the Secretary of a request in writing of ten members of the Branch Association.

Special Meetings of Branch Associations

(2) The Secretary of a Branch Association shall as soon as practicable after the receipt of a notice of a special meeting of the Association call a meeting of such Branch Association for the purpose of selecting delegates to represent the Branch Association at such special meeting of the Association.

11. (1) A Branch Association at its Annual Meeting shall elect:
- (a) its officers and not less than eight other members who, together with the officers shall form the Branch Committee;
  - (b) the delegates of the Branch Association to the Annual General Meeting of the Association to be held in the month of November next after the holding of the Annual General Meeting of such Branch Association.

Business of Annual Meeting

(2) The results of the elections shall be forwarded to the Secretary of the Association not later than fourteen days after the meeting together with the officers shall form the Branch Committee;

- (b) the delegates of the Branch Association to the Annual General Meeting of the Association to be held in the month of November next after the holding of the Annual General Meeting of such Branch Association.

(2) The results of the elections shall be forwarded to the Secretary of the Association not later than fourteen days after the holding of the same.

12. The affairs of a Branch Association shall be managed by a Branch Committee, which shall meet at least once a month with four members forming a quorum. The Branch Committee shall comprise—

Management of Branch Association

- (a) the officers; and
- (b) the members of the Branch Committee elected under rule 11.

Chairman of  
a Branch  
Association

13. The Chairman of a Branch Association shall—

- (a) summon and preside over all meetings;
- (b) have an original and a casting vote;
- (c) have a right to inspect all papers and books of the Branch Association;
- (d) supervise the working of the Branch Association and its officers.

The Vice-  
Chairman

14. The Vice-Chairman of a Branch Association shall in the absence or inability to act of the Chairman have the same powers and perform the same functions as the Chairman.

Vacancies

15. (1) Should an office to which election is made by a Branch Association fall vacant, the Branch Association shall fill the vacancy by election at the next following meeting, save that the Branch Committee may in its discretion nominate a temporary holder of the office until the date of such meeting.

(2) Should a member of the Branch Committee absent himself from three consecutive meetings of the Committee, his seat, in the absence of an excuse acceptable to the Branch Committee, shall become vacant and shall be so declared by the Chairman.

Special Meetings  
of Branch  
Committees

16. Special Meetings of a Branch Committee shall be called :—

- (a) at the direction of the Chairman;
- (b) in an emergency, in the absence of the Chairman, the Vice-Chairman; or
- (c) within seven days of the receipt by the Chairman of a request in writing of four members of the Branch Committee.

Leave of  
absence

17. Any member of a Branch Committee proceeding out of Trinidad and Tobago on leave of absence shall give notice in writing to the Secretary of the Branch Committee and the temporary vacancy thus created shall be filled at the discretion of the Branch Committee.

Branch  
Committee may  
co-opt members

18. The Branch Committee may co-opt additional members but such co-opted members shall not be permitted to vote at meetings of the Branch Committee.

Removal of  
members of  
Branch Com-  
mittees.  
Request by  
Branch Asso-  
ciations for

19. (1) A member of a Branch Committee elected in accordance with subparagraph (a) of paragraph (1) of rule 11 may be removed from office by a majority of two-thirds of the members present and entitled to vote at a special meeting of such Branch Association called for the purpose.

(2) The Committee of Management of the Association shall, on the written request of one-quarter of the members of a Branch

Removal of  
members of  
Branch Com-  
mittees.  
Request by  
Branch Asso-  
ciations for  
intervention of  
Committee of  
Management

19. (1) A member of a Branch Committee elected in accordance with subparagraph (a) of paragraph (1) of rule 11 may be removed from office by a majority of two-thirds of the members present and entitled to vote at a special meeting of such Branch Association called for the purpose.

(2) The Committee of Management of the Association shall, on the written request of one-quarter of the members of a Branch Association, direct the Chairman of a Branch Committee to call a meeting of the Branch Association to consider the removal of members of such Branch Committee and such matters as may be mentioned in the above-mentioned request and to take such action as may be decided upon by such meeting.

(3) A request made under paragraph (2) shall set out specifically the matters and things complained of and shall be signed by at least one-quarter of the members of the Branch Association.

(4) If the Chairman of a Branch Committee who has been directed to call a meeting under paragraph (2) fails to do so within fourteen days of the receipt of the direction aforesaid, the Management Committee of the Association shall cause a notice to be issued to all members of the Branch Association calling a meeting of such Branch.

(5) A meeting called under paragraph (4) shall be presided over by an officer of the Committee of Management of the Association appointed by such Committee for that purpose, and any decisions taken at such meeting shall have effect as though they had been taken at a special meeting of the Branch Association called in accordance with these Rules.

20. (1) Subject to the Act and to paragraphs (2) and (3), where Amalgamation by resolution of two or more Branch Associations it is resolved that of Branches the interests of such Branch Associations would be better served by their being amalgamated into one Branch Association, such Branch Association may apply to the Committee of Management to be registered as one Branch Association.

(2) On the receipt of an application under paragraph (1), the Committee of Management of the Association shall make such investigations as it considers necessary and may, if it is of the view that the best interests of the Branch Associations concerned and of the Association would be served by the amalgamation applied for, register such Branch Associations as one Branch Association.

(3) An application under paragraph (1) shall be in writing and shall be supported by specific reasons for seeking the amalgamation therein applied for.

21. A Branch Association does not have power to bind the Association to any expenditure or to commit it to any financial liability. Restriction on binding Association's financial liability

22. Notwithstanding anything contained in these Rules, Branch Associations shall hold their First Annual General Meeting within two months of the commencement of the Act, and all matters which are required by these Rules to be done or effected at an Annual General Meeting shall be so done or effected. First Annual General Meeting

23. The provisions of rules 30 to 34 which relate to matters of procedure at a meeting of the Association shall apply *mutatis mutandis* to meetings of a Branch Association. Procedure at meetings

### PART III- ANNUAL GENERAL MEETINGS, SPECIAL MEETINGS

23. The provisions of rules 30 to 34 which relate to matters of procedure at a meeting of the Association shall apply *mutatis mutandis* to meetings of a Branch Association. Procedure at meetings

### PART III—ANNUAL GENERAL MEETINGS, SPECIAL MEETINGS AND PROCEDURE

24. The Chairman of the Committee shall be the Chairman at all Meetings of the Association or in his absence or inability to act, one of the Vice-Chairmen in order of seniority or failing them a member of the Committee to be chosen by the members of the Committee present at the meeting (whether the number of such members shall be a quorum of the Committee or not) or failing that a member of the Association chosen by the members at the meeting. Chairman of Committee of Management to be Chairman of Meetings of Association

- Order of business at Annual General Meeting
25. (1) The order of business at an Annual General Meeting shall be:—
- (a) the reading of the notice convening the meeting;
  - (b) the confirmation as correctly recorded of the minutes of the last General Meeting;
  - (c) the making or amending of the Rules where necessary;
  - (d) the presentation of the Annual Report of the Committee;
  - (e) the presentation of the financial statement as audited and the auditor's report;
  - (f) the election of members of the Committee;
  - (g) the election of Auditors;
  - (h) consideration of any other matter submitted to the meeting.
- (2) Any proposed amendments to the Rules, the Annual Report of the Committee and the financial statements respectively referred to in sections (c), (d) and (e) of subparagraph (1) shall be circulated to the delegates together with the notice convening the Annual General Meeting.
- Bringing forward matters under paragraph (h) of Rule 25
26. Any delegate, who desires to bring forward any matter for discussion at an Annual General Meeting under paragraph (h) of rule 25, shall give notice thereof in writing to the Secretary of the Association at least seven days before the date fixed for such Annual General Meeting and no business other than that for which the proper notice has been given may be discussed at any Annual General Meeting.
- Restriction of transaction of business at Special Meeting
27. No business other than that specified in the notice of a Special Meeting may be transacted at any such meeting.
- Adjournment of Annual General Meeting
28. (1) An Annual General Meeting may, subject to the Act, be adjourned to such time and to such place as the delegates present may direct.
- (2) No business which was not included in the business of an original meeting may be transacted at an adjourned meeting.
- Particulars to be given to officials
29. Every delegate attending a meeting shall give the following particulars to the official at the door appointed for the purpose:—
- (a) his name; and
  - (b) the name of his Branch Association.
- Decision of Chairman final
30. The decision of the Chairman of any meeting on all points of order or concerning the interpretation of any part of these Rules shall be final and conclusive for the purposes of the particular meeting over which he is presiding.
- Motions and amendments thereto
- Decision of Chairman final
31. (1) No motion may be debated unless and until it has been seconded by a delegate and proposed by the Chairman of the meeting.
- (2) A motion that has been seconded shall not be withdrawn without leave of the seconder and the consent of the majority of the delegates present at the meeting.
- (3) The decision of the Chairman on any meeting on all points of order or concerning the interpretation of any part of these Rules shall be final and conclusive for the purposes of the particular meeting over which he is presiding.
- Motions and amendments thereto
31. (1) No motion may be debated unless and until it has been seconded by a delegate and proposed by the Chairman of the meeting.
- (2) A motion that has been seconded shall not be withdrawn without leave of the seconder and the consent of the majority of the delegates present at the meeting.
- (3) All amendments not disallowed by the Chairman of the meeting shall be put to the meeting before the original motion may be proposed.
- Speeches at meetings
32. (1) A delegate desiring to speak, shall stand in his place. Where two or more delegates rise to speak at the same time, the Chairman of the meeting shall decide the order in which they may speak.

(2) Every delegate who speaks at a meeting shall commence his speech by stating his name and the name of the Branch Association of which he is a delegate.

(3) All speeches shall be strictly limited to moving or supporting or opposing a motion or an amendment regularly before the meeting or to a point of order and shall be addressed to the Chairman of the meeting.

(4) When a delegate speaks on a motion or amendment, the Chairman of the meeting may at any time require him to put in writing the terms of the motion or amendment and thereupon such delegate shall reduce into writing the motion or amendment. The Chairman shall upon receipt of such writing decide whether or not the matter stated therein is worthy of debate, and where an adverse decision is given by the Chairman of the meeting, the delegate shall not speak further in regard to the motion or amendment.

(5) The mover of the original motion shall be entitled to speak once when moving his motion and once by way of reply but not otherwise. In reply he shall confine himself to matters raised in his opening speech, or during the debate. After the mover has commenced his reply no other delegate may speak on the motion.

(6) A member who seconds an original motion may, at his election, speak on the motion either at the time of seconding the motion or at some later stage of the debate. A member who seconds an amendment shall have no such right of election and may speak on the amendment at the time of seconding it and not otherwise.

(7) Save as provided in paragraph (5), no delegate may speak more than once on the same motion or amendment unless it be for the purpose of explanation of a portion of his speech which has been misinterpreted; such explanation shall be strictly confined to a correction of the interpretation and the delegate shall not introduce any new matter.

(8) Amendments and motions for adjournments shall give rise to new questions and shall entitle delegates who have spoken on the original motion to speak again on the amendment or motion for adjournment.

(9) No person other than the Chairman of the meeting may interrupt a speaker save for the purpose of making a personal explanation or raising a point of order.

(10) On a point of order being raised, the delegate then speaking shall resume his seat until the Chairman of the meeting shall have given his decision on the point raised. The same point of order may not be raised more than once at the same meeting.

(11) The mover of a motion, but not of an amendment, shall be entitled to speak for ten minutes when moving his motion and to speak for a further period of five minutes by way of reply when closing

(10) On a point of order being raised, the delegate then speaking shall resume his seat until the Chairman of the meeting shall have given his decision on the point raised. The same point of order may not be raised more than once at the same meeting.

(11) The mover of a motion, but not of an amendment, shall be entitled to speak for ten minutes when moving his motion and to speak for a further period of five minutes by way of reply when closing the debate, but the Chairman of the meeting may in his discretion, allow such further time as to him may seem reasonable. No other delegate shall be entitled to speak for more than five minutes on any motion or amendment without leave of the Chairman of the meeting. The time taken up in dealing with interruptions for the purpose of making personal explanations or of raising points of order may be excluded when reckoning the length of time taken by a speaker.

33. (1) At the close of every debate the motion or amendment, as Voting the case may be, shall be read by or on behalf of the Chairman of the

meeting and thereafter voted upon. No delegate shall be allowed to speak on any question after it has been put to the meeting for a vote to be taken thereon.

(2) Every question shall be decided by a show of hands which in the first instance may be estimated by the Chairman of the meeting and such estimate, if unchallenged, shall on the declaration of the Chairman, be decisive. Where a delegate immediately challenges the estimate of the Chairman, then the votes for or against the question shall be counted in such manner as the Chairman may direct. The Chairman shall declare the result of the count of the votes and his declaration shall be final.

(3) Any delegate may decline to vote on any question put to a meeting.

(4) In case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

Use of offensive, abusive or objectionable language at meetings

34. If any delegate uses offensive, abusive or objectionable language and refuses when called on to withdraw and apologise to the satisfaction of the Chairman, or if any delegate refuses to accept and act upon a ruling by the Chairman or commits any breach of these Rules or if any delegate disturbs the good order of the meeting, the Chairman may require him to withdraw from the meeting.

Conduct of elections at the first annual general meeting after the commencement of the Act

35. Notwithstanding anything contained in these Rules, the election of the members of the Committee of Management of the Association to be held at the First Annual General Meeting after the commencement of the Act shall be conducted in accordance with rules 37 and 38.

Proportional representation of cane-farmers on Committee of Management

36. The twelve elected members of the Management Committee shall be in the following proportions:

- (a) five members shall be elected from among cane-farmers who deliver cane to Usine Ste. Madeleine factory ;
- (b) three members shall be elected from among cane-farmers who deliver cane to Brechin Castle factory;
- (c) one member shall be elected from cane-farmers who deliver cane to Woodford Lodge factory ;
- (d) one member shall be elected from cane-farmers who deliver cane to Orange Grove factory;
- (e) one member shall be elected from cane-farmers who deliver cane to Forres Park factory; and
- (f) one member shall be elected from cane-farmers who deliver cane to ~~USINE STE. MADELEINE~~ <sup>REFORM</sup> factory;
- (c) one member shall be elected from cane-farmers who deliver cane to Woodford Lodge factory ;
- (d) one member shall be elected from cane-farmers who deliver cane to Orange Grove factory;
- (e) one member shall be elected from cane-farmers who deliver cane to Forres Park factory; and
- (f) one member shall be elected from cane-farmers who deliver cane to Reform factory.

Nomination and election of Committee for the year

37. For the purpose of the election of members of the Committee of Management at the Annual General Meeting to be held in accordance with rule 35, the following procedure shall be adopted :

- (a) the notice convening such Annual General Meeting shall be given in writing to the delegates of the Branch Associations inviting nominations by such delegates of persons for election to the Committee;

- (b) every such nomination shall be in writing in the form set out in Appendix II and shall be delivered to the Secretary of the Association not less than seven days before the date fixed for holding such Annual General Meeting;
- (c) at such Annual General Meeting the Secretary shall publish the nominations received by him and present them to the Chairman. The Chairman shall decide on the validity of the nominations;
- (d) the persons validly nominated shall be the candidates for the elections and the Secretary shall duly publish their names to the meeting;
- (e) voting shall be by ballot unless the meeting otherwise decides; and
- (f) the candidates with the highest number of votes in each factory group shall be declared by the Chairman to be duly elected.

38. For the purpose of election of members of the Committee of Management at Annual General Meetings other than the First Annual General Meeting held after the commencement of the Act, the following procedure shall be adopted:

Nomination and election of Committee of Management in normal circumstances

- (a) In the notice to delegates of Branch Associations convening the Annual General Meeting at which an election is to take place there shall be set out :
  - (i) the names of the members of the Committee who are retiring and wish to stand for re-election and the factories to which they are attached, and
  - (ii) the total number of vacancies on the Committee.
- (b) The notice shall also invite nominations of persons for election to the Committee.
- (c) Every such nomination shall be in writing in the form set out in Appendix II and shall be delivered to the Secretary of the Association not less than seven days before the date fixed for the holding of the Annual General Meeting.
- (d) At the Annual General Meeting the Secretary shall publish the nominations received by him and present them to the Chairman. The Chairman shall decide on the validity of the nominations.
- (e) The persons validly nominated shall be the candidates for the elections and the Secretary shall duly publish their names to the meeting.
- (d) At the Annual General Meeting the Secretary shall publish the nominations received by him and present them to the Chairman. The Chairman shall decide on the validity of the nominations.
- (e) The persons validly nominated shall be the candidates for the elections and the Secretary shall duly publish their names to the meeting.
- (f) Where the number of candidates does not exceed the number of vacancies the Chairman shall declare the candidates duly elected.
- (g) Voting shall be by ballot unless the meeting shall otherwise decide.
- (h) The candidates with the highest number of votes for the vacancies for the seats which they have contested shall be declared by the Chairman as duly elected.

## APPENDIX I

CANE-FARMING DISTRICTS AND CORRESPONDING  
BRANCH ASSOCIATIONS

Bueno Intento	Lengua Inverness
Bronte	Montrose Village
Barrackpore Central and No. 2 Barrackpore	Malgretoute Mohess Road
Barrackpore No. 3 and No. 4	Monroe Road
Barrackpore No. 6 and 7	McBean
Benard Road, Felicity	Manahambre
Brothers Road	Macaulay
Ben Lomond	Indian Trail
Balmain	Kelly Village
Bonne Aventure	Pluck Road
Cedar Hill	Palmyra
Charlieville	Platinite
Churkoo Village	Pierre Road
Cane Farm and Garden Village	Rio Claro
Claxton Bay	Rees Trace
Caparo Valley	Rambert Village
Cunupia	Ramai Trace, Debe
Caratal Village	Reform Village
Dinsley Village	St. Julien Road
Dyer Village	San Francique
El Dorado	St. Helena
Esperance	St. Mary's Village
Esperanza	Tabaquite Road and San Pedro Pool
Fairfield/Craignish El Dorado	Thomas Ross St. Helena
Esperance	St. Mary's Village
Esperanza	Tabaquite Road and San Pedro Pool
Fairfield/Craignish	Thomas Ross
Freeport	Tabaquite Proper
Forres Park	Todds Road
Felicity	Watts Road
Garth Road	Williamsville
Guanapo	Welcome Road, Las Lomas and Jerningham Junction.
Hindustan	

APPENDIX II

NOMINATION PAPER FOR MEMBERSHIP OF COMMITTEE OF MANAGEMENT

The Secretary,

Trinidad Island Wide Cane-Farmers Association.

I, ..... of .....  
(here insert name) (here insert address)

delegate of ..... hereby nominate  
(here insert name of Branch Association)

the persons named in the second column to be a member of the Committee in respect of the factory specified in the first column.

<i>Name of Factory</i>	<i>Nominees</i>
Usine Ste. Madeleine	..... ..... ..... ..... (here insert names of nominees)
Brechin Castle	..... ..... ..... (here insert names of nominees)
Woodford Lodge	..... (here insert name of nominee)
Orange Grove	..... (here insert name of nominee)
Forres Park	..... (here insert name of nominee)
Woodford Lodge	..... (here insert name of nominee)
Orange Grove	..... (here insert name of nominee)
Forres Park	..... (here insert name of nominee)
Reform.	..... (here insert name of nominee)

Dated this ..... day of ..... , 19 ..

Signature of delegate.

## SECOND SCHEDULE

Brechin Castle  
Forres Park  
Orange Grove

Usine Ste. Madeleine  
Woodford Lodge  
Reform.

Passed in the Senate this 26th day of January, 1965.

J. E. CARTER  
*Acting Clerk of the Senate*

Passed in the House of Representatives this 8th day  
of January, 1965.

G. R. LATOUR  
*Clerk of the House of Representatives*