

TRINIDAD AND TOBAGO.

[Published as a Supplement to the "Royal Gazette" issued on the 26th day of April, 1934.]

No. 7—1934.

I ASSENT,

[L.S.]

A. C. HOLLIS,
Governor.

25th April, 1934.

AN ORDINANCE to regulate and control the export of Gros Michel Bananas.

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

Short title. 1. This Ordinance may be cited as the Banana (Control) Ordinance, 1934.

Constitution of the Trinidad and Tobago Banana Board. 2.--(1) For the purposes of this Ordinance there shall be established as soon as may be after the commencement of this Ordinance a body to be called the Trinidad and Tobago Banana Board (hereinafter referred to as the Board) consisting of the Director of Agriculture as Chairman, and four other members to be appointed by the Governor.

(2) The Board shall be a body corporate with perpetual succession and a common seal and with power to purchase, take, hold and dispose of land and other property, to borrow monies and to sue and be sued in its corporate name.

(3) The Board shall have a common seal and the seal of the Board shall be authenticated by the signature of the Chairman or some other member of the Board and of the Secretary or some other person authorised by the Board to act in that behalf.

(4) The quorum of the Board shall be three but subject thereto the Board may act notwithstanding any vacancy in their number.

(5) The Chairman shall have a casting vote as well as a deliberative vote.

(6) The Board may employ and pay a Secretary to the Board but such Secretary shall not be a member of the Board.

3.—(1) The Board may appoint officers and employ persons at such remuneration as may be approved by the Governor and take such other steps as they think necessary and expedient for properly carrying out their duties and may provide offices and depots for the transaction of their business.

Officers, servants and offices and depots.

(2) Officers and servants of the Agricultural Department shall perform such duties in connection with the selection of Gros Michel Bananas and their delivery to the Board and such other duties for the efficient administration of the affairs of the Board as may from time to time be assigned to them by the Chairman.

4. The funds of the Board shall consist of such moneys as may accrue from the operations of the Board including any moneys that may be borrowed by the Board and such other sums as may from time to time, with the approval of the Legislative Council, be appropriated from the General Revenues and assets of the Colony.

Funds of the Board.

5. It shall be lawful for the Governor with the approval of the Legislative Council, by warrant under his hand, to authorise the Treasurer to make advances to the Board in such sums and on such terms and conditions as he may think fit for the purposes authorised by this Ordinance.

Government advances.

6.—(1) From and after the commencement of this Ordinance, the export of Gros Michel bananas from the Colony, except by or with the written permission of the Board, is hereby prohibited.

Restriction on export of Gros Michel Bananas.

(2) Any person contravening the provisions of this section shall be guilty of an offence and liable on summary conviction before a Magistrate to a penalty not exceeding five pounds and on a second or subsequent conviction to a penalty not exceeding twenty-five pounds or to imprisonment with or without hard labour for a period not exceeding three months or to both such penalty and imprisonment.

Persons delivering Gros Michel bananas to the Board to comply with directions.

7. Any person desiring to deliver Gros Michel bananas to the Board for export shall comply with such directions or instructions as may be issued by the Board in regard to such delivery.

Gros Michel bananas accepted by the Board to be deemed the property of the Board.

8. All Gros Michel bananas delivered to and not rejected by the Board at the place of delivery shall be deemed to be the property of the Board and the rights of the grower of such bananas and of all other persons claiming through, under, or against such grower shall be none other than a right to receive such sums as shall be payable by the Board to the persons entitled to receive the same when such bananas have been sold by the Board.

Powers of the Board.

9. The Board may establish depots or agencies for the purchase, delivery and grading of Gros Michel bananas and may enter into contracts for the sale, purchase, delivery, stowage on board ship and transport of such bananas upon such terms and conditions as the Board may think fit, and generally may take such other steps in regard to Gros Michel bananas as the Board may deem to be expedient, and without prejudice to the generality of the foregoing powers may, in regard to Gros Michel bananas, regulate and control :—

- (a) the giving of cutting notices to growers,
- (b) the grading, selection and rejection,
- (c) the disposal of rejected bananas,
- (d) the handling, export and marketing,
- (e) the transport to the port of shipment, and
- (f) the price to be paid for bananas delivered at depots or agencies in Port-of-Spain and the charges for transport to Port-of-Spain.

10. The Board or any officer or servant of the Board, or any other person authorised in writing by the Board for the purpose shall at all reasonable hours have the right to enter into banana plantations of any description whatsoever, whether of the Gros Michel variety or otherwise, for the purpose of determining the variety or quantity of bananas grown thereupon and as to the condition of the bananas and the method of cultivation, cutting, reaping or otherwise for any of the purposes of the Board.

Power of entry
into banana
plantations.

11. The Board shall cause proper books of account and other books in relation thereto to be kept and shall prepare an annual statement of the moneys received and expended and such account shall be audited by an auditor to be appointed by the Governor in Executive Council.

Accounts and
Audit.

12.—(1) The Governor in Executive Council may make regulations as to all or any of the matters referred to in paragraphs (a) to (f) of section 9 of this Ordinance and for the making of returns as to the planting, growth and cultivation of Gros Michel bananas by growers thereof and the compilation of statistics in regard thereto, and generally for carrying out the purposes or provisions of this Ordinance.

Power to make
regulations.

(2) Any such regulations may include penalties for the contravention thereof not exceeding a penalty of twenty-five pounds recoverable summarily before a Magistrate.

(3) Regulations made under this section shall not have any force or effect until they have been approved by the Legislative Council and when so approved by resolution shall be published in the *Royal Gazette* and as from the date of publication or from the date specified therein such regulations shall have the same force and effect as if they were contained in and formed part of this Ordinance.

Passed in Council this twentieth day of April, in the year of Our Lord one thousand nine hundred and thirty-four.

J. O'CONNOR,
Clerk of the Council.