

LEGAL NOTICE NO. 8

REPUBLIC OF TRINIDAD AND TOBAGO

THE NATIONAL AGRICULTURAL MARKETING AND DEVELOPMENT
CORPORATION ACT, 1991

REGULATIONS

MADE BY THE CORPORATION WITH THE APPROVAL OF THE MINISTER UNDER
SECTION 31 OF THE NATIONAL AGRICULTURAL MARKETING AND
DEVELOPMENT CORPORATION ACT

THE NATIONAL AGRICULTURAL MARKETING AND
DEVELOPMENT CORPORATION (SOUTHERN WHOLESALE
MARKET) REGULATIONS, 1999

PART I

PRELIMINARY

1. These Regulations may be cited as the National Agricultural Marketing and Development Corporation (Southern Wholesale Market) Regulations, 1999. Citation

2. In these Regulations—

“authorised market user” means a vendor of a marketable commodity, scale operator or trolley operator who is the holder of a permit issued under Regulation 4;

Interpreta-
tion

“licence” means a licence issued for the purposes of Part IV;

“Manager” means the person appointed by the Corporation to hold, or act in, the office of Manager of the Market;

“Market” means the Southern Wholesale Market, Debe, situate at San Fernando-Siparia-Erin Road, La Fortune Section, Ste. Madeleine Area of Caroni (1975) Limited, in the Ward of Naparima, comprising 5.8904 hectares and which is more particularly delineated and described and shown on the plan at Schedule I;

Schedule I

“marketable commodity” means agricultural produce and food products, haberdashery, agricultural inputs, meat, fish, live animals, and any other products which will be approved by the National Agricultural Marketing Development Company’s (NAMDEVCO) Board of Directors from time to time;

“scale operator” means a holder of a permit issued under Regulation 4 to operate a scale in the Market;

“trolley operator” means a holder of a permit issued under Regulation 4 to operate a trolley in the Market.

PART II

MANAGEMENT OF THE MARKET

Powers,
functions and
duties

3. (1) The Manager shall be responsible for the efficient management of the Market and may for that purpose implement management directives with respect to:

- (a) prescribing the conditions under which authorised market users are permitted to operate or use any stall, space or thing in the Market;
- (b) fixing the rent, fees and charges to be paid for the use of stalls and spaces;
- (c) collecting fees for the use of the Market;
- (d) fixing the times during which the Market shall be opened for business;
- (e) supervising the sale of marketable commodities;
- (f) prohibiting the offering for sale of any commodity which, in his opinion, is unfit for human consumption;
- (g) maintaining order in the Market;
- (h) removing nuisances or obstructions in the Market or in the immediate environs thereof; and
- (i) doing anything necessary or expedient for the exercise, performance and discharge of his power, functions and duties or for giving effect to these Regulations.

(2) The Manager, shall in exercising his powers, functions and duties be assisted by staff provided by the Corporation.

Permission to
operate in
Market

4. (1) No person shall—

- (a) offer anything for sale whether wholesale or retail; or
- (b) operate a trolley or scale,

in the Market without a permit issued under these Regulations.

(2) Where a person applies for a permit, the Manager, if he is satisfied that the applicant is a person of good character and otherwise

suitable, shall upon payment of the appropriate fee, issue a permit as prescribed at Form B in Schedule II, and allocate a stall or space for the Schedule II use of that person.

(3) An application for a permit referred to in sub-regulation (2) shall be made on Form A, set out in Schedule II, which may be collected from and deposited with the Manager.

(4) A person who contravenes sub-regulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

5. (1) The Manager may require an authorised market user to submit himself for a medical examination by the District Medical Officer. Manager may require authorised market user to submit for medical examination

(2) The Manager may revoke a permit where—

(a) an authorised market user who is required to submit to a medical examination under sub-regulation (1) does not, within one month of that request, submit a certificate from the District Medical Officer stating that the authorised market user is not suffering from an infectious or contagious disease; or

(b) the District Medical Officer issues a certificate stating that the authorised market user is suffering from an infectious or contagious disease.

6. The Corporation shall not be liable for—

(a) the damage to any person in the Market;

(b) the damage to or loss of any thing left in the Market. Non-liability of Corporation

7. (1) The Manager or a member of the staff of the Market shall not have any pecuniary interest in the sale in the Market of any marketable commodity or in any animal slaughtered for sale. Pecuniary interest prohibited

(2) Notwithstanding sub-regulation (1), a member of staff of the Market may engage in commercial trading outside of his normal working hours.

(3) A person who contravenes sub-regulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

PART III

USE OF MARKET

Restriction on
goods to be
sold in
Market

8. (1) No authorised market user shall offer for sale in the Market anything other than a marketable commodity.

(2) A person who contravenes sub-regulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

(3) The Manager may revoke the permit of an authorised market user who is found guilty of an offence under sub-regulation (2).

Restriction on
use of market

9. (1) No person shall be in the Market while it is closed for business, without the permission of the Manager.

(2) A person who contravenes sub-regulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

Occupancy of
stall or space

10. (1) No authorised market user shall occupy any space or stall without the approval of the Manager.

(2) No authorised market user shall be assigned more than one space or stall unless there are unassigned spaces or stalls available.

Permit to be
presented on
request

11. An authorised market user shall present his permit, whenever requested to do so by the Manager or a person so authorised by him.

Authorised
market user
or his
employee to
sell in rented
stall

12. No person other than—

(a) an authorised market user; or

(b) an employee of the authorised market user,

shall sell or deposit for sale any marketable commodity in any place in the the Market other than in the stall or space that has been assigned to him for sale of the marketable commodity.

Commodities
unfit for
human
consumption

13. The Manager shall remove or cause to be removed from the Market any marketable commodity which is unfit for human consumption and dispose them in the manner he thinks fit.

PART IV

SALE OF MEAT AND FISH

Licence
required to
sell meat or
fish

14. (1) Notwithstanding Regulation 4, any person who wishes to sell meat or fish in the Market must apply to the Manager for a licence.

(2) Where a person applies for a licence, the Manager, if he is satisfied that the applicant is a person of good character and otherwise suitable, shall issue a licence.

(3) A person who contravenes sub-regulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

15. (1) No person shall bring into the Market, the meat of any animal unless he has a certificate from the Clerk of the Government Municipal Abattoir stating that the animal was slaughtered in his abattoir. Restriction on meat brought into market

(2) Where the animal is slaughtered in a place other than a Government Municipal Abattoir, no person shall bring the meat of the animal into the Market unless he presents a certificate from—

(a) a Medical Officer of Health;

(b) a registered veterinary surgeon; or

(c) a Sanitary Inspector of the District, stating that the animal was inspected before and the meat after, slaughter.

16. (1) A record of all meat and fish brought into the Market for sale, shall be kept by the Manager, and such record shall contain the following: Records of meat and fish shall be kept

(a) the name of the person who brought in such meat or fish;

(b) the names of the persons who were allotted tables or stalls for the sale of such meat or fish;

(c) the weight of the meat or fish; and

(d) in respect of meat and fish to be sold, the source of such meat or fish.

(2) To facilitate the maintenance of the record every licensee shall obtain from the Manager a copy of Form C set out in Schedule II, and perfect and sign such form giving the quality and variety of the meat or fish he brings into the market.

17. No meat shall be advertised or sold in the Market as being a description of meat other than the true and proper description thereof. False advertising

18. No meat or fish shall be chopped on anything, other than an approved block provided for that purpose within the allocated stall or space. Chopping of meat or fish

Dress code 19. A person who offers meat or fish for sale in the Market shall be properly attired and shall wear a clean apron, headgear and other clean protective garments as required by the Corporation.

Revocation of Licence 20. The Manager may revoke a licence if he is satisfied that the holder thereof has acted in breach of any provision of this Part.

PART V

WEIGHING OF GOODS

Settlement of disputed weight 21. Every article sold by weight shall be properly weighed and in all cases of dispute in respect of weight, the vendor shall, if required to do so by the purchaser, cause the article to be weighed in the presence of the Manager or a member of his staff.

Correct weight 22. No person shall sell or deliver any article in the market of less weight, measure or number than has been bargained for.

Positioning of scales 23. All scales used for weighing any article sold in the Market shall be positioned in such a manner, so that they are clearly seen by the purchaser.

Tampering of scales 24. (1) No person shall tamper with a scale, balance, beam or weight, whether or not the scale, balance, beam or weight is:
 (a) the property of;
 (b) in the possession of; or
 (c) under the control of,
 that person.

(2) All scales used in the Market shall be approved annually by the Weights and Measures Division of the Ministry with responsibility for weights and measures, and all such scales shall be stamped "approved" by the Weights and Measures Division.

PART VI

GENERAL

Prohibited behaviour 25. (1) No person shall—
 (a) cry out excessively or in an offensive manner, anywhere in the market;
 (b) use any amplified instruments or play any musical instrument apparatus in the Market except with the permission of the Manager;

- (c) damage any table, stall, bench, furniture, furnishings, fixtures or plants in the Market;
- (d) spit in, on or upon any floor, wall or thing in the Market or throw or drop on the ground any offal, garbage or refuse whatsoever;
- (e) molest, hinder or obstruct the Manager or a member of staff in the performance of his duties;
- (f) loiter in the Market or in its immediate environs;
- (g) bring or permit any dog to remain in the Market;
- (h) introduce, sell, consume or display any intoxicating liquor or other illegal substances in the Market;
- (i) use any fire, cook or smoke except in areas designated by the Manager;
- (j) permit any animal of draught or burden, nor any cart or vehicle to remain in the Market longer than the time necessary to facilitate trading;
- (k) park any motor vehicle, wheel barrow or bicycle in any area other than the designated parking area;
- (l) use violence, obscene language or misconduct himself in the Market; or
- (m) display produce on bare ground.

26. No goods shall be sold by auction in the Market unless such ^{Auction} sale is authorised by the Manager.

27. (1) The Manager shall cause the Market to be cleaned and ^{Sanitation of market and stalls} washed.

(2) The authorised market user of any stall, table or space in the Market shall keep his table, space, scales, weights, appliances and other articles which he has used, in a thoroughly sanitized condition and shall deposit all garbage daily in the receptacle provided for that purpose.

28. No person shall sell by retail any agricultural produce within a ^{Prohibition on selling} radius of one kilometre of the Market unless that produce is sold—

- (a) in a shop or an open place occupied in connection with the shop;

(b) to a registered Co-operative Society by any of its members, or by a registered Co-operative Society for the purpose of such business with the prior approval of the Debe/Penal Regional Corporation; or

(c) on the land on which the commodity has been produced.

Complaints 29. A person who is aggrieved by a decision of the Manager or by the management of the Market may complain in writing to the Chief Executive Officer of the Corporation within seven days of the taking of such decision and the Corporation shall take such action as it thinks fit with respect to the complaint.

Offences 30. Any person who contravenes any provision of this Part or Part V commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars and to have his permit or licence revoked.

SCHEDULE I

*National Agricultural Marketing and Development Corporation
(Southern Wholesale Market) Regulations, 1999*

SCHEDULE II

FORM A

[Regulation 4(3)]

APPLICATION FOR PERMIT TO OPERATE A TROLLEY OR SCALE OR SELL
IN THE MARKET

Name

Address

Goods intended to sell

.....
Date

.....
Authorised Signature

FORM B

[Regulation 4(2)]

NATIONAL AGRICULTURAL MARKETING AND DEVELOPMENT
CORPORATION (NAMDEVCO)

PERMIT TO TRADE OR OPERATE TROLLEYS/SCALES/BARROWS
AT THE SOUTHERN WHOLESALE MARKET

Mr./Mrs./Ms.

.....

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.....
is hereby authorised to Trade or operate a Trolley/Scale/Barrow at the Southern
Wholesale Market, Debe in accordance with Regulations made by the Natural
Agricultural Marketing and Development Corporation (NAMDEVCO).

.....
Date

.....
Authorised Signature

