



## TRINIDAD AND TOBAGO

## No. 12—1948.

[L.S.]

I ASSENT.

J. V. W. SHAW,

*Governor.*

9th June, 1948.

AN ORDINANCE to establish funds for the benefit of the Sugar Industry of the Colony and to provide for the administration of such funds.

[1st January, 1947.]

Commence-  
ment

WHEREAS it has been mutually determined between the Government and the Sugar Manufacturers' Association of Trinidad (Incorporated) that monies shall be provided by means of a levy at an agreed rate (which may be varied from time to time as required or discontinued) in respect of sugar manufactured in and exported from the Colony and that such monies shall be allocated in agreed proportions to and accumulated in special funds, namely, a Price Stabilisation Fund, a Rehabilitation Fund and Labour Welfare Fund ;

And Whereas it is expedient that the establishment of the special funds as aforesaid, the payments to be made thereto, and the basis conditions and procedure for making disbursements out of the said funds, shall be provided for by law:

Enactment

BE it enacted by the Governor of Trinidad and Tobago, with the advice and consent of the Legislative Council thereof.

Short title

1. This Ordinance may be cited as the Sugar Industry Special Funds Ordinance, 1948.

Establishment of special funds

2. For the purpose of this Ordinance there shall be established by the Accountant General in the accounts of the Colony the following special funds, namely—

- (a) a Sugar Industry Price Stabilisation Fund ;
- (b) a Sugar Industry Rehabilitation Fund ; and
- (c) a Sugar Industry Labour Welfare Fund.

Accountant General to be trustee of special funds

3. Subject to the provisions of this Ordinance, the Accountant General shall be the trustee of the special funds specified in section 2 of this Ordinance.

Investment of special funds, and exemption of trustee from payment of income tax

4. (1) The Accountant General may, with the approval of the Governor in Council invest or place on deposit account any of the monies of any of the special funds specified in section 2 of this Ordinance, and any interest earned on monies so invested or deposited shall be placed to the credit of the appropriate special fund.

(2) The Accountant General, in his capacity as trustee of the special funds specified in section 2 of this Ordinance, shall be exempt from the payment of income tax under the Income Tax Ordinance.

Ch. 33. No. 1.

Amount to be levied on sugar exporters and paid to Accountant General.

5. (1) Subject to the provisions of section 7 of this Ordinance, every exporter of sugar shall pay to the Accountant General an amount which shall be levied at the agreed rate of thirteen dollars and twenty cents on every ton of sugar manufactured in the Colony after the 31st day of December, 1946, which is exported therefrom. The tonnage exported shall be deemed to be the outturn tonnage as certified by the account sales.

(2) The amount to be paid by an exporter of sugar under subsection (1) of this section shall be levied and collected within one hundred and twenty days after the date of exportation or, in the case of sugar exported before the date of the publication of this Ordinance, within one hundred and twenty days after the date of such publication in the *Royal Gazette*.

(3) In default of payment when due of any amount payable under this section by an exporter of sugar, such amount, together with interest at the rate of six per centum per annum from the date the payment became due under subsection (2) of this section shall, after demand for payment has been made by the Accountant General, be recoverable by him against the exporter as a debt due to the Crown.

6. The Accountant General shall, subject to the provisions of section 7 of this Ordinance, allocate the amounts paid to him under section 5 of this Ordinance to the credit of the special funds specified in section 2 of this Ordinance in the agreed proportions hereinafter set out, that is to say—

Allocation to special funds of amounts paid under section 5.

- (a) to the Sugar Industry Price Stabilisation Fund, a proportion equivalent to six dollars on every ton of sugar manufactured and exported ;
- (b) to the Sugar Industry Rehabilitation Fund, a proportion equivalent to four dollars and eighty cents on every ton of sugar manufactured and exported ; and
- (c) to the Sugar Industry Labour Welfare Fund, a proportion equivalent to two dollars and forty cents on every ton of sugar manufactured and exported.

7. (1) Where it has been mutually determined between the Government and the Sugar Manufacturers' Association of Trinidad (Incorporated) so to do, the Governor in Council may, by Order published in the *Royal Gazette*—

Power of Governor in Council to vary rates and proportions under sections 5 and 6, and to order a cessation of payments under section 5.

- (a) at any time and from time to time vary the agreed rate specified in subsection (1) of section 5 of this Ordinance ;
- (b) at any time and from time to time vary the agreed proportions set out in section 6 of this Ordinance ;
- (c) prescribe that the amount specified in section 5 of this Ordinance shall cease to be levied collected and paid in respect of sugar exported on or after a date specified in the Order.

(2) Where an Order is made under paragraphs (a) or (b) of subsection (1) of this section, the rate as varied or the proportions as varied shall have effect as if the varied rate or the varied proportions were specified or set out in subsection (1) of section 5, or in section 6, as the case may be, of this Ordinance.

(3) Where an Order is made under paragraph (c) of subsection (1) of this section, the power of the Accountant General under subsection (3) of section 5 of this Ordinance to recover any amount payable under that section but not paid before the date specified in the Order shall continue to have effect in the same manner and to the same extent as if the Order had not been made.

Committees to  
manage the  
special funds

8. (1) The Sugar Industry Price Stabilisation Fund shall be controlled and administered by a Committee to be appointed by the Governor in Council, and the members of the Committee shall be three persons nominated by the Sugar Manufacturers' Association of Trinidad (Incorporated), two persons nominated by the Governor to represent the cane farmers in the Colony and two public officers.

(2) The Sugar Industry Rehabilitation Fund shall be controlled and administered by a Committee to be appointed by the Governor in Council, and the members of the Committee shall be five persons nominated by the Sugar Manufacturers' Association of Trinidad (Incorporated) and two public officers.

(3) The Sugar Industry Labour Welfare Fund shall be controlled and administered by a Committee to be appointed by the Governor in Council, and the members of the Committee shall be three persons nominated by the Sugar Manufacturers' Association of Trinidad (Incorporated), three persons nominated by the trade unions concerned with the welfare of labour workers in the sugar industry, two public officers and one person nominated by the Governor to represent the cane farmers in the Colony.

Regulations

9. (1) The Committees appointed under section 8 of this Ordinance may, with the approval of the Governor in Council, make regulations to provide for the following matters, that is to say—

(a) the basis and the conditions on which disbursements from the appropriate special fund shall be allowed and authorised, and the procedure which shall govern the making of such disbursements ;

(b) the keeping of proper records, and the keeping and rendering of detailed accounts, in relation to the appropriate special fund, and in particular the keeping and rendering of detailed accounts in respect of the portion of the special fund which relates to each exporter of sugar.

(2) The Governor in Council may, with respect to the matters not specifically mentioned in subsection (1) of this section, make regulations and prescribe forms for carrying into

effect the purposes of this Ordinance, and, without prejudice to the generality of the foregoing provision, regulations may be made providing for the following matters, that is to say—

- (a) the term of office of a member of a Committee, and the circumstances under which such office shall become vacant ;
- (b) the appointment of a Chairman of a Committee ;
- (c) the grant of leave of absence to a member of a Committee, and the appointment of another person during such leave ;
- (d) the quorum required to be present for the transaction of business by a Committee.

10. This Ordinance shall be deemed to have come into operation on the 1st day of January, 1947.

Commence-  
ment of  
Ordinance.

Passed in Council this twenty-first day of May, in the year of Our Lord one thousand nine hundred and forty-eight.

J. L. SUPERVILLE,  
*Clerk of the Council.*