

SUGAR INDUSTRY SPECIAL FUNDS ACT

CHAPTER 64:04

Act

12 of 1948

Amended by

24 of 1950

39 of 1954

18 of 1956

18 of 1961

9 of 1969

40 of 1970

54 of 1970

47 of 1980

2 of 1997

15 of 1998

Current Authorised Pages

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Note on Adaptation

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 52/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 64:04

SUGAR INDUSTRY SPECIAL FUNDS ACT

ARRANGEMENT OF SECTIONS

SECTION

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2. Interpretation.
3. Establishment of special funds.
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ALLOCATION OF FUNDS

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13. Purposes for which moneys transferred under this Act may be applied.
14. Transfer of moneys from the Sugar Industry Labour Welfare Fund to the Sugar Industry Price Stabilisation Fund.

SCHEDULE.

CHAPTER 64:04

SUGAR INDUSTRY SPECIAL FUNDS ACT

1950 Ed.
Ch. 23 No. 14.
12 of 1948.

An Act to establish funds for the benefit of the Sugar Industry of Trinidad and Tobago and to provide for the administration of such funds.

Commencement.

[1ST JANUARY 1947]

WHEREAS it has been mutually determined between the Government and SMA Limited that moneys 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 Trinidad and Tobago and that such moneys shall be allocated in agreed proportions to and accumulated in special funds, namely, a Price Stabilisation Fund, a Rehabilitation Fund and a 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 and the conditions and procedure for making disbursements out of the said funds, shall be provided for by law:

Short title.

1. This Act may be cited as the Sugar Industry Special Funds Act.

Interpretation.
[2 of 1997].

2. In this Act “Minister” means the Minister to whom responsibility for Housing and Settlements is assigned.

Establishment of special funds.

3. (1) For the purpose of this Act there shall be established by the Comptroller of Accounts in the accounts of Trinidad and Tobago the following special funds:

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

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(2) Subject to this Act, the Comptroller of Accounts shall be the trustee of the special funds specified in subsection (1).

Comptroller of Accounts to be trustee of special funds.

4. (1) The Comptroller of Accounts may, with the approval of the Minister, invest or place on deposit account any of the moneys of any of the special funds specified in section 3(1), and any interest earned on moneys so invested or deposited shall be placed to the credit of the appropriate special fund.

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

(2) The Comptroller of Accounts, in his capacity as trustee of the special funds specified in section 2, is exempt from the payment of income tax under the Income Tax Act.

Ch. 75:01.

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

Amount to be levied on sugar exporters and paid to Comptroller of Accounts.

(2) The amount to be paid by an exporter of sugar under subsection (1) 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 Act, within one hundred and twenty days after the date of the publication in the *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 cent a year from the date the payment became due under subsection (2) shall, after demand for payment has been made by the Comptroller of Accounts, be recoverable by him against the exporter as a debt due to the State.

6. The Comptroller of Accounts shall, subject to section 7, allocate the amounts paid to him under section 5 to the credit of

Allocation to special funds of amounts paid under section 5.

the special funds specified in subsection 3(1) in the agreed proportions hereinafter set out:

- (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.

Power of Minister to vary rates and proportions under sections 5 and 6, and to order a cessation of payments under section 5. [40 of 1970].

7. (1) The Minister may by Order—

- (a) vary the agreed rate specified in section 5(1);
- (b) vary the agreed proportions set out in section 6;
- (c) prescribe that the amount specified in section 5 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 subsection (1)(a) or (b), 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 section 5(1) or in section 6, as the case may be.

(3) Where an Order is made under subsection (1)(c), the power of the Comptroller of Accounts under section 5(3) 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.

Service charges. [15 of 1998].

7A. There shall be paid to the credit of the Sugar Industry Labour Welfare Fund the service charges paid to the Sugar Industry Labour Welfare Committee in respect of the services specified in the Schedule.

Schedule.

***8.** (1) The Sugar Industry Price Stabilisation Fund shall be controlled and administered by a Committee appointed by the Minister and consisting of—

Committees to manage the special funds. [18 of 1961, 9 of 1969, 40 of 1970, 47 of 1980].

- (a) three persons nominated by SMA Limited or its successors and any sugar manufacturer who is not a member thereof;
- (b) two persons nominated by the Trinidad Island-Wide Cane-Farmers Association; and
- (c) two public officers.

(2) The Sugar Industry Rehabilitation Fund shall be controlled and administered by—

- (a) a Committee appointed by the Minister and consisting of—
 - (i) four persons nominated by SMA Limited or its successors and any sugar manufacturer who is not a member thereof;
 - (ii) two persons nominated by the Trinidad Island-Wide Cane-Farmers Association; and
 - (iii) two public officers; and
- (b) the Cane-Farmers Rehabilitation Board established under the Cane-Farmers Rehabilitation Board Act,

Ch. 64:06.

in such proportions as the Minister may direct by Order, but the proportion to be controlled and administered by the Committee shall be not less than eighty per cent in any year.

(3) The Sugar Industry Labour Welfare Fund shall be controlled and administered by a Committee appointed by the Minister and consisting of no fewer than five nor more than nine members. Of the members, not less than four shall be appointed from amongst persons who have special qualifications in, and have had experience of, matters relating to engineering, architecture, accountancy, finance, law, economics or business management.

*See section 4 of Act No. 40 of 1970 for validation of acts of Committees between 15th December 1968 and 5th December 1970.

Chief Executive Officer and co-opted members—attendance at meetings. [9 of 1969].

9. (1) The chief executive officer of a Committee appointed under section 8 shall, unless the Minister otherwise directs, attend all meetings of the Committee but he shall not have any right to vote.

(2) A Committee may co-opt any one or more persons to attend any particular meeting of the Committee for the purpose of assisting or advising the Committee, but no such co-opted person shall have any right to vote.

(3) Where any person is co-opted by the Committee under subsection (2) the Committee may, with the approval of the Minister, by resolution declare the remuneration and allowances of such persons.

(4) In this section, “chief executive officer” in relation to a Committee means the officer, however designated, responsible for carrying out the decisions of the Committee.

Regulations. [18 of 1956].

10. (1) The Committees appointed under section 8 may, with the approval of the Minister, make Regulations to provide for the following matters:

- (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 Minister may, with respect to the matters not specifically mentioned in subsection (1), make Regulations and prescribe forms for carrying into effect the purposes of this Act, and, without prejudice to the generality of the foregoing provision, Regulations may be made providing for the following matters:

- (a) the term of office of a member of a Committee, and the circumstances under which such office shall become vacant;

- (b) the appointment and remuneration 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.

11. The expenses of administering each of the special funds established by this Act including any remuneration and allowances paid under section 9(3), shall, except where the Minister otherwise directs the appropriate Committee, be defrayed out of the special fund administered by that Committee.

Expenses of administering special funds. [9 of 1969].

ALLOCATION OF FUNDS

12. Notwithstanding anything to the contrary contained in this Act the balance of moneys standing to the credit of the Sugar Industry Price Stabilisation Fund as at 31st December 1953, shall be paid—

- (a) as to one-half thereof to the credit of the Sugar Industry Labour Welfare Fund; and
- (b) as to the other half thereof to the credit of the Sugar Industry Rehabilitation Fund.

Transfer of moneys from Sugar Industry Price Stabilisation Fund to Sugar Industry Labour Welfare Fund and to Sugar Industry Rehabilitation Fund. [39 of 1954].

13. (1) The moneys transferred under section 12 from the Sugar Industry Price Stabilisation Fund to the Sugar Industry Labour Welfare Fund shall be applied by the Sugar Industry Labour Welfare Fund Committee in furtherance of the Housing Loans Scheme for Sugar Workers operated by the said Committee.

Purposes for which moneys transferred under this Act may be applied. [39 of 1954].

(2) The moneys transferred under section 12 from the Sugar Industry Price Stabilisation Fund to the Sugar Industry Rehabilitation Fund shall be applied by the Sugar Industry Rehabilitation Fund Committee for purposes of rehabilitation in accordance with Regulations made under section 10(1) and for the time being in force.

(3) In this section the expression “Sugar Industry Labour Welfare Fund Committee” means the Committee incorporated

Ch. 64:05. under the Sugar Industry Labour Welfare Committee (Incorporation) Act and the expression “Sugar Industry Rehabilitation Fund Committee” means the Committee appointed under section 8(2).

Transfer of moneys from the Sugar Industry Labour Welfare Fund to the Sugar Industry Price Stabilisation Fund. [54 of 1970].

14. Notwithstanding anything to the contrary contained in the Sugar Industry (Labour Welfare Fund) Regulations, two million, five hundred thousand dollars of the moneys standing to the credit of the Sugar Industry Labour Welfare Fund as at 30th September 1970 shall be credited to the Sugar Industry Price Stabilisation Fund and used in accordance with the Sugar Industry (Price Stabilisation Fund) Regulations.

[15 of 1998].

SCHEDULE

SUGAR INDUSTRY LABOUR WELFARE COMMITTEE SERVICES

- A. *Squatter Regularisation*
1. Conduct of Revenue Office searches to determine whether Squatters own land.
 2. Visiting Squatter sites to investigate applications for electrical connection.
 3. Copying of related documents.
- B. *Legal Services*
4. Preparation of:
 - (i) Deeds of Lease.
 - (ii) Deeds of Surrender.
 5. Preparation of:
 - (i) Mortgage Bills of Sale.
 - (ii) Memoranda of Charge.
 - (iii) Memoranda of Mortgage.

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6. Preparation of Releases:
 - (i) Memoranda of Discharge.
 - (ii) Memoranda of Satisfaction.
7. Vetting of Legal Documents.
8. Consent to Assignment.
9. Tenancy Agreement and Licences.
10. Additional Copies of Legal Documents.
- C. *Title Searches*
 11. Real Property Act (Title Search).
 12. Long Search—Common Law.
 13. Short Search—Judgment, *Lis Pendens*.
- D. *Mortgage and Finance*
 14. Statement of Indebtedness.
- E. *Land Demarcation and Construction*
 15. Boundary and Re-definition.
 16. Extra Cadastral copies (photocopies).
 17. Recommendation of plans to approving Agencies.
 18. Single print of any layout, map or floor plan.
 19. Four complete sets of house plans for construction.
 20. Valuation Report on Property.
- F. *Any other Services approved by the Minister.*

SUBSIDIARY LEGISLATION

*155/1971.

**SUGAR INDUSTRY REHABILITATION FUND
(CONTROL AND ADMINISTRATION) ORDER**

made under section 8(2)

Citation.

1. This Order may be cited as the Sugar Industry Rehabilitation Fund (Control and Administration) Order.

Interpretation.

2. In this Order—

“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 cane on his own land;

“estate owner” means a person who in addition to cultivating sugar cane on his own land also operates a factory for processing sugar cane into sugar.

Control and administration of moneys accruing to Fund in 1978 and thereafter.

3. The Sugar Industry Rehabilitation Fund shall, in the year 1978 and in each year thereafter, be controlled and administered—

- (a) as to eighty per cent thereof by the Sugar Industry Rehabilitation Fund Committee; and
- (b) as to the remaining twenty per cent by the Cane Farmers Rehabilitation Board.

*See also 97/1965; 56/1967; 78/1967; 16/1969; 136/1981.

**SUGAR INDUSTRY (PRICE STABILISATION FUND)
REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Amount to be paid to manufacturer.
4. Payments may be made on the recommendation of the Minister to cane farmers and estates in respect of canes produced.
5. Expenses to be paid out of Fund.
6. Payments to cane farmers and estates in respect of canes produced in the year 1972.

[Subsidiary]

41/1961.
[61/1964
208/1968
35/1971
159/1972].

**SUGAR INDUSTRY (PRICE STABILISATION FUND)
REGULATIONS**

made under section 10(1)

Citation. **1.** These Regulations may be cited as the Sugar Industry (Price Stabilisation Fund) Regulations.

Interpretation. **2.** In these Regulations—
“the negotiated price” means the price negotiated in accordance with the provisions of the Commonwealth Sugar Agreement;
“the Commonwealth Sugar Agreement” means the Agreement signed on the twenty-first day of December 1951, between the Minister of Food on behalf of United Kingdom Government in the United Kingdom of the first part and the Queensland Sugar Board, the South African Sugar Association, the British West Indies Sugar Association (Inc.), the Mauritius Sugar Syndicate, and the Colonial Sugar Refining Company Ltd., Fiji, on behalf of the Sugar Industries and Exporters in Australia, the British West Indies (Antigua, Barbados, British Guiana, Jamaica, St. Kitts, St. Lucia and Trinidad), Fiji, Mauritius and the Union of South Africa, of the second part;
“exported sugar” means sugar which is exported from Trinidad and Tobago and which is subjected to the Sugar Industry Price Stabilisation Fund Levy;
“the Committee” has the same meaning as in the Sugar Industry (Price Stabilisation) Regulations.

Amount to be paid to manufacturer. [208/1968].

3. (1) For the year 1968 and each year thereafter, if in any year the net f.o.b. value of a ton of sugar sold by any manufacturer at the negotiated price under the Commonwealth Sugar Agreement is greater than the net f.o.b. value of a ton of exported sugar sold otherwise than at the negotiated price under the Commonwealth Sugar Agreement by the manufacturer, the amount by which the former value is greater than the latter value shall be paid to the manufacturer from the Sugar Industry Price Stabilisation Fund in

respect of each and every ton of exported sugar sold by the manufacturer otherwise than at the negotiated price under the Commonwealth Sugar Agreement.

(2) The amount to be paid to all manufacturers in respect of exported sugar sold in any year shall not exceed the amount paid into the Sugar Industry Price Stabilisation Fund in that year together with any balance in the Fund.

(3) Where the amount claimed in any one year is in excess of the amount in the Sugar Industry Price Stabilisation Fund, then the claim in respect of each ton of exported sugar for which a claim is made shall be reduced by a percentage reduction, which percentage reduction,

- (a) shall be the same percentage for each ton of sugar for which a claim is made; and
- (b) shall be such percentage reduction as will reduce the total claims for all exported sugar for which a claim is made to the amount of the total payments paid into the Sugar Industry Price Stabilisation Fund in that year, together with any balance in the Fund.

(4) For the purposes of these Regulations all exported sugar shall be deemed to be grey crystal sugar and where necessary the value or values of exported sugar shall be converted to such basis.

(5) Any claim by a sugar manufacturer for payment under these Regulations shall be submitted to the Committee in such form as the Committee may from time to time determine.

4. (1) Subject to this regulation where in any year the total price paid to cane farmers for farmers' canes is less than that so paid in the preceding year, the Committee may on the recommendation of the Minister and after sugar manufacturers' claims have been satisfied in accordance with regulation 3, make payments out of moneys standing to the credit of the Fund, to cane farmers and estates in respect of canes produced in that year.

Payments may be made on the recommendation of the Minister to cane farmers and estates in respect of canes produced. [35 of 1971].

(2) Payments made to cane farmers from the Fund shall be in such an amount that the total moneys received by them in that year shall not exceed the total price paid for farmers' canes in the preceding year.

(3) Payments from the Fund shall be apportioned between cane farmers and estates as the Committee may determine.

Expenses to be paid out of Fund. [35 of 1971].

5. Any expenses incurred in making payments under regulation 4 shall be paid out of the Fund.

Payments to cane farmers and estates in respect of canes produced in the year 1972.

[159/1972].
Ch. 64:03.

6. (1) Notwithstanding regulations 4 and 5, but subject to section 12 of the Sugar Industry Control Board Act, the Committee may, on the recommendation of the Minister and after the claims of sugar manufacturers have been satisfied in accordance with regulation 3, pay to cane farmers and estates in accordance with subregulation (2) the moneys now standing to the credit of the Fund less such amount as may be required to meet expenses that may be incurred in making such payments.

(2) Payments to cane farmers and estates under subregulation (1) shall be made on a per ton basis in respect of canes produced by them in the year 1972.

(3) Subject to subregulation (1), any expenses incurred in making payments to cane farmers and estates shall be paid out of the Fund.

**SUGAR INDUSTRY (REHABILITATION FUND)
REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Registration of exporters.
4. Notification.
5. Duties of Secretary.
6. Books of Account, etc.
7. Register of claims.
8. Report.
9. Annual reports, etc.
10. Inspection.
11. Allocation of interest.
12. Reimbursement, etc.
13. Powers of the Committee with regard to claims.
14. Power to enter and inspect factories in respect of which claims have been made.
15. Method of payment of disbursements and claims.

[Subsidiary]

158/1949.
[173/1951].

**SUGAR INDUSTRY (REHABILITATION FUND)
REGULATIONS**

made under section 10(1)

Citation. **1.** These Regulations may be cited as the Sugar Industry (Rehabilitation Fund) Regulations.

Interpretation. **2.** In these Regulations—
“the Committee” means the Committee appointed under section 8(2) of the Act to control and administer the Fund;
“exporter” means any person operating a factory in Trinidad and Tobago and manufacturing sugar for export;
“the Fund” means the Sugar Industry Rehabilitation Fund established under the Act;
“rehabilitation” means replacements, improvements or additions to existing plant and machinery in a factory and to factory transport, with the object of increasing efficiency in production, but does not include normal maintenance;
“the Secretary” means the person appointed to discharge the duties of Secretary to the Committee under regulation 11 of the Sugar Industry (Rehabilitation Committee) Regulations.

Registration of exporters. **3.** The Secretary shall keep a register of exporters.

Notification. [173/1951]. **4.** Every registered exporter shall notify the Committee in writing whenever any factory belonging to him changes ownership or ceases to manufacture sugar for export and the Committee may allocate the portion of the Fund which relates to such exporter and such factory among the other registered exporters in such proportions as they may consider fit.

Duties of Secretary. **5.** The Secretary shall keep a register showing—
(a) the quantity of sugar exported from time to time by each exporter;
(b) the amount of the levy to be allocated to the Fund in respect of each exporter in accordance with section 6 (b) of the Act;
(c) the date when payment of the levy is made.

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- 6.** The Secretary shall keep such books of account and registers as are necessary to render detailed accounts in respect of such portions of the Fund as relate to each exporter. Books of Account, etc.
- 7.** The Secretary shall keep a register of all claims made upon the Fund as hereinafter provided, and shall record therein the decisions of the Committee in respect of every such claim. Register of claims.
- 8.** The Secretary shall, as soon as possible after the thirty-first day of December of each year, prepare and lay before the Committee preparatory to submission to the Minister a report upon the administration of the Fund during the preceding year, together with a Balance Sheet and Statement of Revenue and Expenditure. Report.
- 9.** Copies of the annual reports and statements shall be forwarded by the Secretary to each registered exporter. Annual reports, etc.
- 10.** All books of account, registers, and documents relating to the Fund shall be at all times open to inspection by any member of the Committee. Inspection.
- 11.** Any interest earned on any moneys invested or deposited by the Comptroller of Accounts under the provisions of the Act shall be allocated once in every year to such portions of the Fund relating to the various exporters in such proportions as the Committee may deem fit. Allocation of interest.
- 12.** (1) Any registered exporter may claim to be reimbursed from the Fund for any work of rehabilitation carried out by him, or to be advanced any sum of money to defray the cost of any work of rehabilitation contemplated by him. Reimbursement, etc.
- (2) Any registered exporter making any claims as aforesaid shall declare in writing to the Committee—
- (a) the amount claimed;
 - (b) the nature of the work of rehabilitation already carried out or in process of being carried out or contemplated; and
 - (c) the actual or estimated cost as the case may be.

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Sugar Industry Special Funds

[Subsidiary]

Sugar Industry (Rehabilitation Fund) Regulations

(3) Every claim for reimbursement shall be accompanied by a certified statement as to the amount expended, and that such sum was utilised solely on the work mentioned in the claim.

Powers of the Committee with regard to claims.

13. The Committee may in their discretion grant or refuse any claim made under regulation 12 or may authorise the payment of any smaller sum.

Power to enter and inspect factories in respect of which claims have been made.

14. The Committee, or any person appointed by the Committee may, upon due notice being given, enter and inspect any factory in respect of which a claim has been made on the Fund.

Method of payment of disbursements and claims.

15. All disbursements and payments shall be made by the Comptroller of Accounts upon presentation of the relevant voucher, duly certified by the Chairman of the Committee and the Secretary.

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**SUGAR INDUSTRY (LABOUR WELFARE FUND)
REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Register.
4. Notification.
5. Contents of register.
6. Books of account and registers.
7. Applications for disbursements.
8. Annual report.
9. Copies of annual reports, etc.
10. Books of account, etc., open to inspection.
11. Allocation of interest.
12. Auditing.
13. Employment of persons.
14. Disbursements.
15. Loans.
16. Memorandum of charge.
17. Inspection of premises, etc.
18. Comptroller of Accounts.

[Subsidiary]

18/1952.
[151/1952
86/1959
38/1996].

**SUGAR INDUSTRY (LABOUR WELFARE FUND)
REGULATIONS**

made under section 10(1)

Citation. **1.** These Regulations may be cited as the Sugar Industry (Labour Welfare Fund) Regulations.

Interpretation.
[38/1996]. **2.** In these Regulations—

“Worker” means—

- (a) any person who is in the employ of an exporter and is engaged in any occupation connected with the production of sugar cane or the production or handling of sugar;
- (b) any person engaged in the production of sugar cane for sale to an exporter; and
- (c) any person employed by Caroni (1975) Limited under its Diversification Programme;

“exporter” means any person engaged in the manufacture of sugar for export;

“the Committee” means the Sugar Industry Labour Welfare Committee incorporated by section 3 of the Sugar Industry Labour Welfare Committee (Incorporation) Act;

Ch. 64:05.

“the Fund” means the Sugar Industry Labour Welfare Fund established under the Act;

“the Secretary” means the person appointed to discharge the duties of Secretary to the Committee under regulation 10 of the Sugar Industry (Labour Welfare Committee) Regulations.

Register. **3.** The Secretary shall keep a register of exporters.

Notification. **4.** Every registered exporter shall notify the Committee in writing whenever any factory belonging to him changes ownership or ceases to manufacture sugar for export.

Contents of register. **5.** The Secretary shall keep a register showing—

- (a) the quantity of sugar exported from time to time by each exporter;

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- (b) the amount of the levy to be allocated to the Fund in respect of each exporter in accordance with section 6 (c) of the Act;
- (c) the date when payment of the levy is made.

6. The Secretary shall keep such books of account and registers as are necessary to render detailed accounts in respect of such portions of the Fund as relate to each exporter.

Books of account and registers.

7. The Secretary shall keep a register of all applications for disbursements from the Fund and shall record therein the decisions of the Committee in respect of each application.

Applications for disbursements.

8. The Secretary shall, as soon as possible after 31st December of each year, prepare and lay before the Committee a report upon the administration of the Fund during the preceding year, together with a Balance Sheet and Statement of Revenue and Expenditure, and the Committee shall, as soon as possible thereafter, submit the Report, Balance Sheet and Statement to the Minister.

Annual report.

9. Copies of the annual reports and statements shall be forwarded by the Secretary to each registered exporter.

Copies of annual reports, etc.

10. All books of account, registers, and documents relating to the Fund shall be at all times open to inspection by any member of the Committee.

Books of account, etc., open to inspection.

11. Any interest earned on any moneys invested or deposited by the Comptroller of Accounts under the provisions of the Act shall be allocated once in every year to such portions of the Fund relating to the various exporters in such proportions as the Committee may deem fit.

Allocation of interest.

12. The accounts of the Committee shall be audited once in every year by the Auditor General, and the Committee shall pay therefor such fee as may be approved by the Minister.

Auditing.

Employment
of persons.

13. The Committee may employ, in addition to the Secretary, such persons as they may consider necessary for the keeping of proper records, and for the purposes of carrying out the provisions of these Regulations.

Disbursements.

14. (1) The Committee may make disbursements from the Fund for the benefit and welfare of workers.

(2) Without prejudice to the generality of the foregoing subregulation, the Committee may make such disbursements for any of the following purposes:

- (a) the housing of workers;
- (b) the improvement of social conditions (including housing and recreational facilities) of workers;
- (c) the making of loans or grants to workers approved by the Committee to enable the workers to erect and own houses on approved sites;
- (d) the establishment of creches and the promotion of child welfare;
- (e) the making of grants or loans to associations and bodies for such purposes and on such conditions as may be approved by the Committee;
- (f) the payment of all outgoings and expenses of maintenance and disposal in connection with lands or buildings which become vested in the Committee;
- (g) the payment of all outgoings and of the expenses of maintenance in connection with any land or building in relation to which a loan has been made by the Committee and is wholly or partly outstanding, in cases in which default has been made by the borrower;
- (h) the erection of houses to be let to eligible workers on terms providing that ownership of the houses will eventually pass to such workers.

(3) Any applicant for a loan or grant from the Fund for any of the purposes of subregulations (1) and (2) shall make application in writing to the Committee, who may, in their discretion grant or refuse the application.

(4) Where any application is made by a worker under subregulation (3), the Committee shall charge any disbursement made to that portion of the Fund relating to the exporter by whom the worker is employed or to the exporter manufacturing sugar from sugar cane to the cultivation of which the worker has contributed manual labour, as the case may be.

15. (1) Loans may be made to any worker eligible for a loan for any of the following purposes:

Loans.
[151/1952
86/1959].

- (a) the erection, the substantial alteration or the improvement of a house to be used by him as a residence for himself and his family;
- (b) the discharge of any subsisting mortgage or charge or other debt on a house used by him as a residence for himself and his family;
- (c) the purchase of a house to be used by him as a residence for himself and his family.

(2) The maximum loan which may be made to any worker under subregulation (1) shall be such sum as the Minister may fix from time to time on the recommendation of the Committee.

(3) Every such loan, together with any expenses connected therewith, shall be secured by means of one of the following methods:

- (a) mortgage of freehold property;
- (b) mortgage of leasehold property;
- (c) mortgage bill of sale in which shall be included the house in respect of which the loan is made.

(4) Any person who has obtained a loan for any of the purposes set out in subregulation (1) (a), not being the maximum loan permitted under subregulation (2), and who ceases to be a

worker, is eligible for an additional loan not exceeding the difference between the original loan and the maximum loan for the completion of the erection, substantial alteration or improvement of a house to be used by him as a residence for himself and his family.

(5) Any person who—

- (a) applies any loan or part thereof made to him under the provisions of these Regulations to any purpose other than a purpose stipulated or authorised by the Committee; or
- (b) disposes of or deals with any property comprised in any charge effected under these Regulations without first obtaining the leave in writing of the Committee,

is liable on summary conviction to a fine of two hundred dollars.

Memorandum
of charge.
[151/1952].

16. Any memorandum of charge to be executed in connection with any loan made under these Regulations shall be in such form as may be agreed upon by the Committee.

Inspection of
premises, etc.

17. The Committee or any member thereof, or any person appointed by the Committee may enter and inspect any premises or schemes in respect of which application has been made for any disbursement from the Fund or in respect of which a disbursement has been made.

Comptroller of
Accounts.

18. All disbursements and payments shall be made by the Comptroller of Accounts upon presentation of the relevant voucher, duly certified by the Chairman of the Committee and the Secretary.

**SUGAR INDUSTRY (PRICE STABILISATION)
REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Term of office of Committee.
4. Appointment of Chairman.
5. Quorum of meetings of Committee.
6. Leave of absence.
7. Acting appointment.
8. Resignation.
9. Revocation of appointment to the Committee.
10. Appointment of Secretary.
11. Dismissal of Secretary.
12. Duties of Secretary.
13. Meetings of the Committee.
14. Travelling and subsistence expenses.

[Subsidiary]

76/1951.
[130/1951].

**SUGAR INDUSTRY (PRICE STABILISATION)
REGULATIONS**

made under section 10(2)

- Citation. **1.** These Regulations may be cited as the Sugar Industry (Price Stabilisation) Regulations.
- Interpretation. **2.** In these Regulations—
“the Committee” means the Committee appointed under section 8(1) of the Act to control and administer the Fund;
“the Fund” means the Sugar Industry Price Stabilisation Fund established under the Act.
- Term of office of Committee. **3.** The Committee shall remain in office for the term of two years from the date of its appointment and shall in the manner provided by the Act be reappointed every two years.
- Appointment of Chairman. **4.** On the appointment of a Committee, and whenever there is a vacancy in the office of Chairman, the Minister shall appoint a member of the Committee to be Chairman.
- Quorum of meetings of Committee. **5.** Five members present at any meeting of the Committee shall constitute a quorum for the transaction of business.
- Leave of absence. **6.** The Minister may grant leave of absence to any member of the Committee.
- Acting Appointment. **7.** Where leave has been granted the Minister may, subject to section 8(1) of the Act, appoint another person to act in the place of the member of the Committee who has been granted the leave.
- Resignation. **8.** A member may, by writing under his hand addressed to the Minister, resign from the Committee.
- Revocation of appointment to the Committee. **9.** The Minister may, at any time, revoke the appointment of a member of the Committee.

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10. The Committee may, with the approval of the Minister, appoint some fit and proper person to be Secretary of the Committee at such salary payable out of the Fund as is approved by the Minister.

Appointment of Secretary.

11. The Secretary shall not be dismissed without the approval of the Minister.

Dismissal of Secretary.

12. (1) The Secretary shall perform such duties as shall be assigned to him by the Committee, and shall on all occasions in the execution of his office act under the superintendence, control and direction of the Committee.

Duties of Secretary.

(2) The Secretary shall attend all meetings of the Committee and record correctly the minutes of the proceedings thereof.

13. (1) The Committee shall meet as often as it may be summoned either by direction of the Chairman or on the written requisition of at least three members of the Committee who shall sign the same. In the requisition there shall be stated the nature of the business to be transacted at the meeting and the requisition shall be delivered to the Secretary.

Meetings of the Committee.

(2) The Secretary shall summon a meeting of the Committee on, and in accordance with, the direction of the Chairman, and also within three days after the receipt by him of a requisition made in accordance with subregulation (1).

(3) Every notice convening a meeting of the Committee shall state the time and place of the meeting and the nature of the business to be transacted at the meeting.

14. The reasonable travelling and subsistence expenses incurred by members of the Committee in attending meetings of the Committee, or while engaged on any business of the Committee, shall be paid out of the Fund.

Travelling and subsistence expenses.

**SUGAR INDUSTRY (REHABILITATION COMMITTEE)
REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Term of office of Committee.
4. Appointment of Chairman.
5. Quorum of meetings of Committee.
6. Leave of absence.
7. Acting appointment.
8. Resignation.
9. Revocation of appointment to the Committee.
10. Appointment of Secretary.
11. Dismissal of Secretary.
12. Duties of Secretary.
13. Meetings of the Committee.
14. Travelling and subsistence expenses.

**SUGAR INDUSTRY (REHABILITATION COMMITTEE)
REGULATIONS**

157/1949.

made under section 10(2)

1. These Regulations may be cited as the Sugar Industry (Rehabilitation Committee) Regulations. Citation.

2. In these Regulations— Interpretation.
“the Committee” means the Committee appointed under section 8(2) of the Act to control and administer the Fund;
“the Fund” means the Sugar Industry Rehabilitation Fund established under the Act.

3. The Committee shall remain in office for the term of two years from the date of its appointment and shall in the manner provided by the Act be reappointed every two years. Term of office of Committee.

4. On the appointment of a Committee, and whenever there is a vacancy in the office of Chairman, the Minister shall appoint a member of the Committee to be Chairman. Appointment of Chairman.

5. Three members present at any meeting of the Committee shall constitute a quorum for the transaction of business. Quorum of meetings of Committee.

6. The Minister may grant leave of absence to any member of the Committee. Leave of absence.

7. Where leave has been granted the Minister may, subject to section 8(2) of the Act, appoint another person to act in the place of the member of the Committee who has been granted the leave. Acting appointment.

8. A member may, by writing under his hand addressed to the Minister, resign from the Committee. Resignation.

9. The Minister may, at any time, revoke the appointment of a member of the Committee. Revocation of appointment to the Committee.

Appointment of Secretary. **10.** The Committee may, with the approval of the Minister, appoint some fit and proper person to be Secretary of the Committee at such salary payable out of the Fund as is approved by the Minister.

Dismissal of Secretary. **11.** The Secretary shall not be dismissed without the approval of the Minister.

Duties of Secretary. **12.** (1) The Secretary shall perform such duties as shall be assigned to him by the Committee, and shall on all occasions in the execution of his office act under the superintendence, control and direction of the Committee.

(2) The Secretary shall attend all meetings of the Committee and record correctly the minutes of the proceedings thereof.

Meetings of the Committee. **13.** (1) The Committee shall meet as often as it may be summoned either by direction of the Chairman or on the written requisition of at least four members of the Committee who shall sign the same. In such requisition there shall be stated the nature of the business to be transacted at the meeting and the requisition shall be delivered to the Secretary.

(2) The Secretary shall summon a meeting of the Committee on, and in accordance with, the direction of the Chairman, and also within three days after the receipt by him of a requisition made in accordance with subregulation (1).

(3) Every notice convening a meeting of the Committee shall state the time and place of the meeting and the nature of the business to be transacted at the meeting.

Travelling and subsistence expenses. **14.** The reasonable travelling and subsistence expenses incurred by members of the Committee in attending meetings of the Committee, or while engaged on any business of the Committee, shall be paid out of the Fund.

**SUGAR INDUSTRY (LABOUR WELFARE COMMITTEE)
REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Committee's term of office.
4. Vacancy of Chairman.
5. Quorum.
6. Leave of absence.
7. Acting appointment.
8. Resignation.
9. Revocation of appointment.
10. Appointment of Secretary.
11. Dismissal of Secretary.
12. Duties of Secretary.
13. Meetings of Committee.
14. Travelling and subsistence expenses.

[Subsidiary]

69/1949.
[74/1956].

**SUGAR INDUSTRY (LABOUR WELFARE COMMITTEE)
REGULATIONS**

made under section 10(2)

Citation.

1. These Regulations may be cited as the Sugar Industry (Labour Welfare Committee) Regulations.

Interpretation.

2. In these Regulations—

“the Committee” means the Sugar Industry Labour Welfare Committee incorporated by section 3 of the Sugar Industry Labour Welfare Committee (Incorporation) Act;

Ch. 64:05.

“the Fund” means the Sugar Industry Labour Welfare Fund established under the Act.

Committee’s
term of office.

3. The Committee shall remain in office for the term of two years from the date of its appointment and shall in the manner provided by the Act be reappointed every two years.

Vacancy of
Chairman.
[74/1956].

4. On the appointment of a Committee, and whenever there is a vacancy in the office of Chairman, the Minister shall appoint some person, whether a member of the Committee or not, to be Chairman.

Quorum.

5. Five members present at any meeting of the Committee shall constitute a quorum for the transaction of business.

Leave of
absence.

6. The Minister may grant leave of absence to any member of the Committee.

Acting
appointment.

7. Where leave has been granted, the Minister may appoint another person to act in the place of the member of the Committee who has been granted such leave.

Resignation.

8. (1) A member may, by writing under his hand addressed to the Minister, resign from the Committee.

(2) Where a member, without the leave of the Minister, absents himself from three consecutive meetings of the Committee, he shall be deemed to have resigned.

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9. The Minister may, at any time, revoke the appointment of a member of the Committee.

Revocation of appointment.

10. The Committee may, with the approval of the Minister, appoint some fit and proper person to be Secretary of the Committee at such salary payable out of the Fund as is approved by the Minister.

Appointment of Secretary.

11. The Secretary shall not be dismissed without the approval of the Minister.

Dismissal of Secretary.

12. (1) The Secretary shall perform such duties as shall be assigned to him by the Committee, and shall on all occasions in the execution of his office act under the superintendence, control and direction of the Committee.

Duties of Secretary.

(2) The Secretary shall attend all meetings of the Committee and record correctly the minutes of the proceedings thereof.

13. (1) The Committee shall meet at least once in every three months on such date as may be fixed by the Committee.

Meetings of Committee.

(2) The Committee shall also meet as often as it may be summoned either by direction of the Chairman or on the written requisition of at least three members of the Committee who sign the same. In the requisition there shall be stated the nature of the business to be transacted at the meeting and the requisition shall be delivered to the Secretary.

(3) The Secretary shall summon a meeting of the Committee on, and in accordance with, the direction of the Chairman, and also within three days after the receipt by him of a requisition made in accordance with subregulation (2).

(4) Every notice convening a meeting of the Committee shall state the time and place of the meeting and the nature of the business to be transacted at the meeting and service of the notice shall be at least seven clear days before the meeting.

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF LEGAL AFFAIRS

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Chap. 64:04

Sugar Industry Special Funds

[Subsidiary]

Sugar Industry (Labour Welfare Committee) Regulations

Travelling and
subsistence
expenses.
[74/1956].

14. (1) The reasonable travelling and subsistence expenses incurred by members of the Committee in attending meetings of the Committee, or while engaged on any business of the Committee, shall be paid out of the Fund. In addition, the Chairman shall be paid out of the Fund remuneration at such rate as the Minister shall from time to time approve.

(2) The office of Chairman of the Committee shall not be an office of emolument under the Government of Trinidad and Tobago for the purposes of the Constitution.

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UPDATED TO DECEMBER 31ST 2012