
5th Session First Parliament Trinidad and Tobago
15 Elizabeth II



TRINIDAD AND TOBAGO
Act No. 14 of 1966

[L.S.]

AN ACT to establish a Sugar Industry Control Board in
Trinidad and Tobago

[Assented to 7th July, 1966]

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 :—

1. (1) This Act may be cited as the Sugar Industry Short title and
Control Board Act, 1966. commencement

(2) This Act shall come into force on such day as the Governor-General may appoint by Proclamation published in the *Gazette*.

Interpretation

2. In this Act—

- (a) "Board" means the Sugar Industry Control Board established under section 3;
- (b) "cane-farmer" means a person who cultivates sugar canes for sale or delivery under contract, to a sugar cane manufacturer, but does not include a manufacturer who cultivates sugar canes on his own lands;
- (c) "manufacturer" has the meaning assigned to it by subsection (1) of section 2 of the Production of Cane Ordinance;
- (d) "Minister" means the Minister to whom responsibility for the subject of Agriculture has been assigned;
- (e) "official members of the Board" means the members mentioned in paragraph (c) of subsection (2) of section 3;
- (f) "price-formula" means the formula set out in the Third Schedule to the Production of Cane Ordinance, as amended or replaced from time to time.

Ch. 23. No. 12

Ch. 23. No. 12

Constitution
of Board

3. (1) There shall be established a Board to be called the Sugar Industry Control Board which shall consist of ten members to be appointed by the Minister.

- (2) The members of the Board shall be as follows:
- (a) three members nominated for appointment by the Sugar Manufacturers' Association of Trinidad (Incorporated);
 - (b) three members nominated for appointment by the Trinidad Island Wide Cane-Farmers' Association;
 - (c) three members nominated by the Minister, of whom one shall be an economist and another an agricultural officer attached to the Ministry of Agriculture;
 - (d) one member nominated by the Minister after consultation with the Faculty of Agriculture of the University of the West Indies.

(3) The Minister shall appoint a chairman and a deputy chairman of the Board from amongst the members of the Board.

(4) The Minister may appoint an individual as an alternate member of the Board and the alternate member shall be appointed in the same manner as the member to whom he is alternate member.

4. (1) A member of the Board shall, subject to subsections (1) and (2) of section 5, hold office for such period not exceeding three years as may be determined by the Minister, but any member of the Board shall be eligible for re-appointment. Tenure of office of member

(2) Subsection (1) does not apply to the official members of the Board.

5. (1) A member of the Board, other than an official member of the Board, may at any time resign his office by instrument in writing addressed to the Minister and transmitted through the chairman, and such resignation takes effect on the date of the receipt of such instrument by the Minister. Resignation, &c., of members of the Board

(2) The Minister may at any time revoke the appointment of a member of the Board if he thinks it necessary or proper to do so.

(3) In the event of any vacancy occurring in the office of any member of the Board whether through death, resignation or other cause, the vacancy so occurring shall be filled in the same manner as that in which the appointment to the said office is required by this Act to be made.

(4) If any member of the Board is temporarily prevented by illness or some other cause from exercising his functions as a member of the Board, the Minister may appoint some other person to act in that member's place for the period of such illness or incapacity.

(5) The appointment of any members of the Board and the termination of office of a member, whether by death, resignation, revocation, effluxion of time or otherwise, shall be notified in the *Gazette*.

6. (1) The Board is a body corporate under the name of the Sugar Industry Control Board. Incorporation

(2) The seal of the Board shall be authenticated by the signature of the chairman or one member of the Board authorised by the Board to act in that behalf and the secretary of the Board.

(3) All documents other than those required by law to be under seal, made by, and all decisions of, the Board may be signified under the hand of the chairman, or of any member authorised by the Board to act in that behalf or of the secretary of the Board.

Meetings

7. (1) The Board may meet at such times as may be necessary or expedient for the transaction of business, and such meetings may be held at such places and times and on such days as the Board may determine.

(2) The chairman may at any time call a special meeting of the Board and shall, on the receipt by him of a written request for the purpose addressed to him by any four members of the Board, call a special meeting of the Board to be held not later than fourteen days after the receipt by him of such request.

(3) The chairman, or in his absence, the deputy chairman, shall preside over meetings of the Board; and where both the chairman and the deputy chairman are for any reason unable to preside over a meeting, the Minister may appoint another person to preside over that meeting.

(4) The chairman, or in his absence, the deputy chairman, or where both the chairman and the deputy chairman are absent, the person appointed by the Minister to preside over the meeting in pursuance of subsection (3), and five other members of the Board shall form a quorum.

(5) The decision of the Board shall be by a majority of votes, and, in addition to an original vote, in any case in which the voting is equal, the chairman or the deputy chairman or other persons appointed by the Minister to preside over the meeting, as the case may require, shall have a casting vote.

(6) Minutes in proper form shall be kept by the secretary and shall be confirmed by the chairman or the deputy chairman or other person appointed by the Minister to preside over the meeting, as the case may require, as soon as practicable thereafter at a subsequent meeting. Certified copies of such minutes when so confirmed shall be forwarded to the Minister within the prescribed period.

8. (1) The Minister may from time to time give the ^{Policy directions} Board directions of a general or special character to be followed in the exercise of the powers conferred and the duties imposed on the Board by this Act in relation to matters which appear to the Minister to affect the public interest.

(2) The Board shall give effect to all directions issued pursuant to subsection (1).

9. The functions of the Board shall be such as the ^{Functions} Minister may from time to time assign to it and without ^{of Board} limiting the generality of the foregoing, include—

- (a) the checking of the computation of the price-formula to ensure that only such items of expenses as are properly chargeable are brought to account;
- (b) advising on the exercise of the powers of disallowance in relation to the price-formula;
- (c) approving—
 - (i) the granting, transfer and cancellation of contracts between cane-farmers and manufacturers;
 - (ii) the allocation of tonnages for each crop year to cane-farmers and estate owners;
- (d) issuing licences to cane-weighers;
- (e) establishing and maintaining a register of cane-farmers;
- (f) advising on the exercise of the powers in relation to the fixing of quotas under the Sugar Quotas Ordinance;
- (g) issuing licences to cane-farmers and sugar manufacturers controlling the tonnages to be delivered to a factory;
- (h) organising the supply of new varieties of planting material to cane-farmers;
- (i) prescribing the standard to which canes must conform in order to be acceptable for processing into sugar;
- (j) advising as to the supply to cane-farmers of chemicals for the control of sugar cane pests;
- (k) establishing and maintaining a register of cane-weighers;

- (l) collecting examining and distributing statistics relating to the costs of the cultivation and reaping of sugar cane (including the costs of ploughing and fertilizers) and other scientific and research information useful to cane-farmers;
- (m) the setting up of machinery for the orderly cutting and delivery of farmers' canes to factories;
- (n) advising the representatives of Trinidad and Tobago to the annual conference with the United Kingdom Ministry of Food on the export price of N.P.Q. sugar for the crop year next after the year in which such conference is held.

Appointment
of officers and
servants

10. The Board may, with the approval of the Minister, appoint and employ at such remuneration and on such terms and conditions as it thinks fit a secretary and such other officers and servants as it deems necessary for the proper carrying out of this Act.

Remuneration
of members

11. The Board shall pay to each member of the Board in respect of his office, such, if any, remuneration as may from time to time be approved by the Minister.

Administrative
Expenses of Board

12. (1) Subject to this section, on or before the 30th day of October in each year, the Board shall prepare and submit to the Minister a true estimate of the expenditure to be incurred during the year commencing on the 1st day of January next following.

(2) At the beginning of each year commencing on the 1st day of January, on the request of the Board, the Committee shall advance out of the Fund to the Board the sum of thirty-six thousand dollars to be applied towards the estimated expenditure approved under subsection (1).

(3) Upon the coming into force of this Act and until such time as the estimated expenditure is approved under subsection (1) and any advances are made under subsection (2), the Committee shall advance out of the Fund to the Board such sums (not exceeding in the aggregate the sum of thirty-six thousand dollars) as the Minister may

direct for the proper carrying out of the functions of the Board during that period.

(4) The several sums authorised to be advanced out of the Fund under the foregoing provisions of this section shall be provided from that portion of the Fund that accrued before the year 1960 that by virtue of regulation 3 (2) of the Sugar Industry (Price Stabilization Fund) Regulations 1961 is excluded from the provisions of regulation 3 (1) thereof.

(5) In this section—

(a) "the Committee" means the Committee appointed by the Governor-General under section 8 (1) of the Sugar Industry Special Funds Ordinance;

(b) "Fund" means the Sugar Industry Price Stabilization Fund that the Committee controls and administers in accordance with the provisions of subsection (1) of section 8 of the Sugar Industry Special Funds Ordinance.

13. (1) The Board shall keep accounts of its transactions to the satisfaction of the Minister and such accounts shall be audited annually by an auditor approved by the Minister. An auditor so appointed shall be a Chartered or an Incorporated or a Certified Accountant. Accounts and audit

(2) The members, officers and servants of the Board shall grant to the auditor appointed under subsection (1) access to all books, documents and cash of the Board and shall give to such auditor on his request all such information as may be within their knowledge in relation to the operation of the Board.

(3) As soon as the accounts of the Board have been audited the Secretary of the Board shall send to the Minister a copy thereof together with a copy of any report thereon by the auditor.

14. (1) The Board shall not later than six months from the end of each calendar year submit to the Minister a report containing— Report

(a) an account of its transactions throughout the preceding calendar year in such detail as the Minister may direct;

(b) a statement of the accounts of the Board audited in accordance with section 13.

(2) A copy of the report together with a copy of the auditor's report shall be printed and laid before the Senate and the House of Representatives.

Regulations

15. (1) The Board may, with the approval of the Minister, make regulations—

- (a) providing for the keeping of any register pursuant to paragraph (e) of section 9 and the form of any such register and the procedure to be followed in relation to registration of cane-farmers;
- (b) prescribing the form of licences to be issued to cane-farmers and manufacturers under paragraph (g) of section 9 and the fees payable thereof;
- (c) prescribing the form of licence to be issued to cane-weighers and the fees to be payable therefor;
- (d) providing for the keeping of any register pursuant to paragraph (k) of section 9 and the form of any such register and the procedure to be followed in relation to the registration of cane-weighers;
- (e) providing for the entry at all reasonable times during the hours of daylight by persons appointed in writing by the Board upon lands on which canes are grown for the purpose of collecting information relating to the functions of the Board described in paragraph (l) of section 9;
- (f) prescribing the procedure to be adopted in organising the supply of new varieties of planting material to cane-farmers;
- (g) generally for the exercise of its functions under this Act.

(2) Regulations made under subsection (1) are subject to negative resolution of the Senate and the House of Representatives.

Passed in the House of Representatives this 3rd day of June, 1966.

G. R. LATOUR
Clerk, House of Representatives

Passed in the Senate this 14th day of June, 1966.

J. E. CARTER
Clerk of the Senate