



I assent.
Edward Denham

Governor.
11th September, 1933.

BRITISH GULANA.

ORDINANCE NO. 26 OF 1933.

AN ORDINANCE to make provision for the regulation and control of rice factories and the manufacture of rice. A.D. 1933.

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

1 This Ordinance may be cited as the Rice Factories Ordinance, Short Title.
1933.

2. In this Ordinance unless the context otherwise requires— Interpre-

“ Authority ” means the proper authority in control of matters relating to public health and sanitation ;

“ Commissioner ” means a Commissioner appointed by the Governor under the District Government Ordinance ;

Cap. 85.

Cap. 85.

"District" means a district declared and established by the Governor in Council under the District Government Ordinance;

"Licence" means a licence to manufacture rice in a rice factory;

"Manufacture of rice" means the employment or use of any process in connection with the converting of padi into rice for the market;

"Padi" means the unhulled product of the rice plant;

"Rice factory" means any premises in which padi is manufactured into rice by mechanical power, and includes any place, building, machinery or equipment used in connection with or in relation to such premises for the storage of padi or rice or the manufacture of rice.

Certificate of authority as to fitness of rice factory.

3.—(1) Any person who desires to operate a rice factory shall, before he applies to the Commissioner for a licence under section five, make application to the authority for a certificate that the premises are with reference to public health and sanitation fit to be used as a rice factory.

(2) The authority shall forthwith consider the application and, if it think fit, grant the certificate.

Rice not to be manufactured without a licence.

4.—(1) A person shall not manufacture rice unless he is the holder of a licence issued by the Commissioner.

(2) Any person who contravenes this section shall be liable to a penalty not exceeding two hundred and fifty dollars and for a second or subsequent offence either to the penalty aforesaid or to imprisonment with or without hard labour not exceeding three months.

Power of the Commissioner to issue licences.

5.—(1) Any person who desires to obtain a licence shall make application in writing to the Commissioner and shall submit therewith a certificate from the authority that the premises are with reference to public health and sanitation fit to be used as a rice factory.

(2) The Commissioner may refuse to issue a licence if the applicant has been convicted of an offence under this Ordinance.

Appeal to the Governor in Council from refusal to issue licence.

6.—(1) Where the Commissioner has refused to issue a licence the applicant may appeal to the Governor in Council.

(2) Every appeal shall be by petition which shall be lodged with the Clerk of the Council within the period of one month after the applicant has received notice of the refusal.

(3) The petition shall contain the material facts on which the petitioner relies and a copy thereof shall within the period of

one month aforesaid be delivered to the Commissioner. The Commissioner shall thereupon submit in writing to the Clerk of the Council a statement of his reasons for the refusal.

(4) The Governor in Council after consideration of the petition and the statement of reasons may, if he think fit, order the Commissioner to issue a licence.

7.—(1) Every licence shall be in the form in the schedule and shall expire on the thirty-first of December in every year.

Form of
and fee for
licence.
Schedule.

(2) There shall be paid for every licence a fee of one dollar.

8. The owner of a rice factory which is being operated at the commencement of this Ordinance shall within thirty days thereafter make application for a licence to the Commissioner who shall without the payment of any fee issue a licence until the thirty-first day of December nineteen hundred and thirty-three: thereafter the Commissioner shall issue a licence in respect of the factory in accordance with section five of this Ordinance.

Licence in
respect of
existing
factory.

9.—(1) Where the holder of a licence desires to transfer his licence to any other person he shall deliver to the Commissioner an application in writing signed by himself and the proposed transferee and the Commissioner shall, if the proposed transferee is in his opinion a person to whom a licence may be issued under section five of this Ordinance, endorse on the licence his consent to the transfer.

Transfer of
licence.

(2) Where the Commissioner refuses to consent to the transfer the applicants may appeal to the Governor in Council and the provisions of section six shall apply to an appeal under this sub-section.

10. Every Commissioner shall keep a register of all licences issued by him.

Register of
licences.

11.—(1) Every holder of a licence shall keep at the rice factory

(a) a book in which he shall enter in respect of each month—

- (i) the quantity of padi received into the factory;
- (ii) the name and address of every person from whom he has purchased padi and the quantity purchased;
- (iii) the name and address of every person from whom there has been received padi to be manufactured into rice for that person and the quantity of padi so received;
- (iv) the quantity of padi produced by the holder of the licence and received into the factory;
- (v) the total quantity of rice manufactured;
- (vi) the quantities of rice manufactured in respect of each person under (iii);

Holder of
licence to
keep books
and issue
receipts.

- (b) a receipt book with numbered receipts and counterfoils from which he shall issue receipts for padi purchased under paragraph (a) (ii) of this sub-section, and on the counterfoils of which he shall enter the matters contained in the corresponding receipt;
- (c) a receipt book with numbered receipts and counterfoils from which he shall issue receipts for padi received under paragraph (a) (iii) of this sub-section and for the amount of fees charged in respect of such padi, and on the counterfoils of which he shall enter the matter contained in the corresponding receipt.

(2) The quantities of padi and rice to be stated under this section shall be measured by bags of one hundred and forty-three and one hundred and eighty pounds gross, respectively.

(3) Every person who omits to make an entry or makes a false entry under paragraph (a) or omits to issue a receipt or make an entry in a counterfoil or issues a false receipt or makes a false entry in a counterfoil under paragraph (a) of sub-section (1) of this section shall be guilty of an offence.

Returns to be made to the Commissioner.

12.—(1) Every holder of a licence shall within one month after the expiration of the months of June and December in each year, make a true and correct return to the Commissioner of the matters entered in the book required to be kept under paragraph (a) and of the counterfoils of his receipts under paragraphs (b) and (c) of sub-section (1) of section eleven for the half-years ending June and December in each year.

(2) Every person who omits to make the return required by this section or makes a false return shall be guilty of an offence.

Power to enter and inspect factory and examine books.

13.—(1) The Director of Agriculture or the Commissioner or a Government Medical Officer of Health, or any person authorised in writing by any of them may at all reasonable times enter a rice factory and inspect the factory or any padi or rice therein or any books kept under this Ordinance.

(2) Any person who refuses to permit any person authorised by this section to enter a rice factory or to inspect or examine the factory or any of the books or who obstructs any such person in such entry inspection or examination shall be guilty of an offence.

Padi to be sold and bought at 143 lbs. gross per bag.

14.—(1) A person shall not sell purchase or receive padi for the manufacture of rice, except at a price calculated on a bag of one hundred and forty-three pounds gross.

(2) Every person who contravenes this section shall be guilty of an offence.

A.D. 1933.]

RICE FACTORIES.

[No. 26.]

15. Every person guilty of an offence under this Ordinance shall be liable to a penalty not exceeding one hundred dollars. Penalty for offence.
16. All offences and penalties under this Ordinance may be prosecuted and recovered under the Summary Jurisdiction Ordinances. Penalties enforceable under Summary Jurisdiction Ordinances.
17. The Governor in Council may make rules and prescribe forms for the purpose of carrying this Ordinance into effect. All such rules and forms shall be laid before the Legislative Council. Governor in Council may make rules.
18. This Ordinance shall come into operation on such day as the Governor shall notify by Proclamation published in the *Gazette*. Commencement.

SCHEDULE.

RICE FACTORIES ORDINANCE, 1933.

Section 7.

LICENCE TO MANUFACTURE RICE.

Licence No.

District.....

Name and address of holder.....

Situation of rice factory.....

This licence is issued to the abovenamed person to manufacture rice at the rice factory stated in this licence.

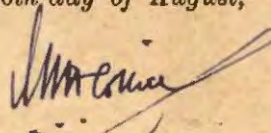
This licence expires on the 31st December, 19 ..

Fee: \$.....

Dated this..... day of 193

.....
District Commissioner.

*Passed by the Legislative Council this 30th day of August,
1933.*


Clerk of the Council.

(M.P. 173/32)