

Bill No. 20 of 1959

PUBLISHED 18TH JULY, 1959.

Legislature,
Public Buildings,
Georgetown, Demerara.
17th July, 1959.

It is hereby notified for general information that the publication of the Rice Mills (Development) Bill, 1959 (Bill No. 20 of 1959), as Notice No. 5, in the Gazette of Saturday, 4th July, 1959, is hereby cancelled and the following substituted therefor.

I. CRUM EWING,
Clerk of the Legislature.

BILL No. 20 of 1959.

RICE MILLS (DEVELOPMENT) BILL, 1959.
ARRANGEMENT OF SECTIONS.

Section

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A BILL

Intituled

AN ORDINANCE TO MAKE PROVISION FOR THE DEVELOPMENT AND REGULATION OF RICE MILLS AND THE MANUFACTURE OF RICE.

Enacted by the Legislature of British Guiana:—

1. (1) This Ordinance may be cited as the Rice Mills (Development) Ordinance, 1959.

Short title
and com-
mencement.

(2) This Ordinance shall come into operation on such day as the Governor shall by Proclamation appoint.

2. In this Ordinance unless the context otherwise requires—
“the Commissioner” means the Commissioner appointed by the Governor under the District Government Ordinance;

Interpretation.

Cap. 56.

“the Director” means the Director of Agriculture;
“equipment” means all machinery and facilities for par-boiling, milling, drying and storage of padi and of rice;
“health authority” means the proper authority in control of matters relating to public health and sanitation;
“licence” means a licence to manufacture rice in a rice mill;
“manufacture of rice” means the employment or use of any process in connection with the conversion of padi into rice for the purpose of sale;
“multi-stage mill” means a mill with equipment for production of rice from padi with provision for separate extraction of extraneous matter, hulls or husks, bran (or outer seed coat), polishings (or innermost seed coat), whole grains and broken grains;
“padi” means the unhulled product of the rice plant;
“prescribed period” means the period of three years from the date of the commencement of this Ordinance;
“mill” means any premises constructed for the purpose of manufacturing rice by mechanical means, 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;

“single-stage mill” means a mill with equipment for production of rice from padi without provision for separate extraction of extraneous matter, hulls or husks, bran, polishings, whole grains and broken grains.

Restriction on milling operations.

3. (1) No person shall operate or cause to be operated any single-stage mill after the expiration of the prescribed period and any licence in force in respect of such mill shall cease to have effect after the expiration of the prescribed period.

(2) No compensation shall be payable to any person in respect of any single-stage mill which ceases to operate in pursuance of the provisions of subsection (1) of this section.

(3) Subject to the provisions of subsection (4) of this section the owner of any existing single-stage mill may replace such mill by a multi-stage mill.

(4) The owner of a single-stage mill may with one or more owners of other single-stage mills combine to replace their existing single-stage mills with one or more multi-stage mills.

Establishment of central mill zones.

4. (1) The Governor in Council may, by order, declare any area in British Guiana to be a central mill zone.

(2) Any Order made under this section may be varied or revoked by any subsequent Order.

Additional restrictions on milling operations within zones.

5. (1) No mill shall be erected within a central mill zone.

(2) The provisions of subsection (1) of this section shall not apply to the erection, prior to the expiration of the prescribed period, of a multi-stage mill in place of a single-stage mill or mills:

Provided that no person shall erect any such mill within a central mill zone without the consent in writing of the Director who may refuse such consent where in his opinion the capacity of the multi-stage mill will exceed the total milling capacity of the single-stage mill or mills which it is replacing.

(3) Any person aggrieved by the decision of the Director may within one month from the date of such decision appeal to the Governor in Council whose decision shall be final.

Licence to operate a mill.

6. (1) No person shall operate a mill unless he is the holder of a licence issued by the Commissioner.

Schedule.

(2) A licence to operate a mill shall be in the form prescribed in the schedule hereto and shall expire on the 31st December each year.

(3) There shall be paid in respect of every licence a fee of twenty-five dollars.

Certificates for milling operations.

7. (1) Any person who desires to operate a mill shall subject to the provisions of section 5 and before he applies to the Commissioner for a licence under section 8 —

- (a) make application to the health authority for a certificate that the premises are with reference to public health and sanitation fit to be used as a mill; and
- (b) in the case of a person who desires to operate a multi-stage mill or to renew or replace equipment in an existing mill, make application to the Director for a certificate that the equipment or proposed equipment is for a multi-stage mill and is approved for the efficient manufacture of rice and that the capacity of the mill is not in excess of the needs of the area;
- (c) in the case of a person who desires to operate an existing single-stage mill within the prescribed period, make application to the Director for a certificate that the capacity of the mill is not in excess of the needs of the area.

(2) (a) The health authority shall consider the application under paragraph (a) of subsection (1) of this section and may grant or refuse to grant the certificate;

(b) the Director shall consider the application under paragraphs (b) or (c) of section (1) of this section and may grant or refuse to grant the certificate.

(3) Where the health authority or the Director refuses to issue a certificate under this section the applicant may within one month from the date of such refusal appeal to the Governor in Council whose decision shall be final.

8. (1) Every application for a licence shall be made to the Commissioner in writing and shall be signed by the applicant and shall be accompanied by the certificates issued by the health authority and the Director under section 7.

Application for licence.

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

(3) Where the Commissioner refuses to issue a licence any person aggrieved may within one month from the date of such refusal appeal to the Governor in Council whose decision shall be final.

9. Any person who operates or causes to be operated any mill in contravention of the provisions of section 6 of this Ordinance shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding one thousand dollars or to imprisonment for a period not exceeding twelve months.

Offence.

10. (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 6 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 within one month from the date of such refusal appeal to the Governor in Council whose decision shall be final.

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

Register of licences.

12. (1) The Director, the Commissioner, a deputy Director of Medical Services, or any person authorised in writing by any of them may at all reasonable times enter a mill and inspect the mill or any padi or rice therein or any books kept under this Ordinance.

Power to enter and inspect factory and examine books.

(2) Any person who refuses to permit any person authorised by this section to enter a mill or to inspect or examine the mill or any of the books or who obstructs any such person in such entry, inspection or examination shall be guilty of an offence, and shall be liable on summary conviction to a penalty not exceeding one hundred dollars or to imprisonment for a period not exceeding 3 months.

13. (1) No person shall 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 weight.

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

(2) Any person who contravenes this section shall be guilty of an offence, and shall be liable on summary conviction to a penalty not exceeding one hundred dollars or to imprisonment for a period not exceeding 3 months.

14. The Governor in Council may make rules and prescribe forms for the purpose of carrying out the provisions of this Ordinance.

Power of the Governor in Council to make rules.

15. The Rice Factories Ordinance is hereby repealed.

Repeal. Cap. 122.

SCHEDULE Sec. 6.
RICE MILLS (DEVELOPMENT) ORDINANCE

LICENCE TO OPERATE A MILL.

Licence No.

District

Name and address of holder.....

Situation of mill.....

This licence is issued to the abovenamed person to operate the mill stated in this licence.

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

Fee — \$

Dated this .. day of .., 19 ..

District Commissioner.

OBJECTS AND REASONS

This Bill seeks to implement the decisions of the Government after considering the Report of the Rice Committee which found the present organisation of the milling processes of the Industry unsatisfactory and recommended the conversion of single-stage huller-type mills to multi-stage mills in order that the Industry could produce standardised qualities of rice and hold its own in the face of the competition from producers in other countries.

2. Broadly speaking, the Bill prohibits the operation of single-stage huller-type mills in any part of British Guiana and confers on the Director of Agriculture the responsibility and power to control the erection of multi-stage mills.

3. Existing single-stage mills may continue to operate for a period of three years after the commencement of the Ordinance but at the end of that time licences in respect of such mills cease to have effect without right of compensation.

4. Clauses 4 and 5 set up operational zones within which no new mill may be erected while multi-stage mills, in replacement of existing single-stage mills may only be established within the zone after the Director of Agriculture certifies that the capacity of the replacement does not exceed the capacity of the single-stage mill or mills which it is replacing. Replacements in zones must be completed within three years after the commencement of the Ordinance.

5. Applicants for a licence to operate a rice mill are required to obtain in addition to a certificate from the health authority a certificate from the Director of Agriculture that a licence may be granted. The licence shall be annual and the fee therefor fixed at twenty-five dollars.

6. A more serious view is taken of the offence of operating a rice mill without a licence: The penalty being increased to \$1,000 or 12 months imprisonment.

7. Provision is made for the Ordinance to come into operation on such day as the Governor may by Proclamation appoint and for the repeal of the Rice Factories Ordinance.

B. H. BENN,
Minister of Natural Resources.

(M.P. 108/16/7).
(Leg. Bill 20/1959).