

Bill No. 5 of 1960

PUBLISHED 23RD JANUARY, 1960

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BRITISH GUIANA RICE PRODUCERS ASSOCIATION (AMENDMENT) BILL, 1960.

ARRANGEMENT OF SECTIONS.

Section

1. Short title.
2. Amendment of section 2 of Chapter 250.
3. Amendment of paragraph (c) of section 4 of Chapter 250.
4. Amendment of section 5 of Chapter 250.
5. Insertion of new section 5A in Chapter 250.
6. Amendment of section 6 of Chapter 250.
7. Amendment of section 8 of Chapter 250.
8. Amendment of section 9 of Chapter 250.
9. Transitional provisions.

A BILL

Intituled

AN ORDINANCE TO AMEND THE BRITISH GUIANA RICE PRODUCERS ASSOCIATION ORDINANCE.

Enacted by the Legislature of British Guiana:—

1. This Ordinance may be cited as the British Guiana Rice Producers Association (Amendment) Ordinance, 1960, and shall be construed and read with the British Guiana Rice Producers Association Ordinance, hereinafter referred to as the Principal Ordinance, and any Ordinance amending the same.

Short title.
Cap. 250.
2. Section 2 of the Principal Ordinance is hereby amended —

Amendment of section 2 of Chapter 250.

 - (a) by the insertion after the definition of the expression “District Association” of the following new definition —
“Executive Committee” means the Executive Committee established under section 5A of this Ordinance;”;
 - (b) by the insertion after the definition of the expression “industry” of the following new definition —
“Minister” means the Member of the Executive Council for the time being charged with responsibility for the subject of agriculture;”
3. Paragraph (c) of section 4 of the Principal Ordinance is hereby amended by the substitution for the words “appointed by the Governor” of the words “nominated by the Council and appointed by the Minister,”.

Amendment of paragraph (c) of section 4 of Chapter 250.
4. Section 5 of the Principal Ordinance is hereby amended —

Amendment of section 5 of Chapter 250.

 - (a) by the repeal of subsections (2), (3), (4), (5) and (6) and the substitution therefor of the following subsections —
 - “(2) The members of the Council shall be the Director of Agriculture or his duly authorised representative and rice producers who are appointed or elected thereto as hereinafter provided.
 - (3) The Committee of each District Association shall, in accordance with the provisions of the regulations, appoint one member of the Committee, (who shall be a rice farmer) to be a member of the Council and four other persons (each of whom shall be a member of a District Association) shall be elected to be members of the Council by, and at a meeting of, persons appointed under the provisions of this subsection:

Provided that upon any person so appointed ceasing to be a member of the Committee before he takes office

as a member of the Council, his appointment shall cease to have effect, without prejudice to anything previously done by him in pursuance thereof, and the Committee shall appoint another of its members in his place.

(4) The Council shall be constituted as hereinbefore provided for a period of two years commencing with the day on which members who are appointed or elected as aforesaid take office and shall, in like manner, be reconstituted for each period of two years commencing immediately after a period for which the Council was constituted or reconstituted under the provisions of this subsection.

(5) The Council shall, at its first meeting during each period for which it is so constituted or reconstituted, elect from among its members a President, a Senior Vice-President and a Junior Vice-President as officers of the Council and shall report to the Minister the names of its members and officers.

(6) The Council shall have power to fill by appointment any vacancy therein (whether occasioned by death, resignation or any other cause) in respect of any member, other than the Director of Agriculture, or officer of the Council for the unexpired portion of the term of office of such member or officer.”;

(b) by the repeal of subsections (8), (9) and (10) and the substitution therefor of the following subsections —

“(8) The seat of a member of the Council other than the Director of Agriculture shall become vacant if he fails to attend three consecutive meetings of the Council:

Provided that the Council may grant leave of absence to any member thereof.

(9) The Council may appoint some fit and proper person to be General Secretary of the Association and such other officers and servants of the Association as may be necessary, and may pay any person so appointed such remuneration out of the funds of the Association as the Council considers adequate, and may dismiss any such person.

(10) In the event of there being any equality of votes between candidates qualifying for any office or seat at an election held under any provisions of this section, the candidate who was first in order of nomination shall be deemed to have been elected in accordance with such provisions.”

Insertion of
new section
5A in Chapter
250.

5. The Principal Ordinance is hereby amended by the insertion after section 5 of the following section —

“Constitution
and powers
of the Execu-
tive Com-
mittee.

5A. (1) There shall be established an Executive Committee of the Council consisting of five members, being the President and Vice-Presidents of the Council and two other members thereof who shall be appointed by the Council at its first meeting during each period for which it is constituted or reconstituted under the provisions of the preceding section:

Provided that if the seat of any member of the Executive Committee becomes vacant, by reason of his ceasing to be a member of the Council or resigning from the Executive Committee or otherwise, the Council shall appoint another of its members in his place.

(2) Subject to the directions and general control of the Council, the Executive Committee may, in the name and on behalf of the Council, exercise the powers, duties and functions of the Council under this Ordinance not being a power, duty or function of the Council under paragraph (c) of section 4, section 5 exclusive of subsection (1) thereof, this section, section 6, subsection (3) of section 8 or subsection (3) of section 9 of this Ordinance.

(3) The seat of a member of the Executive Committee shall become vacant if he fails to attend three consecutive meetings thereof and if the seat of the President or a Vice-President becomes vacant under the

provisions of this subsection he shall cease to be the President or a Vice-President of the Council, as the case may be:

Provided that the Council may grant leave of absence to any member of the Executive Committee.

(4) Any two members of the Executive Committee may, by a minute under their hands addressed to the General Secretary of the Association, require him to submit for the consideration and decision of the Council any matters relating to the business of the Association."

6. Section 6 of the Principal Ordinance is hereby amended by the repeal of subsections (3), (4), (5), (6) and (7) and the substitution therefor of the following subsections — Amendment of section 6 of Chapter 250.

"(3) The management of the affairs of a District Association shall be vested in a Committee consisting of seven members being —

- (a) a Chairman;
- (b) a Vice-Chairman;
- (c) a Field Representative, whose duties shall include the duties of Secretary of the Committee; and
- (d) four other members of the District Association.

(4) Subject to the provisions of this Ordinance, a Committee shall be elected for each District Association by members thereof in every alternate year and the members of a Committee shall hold office until the election of another Committee for the District Association.

(5) A Committee shall meet at least once in every month.

(6) The seat of a member of the Committee shall become vacant if he fails to attend three consecutive meetings of the Committee:

Provided that the Committee may grant leave of absence to any member thereof.

(7) A Committee shall have power to fill by appointment any vacancy therein (whether occasioned by death, resignation or any other cause) in respect of any member or officer thereof for the unexpired portion of his term of office."

7. Section 8 of the Principal Ordinance is hereby amended — Amendment of section 8 of Chapter 250.

(a) by the insertion after the word "Council," in paragraph (c) of subsection (2) of the words "the Executive Committee,";

(b) by the insertion after the word "Association" in paragraph (e) of subsection (2) of the words "and of the Field Representative of a Committee";

(c) by the insertion after the words "by the Council" in paragraph (g) of subsection (2) of the words "the Executive Committee,".

8. Section 9 of the Principal Ordinance is hereby amended — Amendment of section 9 of Chapter 250.

(a) by the repeal of subsection (5) and the substitution therefor of the following subsection —

"(5) The reasonable travelling and subsistence expenses incurred by members of the Council in attending meetings of the Council or the Executive Committee, or by any officer or servant of the Association appointed by the Council in visiting in the performance of his duties areas outside the City of Georgetown as defined in the Georgetown Town Council Ordinance or any Ordinance amending the same, shall be paid by the Council out of its funds." Cap. 152.

(b) by the substitution for the words "Chief" and "the Gazette" in subsection (7) of the words "Financial" and "at least one daily newspaper" respectively;

(c) by renumbering subsections (6) and (7) as subsections (7) and (8) respectively; and

(d) by the insertion after subsection (5) of the following subsection —

"(6) The reasonable travelling expenses incurred by the members of a Committee in attending meetings thereof shall be paid by the Committee out of its funds."

9. (1) A Committee shall be elected for each District Association in accordance with the provisions of the Principal Ordinance, as hereby amended, on or before the 15th February, 1960, and such election shall be deemed, for the purposes of section 3 of the British Transitional provisions.

Guiana Rice Producers' Association (Special Provisions) Ordinance, 1959, to be the election of another Committee as specified in paragraph (a) of that section.

(2) Members of the Council constituted in accordance with the provisions of the Principal Ordinance, as hereby amended, shall take office on the 15th March, 1960, and the election of another Council as specified in paragraph (a) of section 4 of the British Guiana Rice Producers' Association (Special Provisions) Ordinance, 1959, shall be deemed, for the purposes of that section, to take place immediately before the 15th March, 1960.

(3) Section 3 of this Ordinance shall not come into operation until the 15th March, 1960.

OBJECTS AND REASONS

Representatives of the British Guiana Rice Producers' Association on the British Guiana Rice Marketing Board have hitherto been appointed by the Governor. It is considered desirable that such representatives should be chosen by the Council of the Rice Producers' Association. Clause 3 of this Bill therefore seeks to amend the British Guiana Rice Producers' Association Ordinance to provide that the representatives should be nominated by the Council for appointment by the Minister charged with the responsibility for agriculture.

2. The Council of the Rice Producers' Association, as presently constituted, consists of members elected by electors appointed by the various Committees of the District Associations of rice producers. In order to enable the Committees to be directly represented on the Council, while preserving an independent element in the membership of the Council, clause 4 of this Bill seeks to amend section 5 of the Ordinance to provide that each Committee shall appoint one of its members to the Council; that the Committee members so appointed shall elect as members of the Council four other rice producers; that Council members so elected or appointed shall hold office for two years, and that the Director of Agriculture or his representative shall be an *ex officio* member of the Council. Clause 4 of the Bill also seeks to effect certain relatively minor amendments to section 5 of the Ordinance, which are considered desirable.

3. The management of the affairs of the Rice Producers' Association is vested in the Council. In order to expedite and facilitate such management, clause 5 of the Bill seeks to vest the function, powers and duties of the Council, subject to certain exceptions, in a small Executive Committee consisting of the President, Vice-Presidents and two other members of the Council.

4. It is proposed to reduce the number of Rice Producers' Association Districts and to extend the areas of the remaining Districts. Clause 6 of this Bill therefore seeks to amend section 6 of the Ordinance to increase the number of members of the Committee of each District Association from six to seven members and to provide, in view of the proposed amendments to the constitution of the Council, that Committee members shall hold office for two years. Clause 6 of the Bill also seeks to effect certain relatively minor amendments to section 6 of the Ordinance, which are considered desirable.

5. Section 9 of the Ordinance empowers the Council to pay travelling and subsistence expenses incurred by its members in attending its meetings and authorises similar payments to electors appointed by Committees. Since the Bill seeks to abolish the office of elector, clause 8 thereof seeks to amend section 9 of the Ordinance to delete the provision for payment of travelling expenses and subsistence allowances to electors. Clause 8, however, also seeks to authorise similar payments to Committee members, employees of the Rice Producers' Association, and members of the Executive Committee which the Bill seeks to establish.

6. Clause 9 of the Bill seeks to provide that Committees should be constituted in accordance with the proposed amendments to the Ordinance by the 15th February, 1960, and that the Council should be so constituted by the 15th March, 1960.

B. H. BENN,
Minister of Natural Resources.

(M.P. AGR. 108/16/4/1.)
(Leg. Bill 5/1960).