

Bill No. 12 of 1960.

PUBLISHED 7TH MAY, 1960.

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RICE MARKETING (AMENDMENT) BILL, 1960. ARRANGEMENT OF SECTIONS.

Section

- 1. Short title.
- 2. Amendment of section 2 of Chapter 249.
- 3. Amendment of section 4 of Chapter 249.
- 4. Amendment of section 5 of Chapter 249.
- 5. Amendment of section 21 of Chapter 249.
- 6. Amendment of section 22 of Chapter 249.
- 7. Amendment of section 23 of Chapter 249.
- 8. Insertion of new section 23A in Chapter 249.
- 9. Amendment of section 28 of Chapter 249.
- 10. Amendment of section 32 of Chapter 249.
- 11. Amendment of section 34 of Chapter 249.
- 12. Amendment of section 2 of Chapter 250.

A BILL

Intituled

AN ORDINANCE FURTHER TO AMEND THE RICE MARKET- ING ORDINANCE AND TO MAKE A MINOR CONSE- QUENTIAL AMENDMENT TO THE BRITISH GUIANA RICE PRODUCERS ASSOCIATION ORDINANCE.

Enacted by the Legislature of British Guiana:—

- 1. This Ordinance may be cited as the Rice Marketing (Amendment) Ordinance, 1960, and shall be construed and read with the Rice Marketing Ordinance, hereinafter referred to as the Principal Ordinance (and so far as it amends the British Guiana Rice Producers Association Ordinance shall be construed and read with that Ordinance), and any Ordinances amending the same. Short title.
Cap. 249.
- 2. Section 2 of the Principal Ordinance is hereby amended by the insertion after the definition of the expression "manufacturer" of the following new definition — Amendment
of section 2
of Chapter
249.
 - “Minister” means the Member of the Executive Council for the time being charged with responsibility for the subjects of trade and industry;.
- 3. Section 4 of the Principal Ordinance is hereby amended — Amendment
of section 4
of Chapter
249.
 - (a) by the repeal of subsections (2) and (3) and the substitution thereof of the following subsections —
 - “(2) Subject to the provisions of subsection (3) of this section the members of the Board, who shall be appointed by the Minister, shall be —
 - (a) two officers in the public service;
 - (b) twelve rice producers appointed as follows —
 - (i) nine rice producers nominated by the Council of the Association from among its members;
 - (ii) two rice producers who are manufacturers nominated by the Council of the Association;
 - (iii) one rice producer nominated by the British Guiana Rice Development Company, Limited;
 - (c) two other persons nominated as being persons experienced in marketing by the rice producers appointed under the preceding paragraph.

(3) Where under paragraphs (b) and (c) of the preceding subsection any person is required to be nominated for appointment to the Board and such a nomination is not made in accordance with the said provisions the Minister may, in pursuance of the said provisions, appoint as a member of the Board any person who was eligible for nomination in the same manner as if he had been so nominated.”;

(b) by the substitution for the words “two years” in subsection (4) of the words “one year”;

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

“(5) The Board shall elect from among its members a Chairman and a Vice-Chairman of the Board.”;

(d) by the repeal of subsections (11), (12), (13), (14), (15) and (16) and the substitution therefor of the following subsections —

“(11) The Board may grant leave of absence to any member thereof.

(12) Where leave of absence has been granted to a member of the Board, another person may, subject to the provisions of subsections (2) and (3) of this section, be appointed to act in his place.

(13) A member may, by writing under his hand addressed to the Minister, resign from the Board.

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

(15) The Minister may at any time revoke any appointment made by him under this Ordinance.

(16) Where a member of the Board has resigned, or is deemed to have resigned, or where the appointment of a member of the Board is revoked, another person may, subject to the provisions of subsections (2) and (3) of this section, be appointed to be a member of the Board during the unexpired portion of the term of office of his predecessor.”

Amendment
of section 5
of Chapter
249.

4. Section 5 of the Principal Ordinance is hereby amended —

(a) by the insertion at the end of paragraph (b) of subsection (2) of the word “and”;

(b) by the deletion of paragraph (c) of subsection (2);

(c) by the substitution for the word “three” in paragraph (d) of subsection (2) of the word “four” and by re-lettering the paragraph as paragraph (c);

(d) by the substitution for the words “two years” in subsection (4) of the words “one year”;

(e) by the deletion of the words “the Governor or” and “, as the case may be,” in subsection (10) and subsection (12); and

(f) by the deletion of the words “the Chief Secretary or” and “, as the case may be,” in subsection (11).

Amendment
of section 21
of Chapter
249.

5. Section 21 of the Principal Ordinance is hereby amended by the substitution for the words “Chief Secretary” in subsection (2) of the word “Minister”.

Amendment
of section 22
of Chapter
249.

6. Section 22 of the Principal Ordinance is hereby amended by the substitution of the following paragraphs for paragraph (b) of subsection (2) thereof —

“(b) from funds provided under agreement with the Colonial Development Corporation; and

(c) from funds provided by any person or body of persons on the invitation of the Minister and with the approval of the Legislative Council.”

Amendment
of section 23
of Chapter
249.

7. Section 23 of the Principal Ordinance is hereby amended by the insertion after the word “factory” in subsection (3) of the words “or is found in possession of”.

Insertion of
new section
23A in Chap-
ter 249.

8. The Principal Ordinance is hereby amended by the insertion therein after section 23 of the following new section —

23A. The Manager, the Assistant Manager, the Secretary or any person authorised in writing by the Board to do so, may grant permission in writing to any person to remove or to cause to be removed any padi from a factory.”

“Permission
to remove
padi from
factory.”

9. Section 28 of the Principal Ordinance is hereby amended by the insertion after the word "odour" of the words "or to contain foreign matter or impurities of any description".

Amendment
of section 28
of Chapter
249.

10. Section 32 of the Principal Ordinance is hereby amended by the substitution for the word "Governor" in subsection (1) of the word "Minister".

Amendment
of section 32
of Chapter
249.

11. Section 34 of the Principal Ordinance is hereby amended by the repeal of paragraph (a) of subsection (1) and the substitution thereof of the following paragraph —

Amendment
of section 34
of Chapter
249.

"(a) Any person who removes or causes to be removed any padi from a factory without obtaining permission under section 23A shall be guilty of an offence against this Ordinance."

12. (1) Section 2 of the British Guiana Rice Producers Association Ordinance shall be amended by the substitution for the words "subject of agriculture" in the definition of the expression "Minister" therein of the words "subjects of trade and industry".

Amendment
of section 2
of Chapter
250.

(2) The provisions of this section shall be deemed to have come into operation on the 30th April, 1960.

OBJECTS AND REASONS

The members of the British Guiana Rice Marketing Board who include representatives from the British Guiana Rice Producers Association have hitherto been appointed by the Governor. It is now contemplated by the British Guiana Rice Producers Association Ordinance that the representatives of that Association on the Rice Marketing Board would be appointed by the Minister of Trade and Industry from the persons nominated by and from the Council of the Rice Producers Association. Clause 3 of this Bill seeks to amend the Rice Marketing Ordinance accordingly. In general, the clause seeks to give rice producers greater representation on the Board. It also provides for the appointment by the Minister of two public officers, a rice producer nominated by the British Guiana Rice Development Company, Limited, and two persons experienced in marketing nominated by the rice producers on the Board as members of the Board. Provision is also made authorising the Board to grant leave of absence to its members and to elect its Chairman and Vice-Chairman, and prescribing that the members shall hold office for one year instead of two years. Clause 4 seeks to effect consequential amendments.

2. Under section 23(3) of the Rice Marketing Ordinance, it is an offence for any person to deliver or remove any rice from a factory for domestic consumption in contravention of the Ordinance. It is sometimes difficult to prove the removal from a factory, and to avoid this difficulty clause 7 seeks to make it an offence if a person is found in possession of any rice in contravention of the Ordinance.

3. Clause 8 seeks to authorise the Manager and certain other officers to give permission to anyone to remove padi from a factory. Clause 11 seeks to effect a consequential amendment to section 34(1) (a) of the Ordinance.

4. Section 28 of the Rice Marketing Ordinance empowers the Board to make deductions from the purchase price of rice where such rice is infected with pests or fungi or possesses an objectionable odour. It is considered desirable that the Board should also be in a position to make deductions from the purchase price of rice if the rice contains foreign matter or impurities such as straw and mud. Clause 9 seeks to amend the Ordinance accordingly.

5. Clause 10 seeks to authorise the Minister of Trade and Industry instead of the Governor to approve of the Board's recommendation to suspend the purchases of rice by the Board.

6. As members of the Board will be appointed by the Minister of Trade and Industry, clause 12 of the Bill seeks to make a consequential amendment to the definition of "Minister" in section 2 of the British Guiana Rice Producers Association Ordinance, Chapter 250, by substituting in effect the Minister of Trade and Industry for the Minister of Natural Resources, as the authority referred to in section 4(c) of that Ordinance which deals with the appointment of members of the Council of the Association to be members of the Board.

CHEDDI JAGAN,
Minister of Trade and Industry.

(M.P. T.I. 5/1/18 II).
(Leg. Bill 12/1960).