

**CHAPTER 419**

## THE SUGAR QUOTAS ACT

## Arrangement of Sections

## Section

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**SUGAR QUOTAS**

(1st September, 1937.)

16/1937  
18/1989  
S.I. 39/1989

**1.** This Act may be cited as the Sugar Quotas Act.

**Short title.**

**2.** In this Act—

**Interpretation.**

"export" means to take or cause to be taken out of Antigua and Barbuda;

"local sale" means sale or delivery for consumption within Antigua and Barbuda;

"quota" means the quantity of sugar which each manufacturer of sugar in Antigua and Barbuda is permitted to manufacture, hold in stock, export, dispose of by local sale or otherwise in accordance with an order made by the Cabinet under this Act;

"quota period" means any period in respect of which any quota has been fixed by an order made by the Cabinet under this Act;

"stock" means sugar in Antigua and Barbuda either in any factory or warehouse or in transit but does not include foreign sugar in bond or sugar stored in any warehouse or other place for the purpose of distribution for consumption within Antigua and Barbuda;

"sugar" includes sugar in any of its commercial forms except the product sold as final molasses.

**Power to fix quotas.**

**3.** The Cabinet may by order published in the *Gazette* fix the quota which each manufacturer of sugar in Antigua and Barbuda shall be permitted during any quota period—

(a) to manufacture;

(b) to export;

(c) to dispose of by local sale;

(d) to hold in stock for disposal in addition to (b) and (c);

and prescribe the conditions under which such permission shall be granted and may in like manner at any time substitute a new quota for the quota so fixed.

**Restriction on export of sugar.**

**4.** No sugar other than sugar manufactured by a sugar manufacturer to whom a quota for export has been allotted by an order made under the provisions of this Act shall be exported, and no such sugar manufacturer shall export any sugar in excess of the quota allowed to him by such order:

Provided that the provisions of this section shall not be construed so as to affect or prohibit the re-exportation of sugar arriving in Antigua and Barbuda from a place outside Antigua and Barbuda.

**5.** The Cabinet may by order declare in what manner any sugar manufactured in excess of the fixed quota shall be disposed of, and may order the seizure and destruction of any such excess stock of sugar. The manufacturer shall not be entitled to claim compensation for any sugar seized, destroyed or otherwise disposed of in accordance with such order.

**Disposal of surplus stock.**

**6.** The Minister may require any person, by order served on such person or published in the *Gazette*, to make and submit to him within such time as may be specified in the order, a return in the form prescribed by such order, containing full particulars of all or any of the following matters namely—

**Returns.**

(a) the sugar manufactured by him during any period specified in the order;

(b) the stocks of sugar belonging to him, or in his possession, power or control at any particular date or during any period specified in the order, the place of storage of the same, and if such sugar was acquired by him, the person from whom he acquired the same;

(c) the sugar disposed of by him either by exportation or by local sale during any period specified in the order;

(d) an estimate of his total sugar production and of the quantity intended to be exported during any period;

(e) any other particulars required for the purposes of this Act.

**7.** (1) The Minister may authorize any government or police officer, with or without assistants, to enter upon any factory, building or land on which sugar is manufactured, sold, stored, kept, or otherwise dealt with to ascertain whether the provisions of any order made under this Act have been complied with, and in case of contravention of an order made under section 5 to seize, destroy or dispose of any excess stock of sugar in accordance with such order.

**Power of entry and inspection.**

(2) Any such officer may require the production of any records showing the quantity of sugar manufactured,

exported, disposed of by local sale or held in stock at any particular date or during any quota period or part of a quota period by any manufacturer of sugar, and may inspect and examine the same and copy any material part thereof.

(3) Any person who hinders, molests or obstructs any officer authorized to exercise any of the powers given by this section shall be liable on summary conviction to a fine not exceeding fifteen hundred dollars.

**Offences.**

**8.** Any person who—

(a) acts in contravention of or fails or neglects to comply with any of the provisions of this Act or of any order made hereunder; or

(b) makes or causes to be made any return under section 6 knowing the same to be false in any material particular,

shall be guilty of an offence, and shall on summary conviction be liable to a fine not exceeding five thousand dollars, and in case of any contravention of any of the provisions of an order made under section 3 to an additional penalty not exceeding fifty dollars in respect of each hundredweight of sugar manufactured, exported, sold, delivered or otherwise disposed of in contravention of such order.

**Liability of officers of company.**

**9.** Where the person guilty of an offence under this Act is a company or corporation, every director and officer of the company or corporation shall be guilty of the like offence who knowingly authorizes or permits the act or omission constituting the offence.

**Fiat of Attorney-General.**

**10.** No proceedings under this Act shall be instituted except by or with the consent of the Attorney-General.

**Regulations.**

**11.** The Cabinet may make regulations and prescribe forms with respect to the allocation of quotas and generally for giving effect to the provisions of this Act.