



BELIZE

**CITRUS (PROCESSING AND PRODUCTION) ACT
CHAPTER 277**

REVISED EDITION 2003

SHOWING THE SUBSTANTIVE LAWS AS AT 31ST MAY, 2003

This is a revised edition of the Substantive Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

This edition contains a consolidation of the following laws-	Page
ARRANGEMENT OF SECTIONS	3
CITRUS (PROCESSING AND PRODUCTION) ACT	6
Amendments in force as at 31st May, 2003.	



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CHAPTER 277

CITRUS (PROCESSING AND PRODUCTION)

ARRANGEMENT OF SECTIONS

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CHAPTER 277**CITRUS (PROCESSING AND PRODUCTION)**

CAP. 225,
R.E. 1980-1990.
2 of 1967.
14 of 1968.
20 of 1971.
17 of 1987.
22 of 1987.
10 of 1988.
20 of 2000.
4 of 2003.

[1st April, 1967]

- Short title. 1. This Act may be cited as the Citrus (Processing and Production) Act.
- Interpretation. 2. In this Act, unless the context otherwise requires:-
- “annual price” means the price per contract box of citrus delivered to processors as determined in accordance with section 18;
- “Association” means the Citrus Growers’ Association established under section 19;
- “Board” means the Citrus Control Board established under section 8;
- “citrus” means grapefruit, oranges and all other fruit of the genus citrus;
- “Committee” means the Committee of Management of the Citrus Growers Association established under section 25;
- “contract box” means a box or other container having a net weight of 90 pounds when full of oranges and 80 pounds when full of grapefruit;
- “mature” means suitable for processing or exporting as fresh fruit and which conforms to such standards as may be prescribed in regulations made by the Board under the powers conferred by section 17;
- “merchantable” means wholesome and free from decay, mould, insect

contamination and excessive dryness;

“processed fruit” means the juice of or any other product derived from fresh citrus by any process of manufacture;

“processor” means any person licensed as such by the Board;

“producer” means any grower of citrus who is licensed by the Association;

“regulations” means any regulations made by the Board under this Act;

“rules” means any rules made by the Association under this Act;

“total price” means the sum which shall first be paid on account by processors to producers per contract box of citrus upon its delivery, inspection and acceptance by processors at such place as shall be specified by the processors, together with the balance to be paid after the citrus has been exported and sold, whether in the form of fresh fruit or processed fruit;

“year of operation” means the period from 1st July in one year to 30th June in the following year or such other yearly accounting period as the Association may from time to time adopt in general meeting.

3. (1) No person shall import into or export from Belize any citrus, whether fresh or processed fruit, except in accordance with the terms and conditions of a valid licence issued to him by the Minister after consultation with the Board.

Import and
export licences.

(2) Any person who contravenes the provisions of subsection (1) commits an offence and, in addition to any other penalty, the citrus in respect of which the offence is committed may be seized and forfeited to the Government and shall be disposed of in such manner as the Minister may direct.

- Processors' licences. 4. (1) No person shall process any citrus except in accordance with the terms and conditions of a licence issued to him by the Board.
- (2) Any person who contravenes the provisions of this section commits an offence.
- Control of local sales. 5. (1) If the Minister, after consultation with the Board, considers it in the public interest to do so he may, by Order under his hand, require any producer or any processor to reserve for sale for consumption in Belize any portion of the citrus produced or processed by him and may, by Order published in the *Gazette*, fix, with due regard to the world market prices, the price or prices at which such citrus or processed fruit is sold.
- (2) Any person who fails to comply with any Order issued under this section commits an offence.
- Processors' returns. 6. (1) Every processor shall, not later than two months after the end of each year of operation, make a return to the Board in such form as may be prescribed by the Board, giving such information as may be required by the Board.
- (2) Every processor shall, not later than two months before the beginning of each year of operation, make a return to the Board setting out his estimate of the number of contract boxes of citrus required by him during the year of operation next ensuing.
- (3) Any processor who fails to comply with the provisions of this section commits an offence and is liable on summary conviction to a fine not exceeding one hundred dollars.
- Purchase of citrus by processors. 7. (1) No processor shall purchase or take delivery of any citrus except from a producer and in accordance with the terms and conditions of such producer's licence.

(2) No person shall sell or deliver any citrus to a processor other than a producer in accordance with the terms and conditions of his licence.

(3) Every processor shall, during every year of operation, accept and pay for in accordance with the provisions of this Act, including any contract made hereunder, all mature and merchantable citrus delivered to him by producers holding valid licences to deliver citrus to him; provided that a processor may be exempted from the provisions of this subsection if, owing to any disaster of nature, major breakdown of equipment, unfavourable market trend, circumstances caused by crop failure or shortage, inability to procure packing and/or shipping or supplies, act of God, war or war conditions, embargo, fire, flood, accident, strike, riot, transportation difficulties or any other cause or considerations beyond the control of the processor, the Board, after consultation with the Association, permits him to declare a temporary shutdown or that his year of operation has come to an end.

(4) Any person who contravenes the provisions of this section commits an offence, and any processor or producer on conviction by a court of summary jurisdiction shall, in addition to any other penalty imposed by the court, be liable to have his licence cancelled by the Board or Association, as the case may be, or suspended for such period as the Board or Association may determine.

8. (1) There is hereby established a Citrus Control Board to be known by that name which shall be a body corporate having perpetual succession and a common seal, which shall be judicially noticed and which may sue and be sued in its corporate name and may make contracts and hold and dispose of land of whatever tenure and other property for the purpose of carrying out its functions under this Act.

Establishment of Citrus Control Board.

(2) All deeds, documents or other instruments requiring the seal of the Board shall be sealed with the common seal of the Board in the presence of the Chairman and one other member of the Board who shall sign every such deed, document or other instrument to which the common seal is affixed.

- (3) The Board shall consist of-
- (a) the Permanent Secretary to the Ministry responsible for the Citrus Industry and the Chief Agricultural Officer, who shall be *ex officio* members;
 - (b) one representative of each processor or his alternate;
 - (c) representatives of the Association equal to the number of processors represented, one of whom shall be the Chairman of the Association, elected to the Board by the Association;
 - (d) three persons having no connection with the citrus industry appointed to the Board by the Minister.

(4) The Permanent Secretary to the Ministry responsible for the Citrus Industry shall be Chairman of the Board but shall not be entitled to a casting vote.

Processors' representatives.

9. Processors shall in every year of operation, at such time as the Minister may determine, elect their representatives and their alternates to serve as members of the Board.

Representatives of the Association.

10. The Association shall, in every year of operation, at such time as the Minister may determine, elect its representatives and their alternates to serve as members of the Board.

Tenure of office of members of the Board.

11. (1) The representatives of processors and of the Association shall hold office as members of the Board until their successors have been elected and they shall be eligible for re-election.

(2) A member of the Board appointed by the Minister shall hold office for such period not exceeding one year as may be prescribed by the

Minister at the time of the appointment of the member.

(3) Any elected member of the Board may by writing under his hand addressed to the Chairman resign his seat on the Board and any member appointed to the Board may by writing under his hand addressed to the Minister resign his seat on the Board.

(4) Any member of the Board shall be deemed to have vacated his seat if-

- (a) he dies, is certified insane, is adjudicated a bankrupt or accepts any office of profit in the gift or disposal of the Board;
- (b) not being an *ex officio* member, he or his alternate is absent without the leave of the Board from four consecutive meetings of the Board;
- (c) not being an *ex officio* member, he ceases to be eligible for election to the Board.

(5) Subject to the existence of a quorum, the Board shall be deemed to be properly constituted notwithstanding the existence of a vacancy or the failure of the processors or the Association to elect their representatives.

(6) If any member resigns his office as a member of the Board or vacates his seat in any of the circumstances mentioned in subsection (4), the Minister or the processors or the Association, as the case may be, shall appoint or elect another person or representative to the Board who shall hold office for the remainder of the term of office of the member who has resigned or vacated his seat.

12. (1) The Board shall hold meetings for the transaction of its business at such time and place and upon such days as the Chairman may determine from time to time.

Meetings and
quorum of the
Board.

(2) The Chairman may, at any time and shall, within seven days of the receipt of a requisition for that purpose addressed to him by any three members, call a special meeting of the Board.

(3) The Chairman shall preside at all meetings at which he is present and in his absence the members present shall elect one of their number to preside at that meeting.

(4) At any meeting of the Board, five members shall constitute a quorum.

(5) The Board, with the approval of the Minister, may make standing orders for regulating its proceedings and may from time to time alter or amend the same.

Expenses of the Board.

13. (1) The expenses of the Board shall be met out of funds to be provided as to one half by the Association and as to the other half by the processors, to be provided in such proportions as the processors shall agree between themselves or, in default of agreement, in such proportions as the Minister shall decide.

(2) The Board shall, on or before 31st May in each year, submit to every processor and to the Association estimates of the expenditure of the Board for the year commencing on 1st July next ensuing, and if the estimates are agreed to, the processors and the Association shall deposit with the Board one half of their respective shares of such estimated expenditure on or before 30th June next following the receipt of such estimates of expenditure, and the other half of their respective shares on or before 31st December next following.

(3) If the Board and the processors and the Association cannot agree to the estimates of expenditure within twenty-one days, the estimates shall be referred to the Minister whose decision thereon shall be final and binding upon the Board, the processors and the Association.

(4) Where the Minister has decided the estimates of expenditure the Association and the processors shall pay to the Board the first half of their respective shares within twenty-eight days of such decision.

14. No member of the Board shall be personally liable for any act or default of the Board done or omitted to be done in good faith in the course of the operations of the Board.

Liability of members of the Board.

15. The Board shall cause proper accounts to be kept of its financial transactions. Such accounts shall be made up in respect of each financial year and audited by an auditor appointed by the Board and approved by the Minister and when so audited shall be submitted to the Minister who shall cause them to be published in the *Gazette* and at least one local newspaper within six months of the close of the financial year.

Accounts of the Board.

16. The powers and duties of the Board shall be as follows-

Powers and duties of the Board.

- (a) to employ such officers and servants upon such terms and conditions as it may think fit;
- (b) to request, receive and deal with returns from processors and from the Association;
- (c) before each year of operation, to authorise the Association to issue licences to producers to deliver citrus to processors in such quantities and during such periods and subject to such terms and conditions as may be specified in any contracts signed between the Association and the processors or, in the absence of any such contracts, as may be specified in such authorisation;
- (d) when requested by either party, to be arbitrator in any dispute, issue or disagreement arising between any processor and the Association. The decision of the Board in

any such arbitration shall be final and binding upon both parties;

- (e) to advise processors and the Association on any matter in connection with this Act, which they may refer to the Board;
- (f) to advise the Minister on the granting of licences to exporters and importers of citrus and on the control of sale of citrus or processed fruit for consumption locally, including the fixing of the prices thereof;
- (g) to determine the basic quota of each producer, which shall be calculated on the estimated deliveries to be made by producers to processors each year and upon such other information as the Board may consider requisite in the circumstances of any particular producer;
- (h) to comply with any directions, whether general or special, given by the Minister in connection with the exercise or discharge of any powers or duties conferred upon it by this Act;
- (i) to hear and determine appeals by any person aggrieved at the refusal by the Association to issue a licence to him or to accept him as a member of the Association or at the terms and conditions of his licence.

Regulations.

17. (1) The Board may, with the approval of the Minister, make regulations generally for the control of the citrus industry and for better giving effect to the provisions of this Act, and without prejudice to such general powers, may make regulations-

- (a) concerning the form of licences, application for licences,

reports, returns and other documents;

- (b) prescribing the records to be kept and the returns to be made by all persons licensed under this Act;
- (c) requiring every producer to produce his licence to deliver citrus to a processor at the time of first delivery or at other times as may be specified by the Board;
- (d) prescribing all things required to be prescribed.

(2) Any person who contravenes or fails to comply with any regulations made under this section shall for each offence be liable on summary conviction to a penalty not exceeding two hundred and fifty dollars or to imprisonment for a period not exceeding six months.

18. (1) The annual price of citrus shall be the price per contract box as decided in accordance with the provisions of this section.

Determination of current price of citrus.

(2) The annual price of citrus shall be decided in two stages in discussions between the individual processors and the Association before the beginning and after the close of each year of operation and shall include -

- (a) a first payment on account by processors to producers per contract box of citrus upon its delivery by producers; and
- (b) a second payment in one or more amounts after the fruit has been exported and sold, whether in the form of fresh fruit or processed fruit.

(3) In determining the annual price of citrus, the following factors shall be taken into consideration, namely, the return from the sale of citrus, the quantities of citrus available for export or exported, and the value of orange oil

and any by-products.

(4) If the individual processors and the Association fail to agree upon either of the two payments referred to in subsection (2), they shall report to the Board that they have failed to reach agreement. Upon receipt of such a report, the Board shall consider the matter and determine the amount to be paid or shall refer the matter to an arbitrator or arbitrators to be appointed by the Board whose decision shall be final and conclusive.

(5) The second payment towards the annual price per contract box of citrus shall be made-

(a) as soon as possible and in any case not later than nine months after the close of the year of operation to which it relates;

(b) to the producer on the instructions of the Association, which shall deduct and retain therefrom before paying the balance due to each producer any cess per contract box levied by the Association in accordance with section 38.

(6) Each producer shall be entitled to receive in first and second payment the average price paid by a processor for oranges or grapefruit or other citrus delivered to him by producers, that is to say, the price found by dividing the total number of contract boxes of oranges or grapefruit or other citrus delivered to the processor by producers into the total sum to be paid by the processor for oranges or grapefruit or other citrus taken separately:

Provided that by agreement between the Association and a processor, a producer may be paid a premium for fruit of special grade delivered by him to the processor, which premium shall not be included in the average price.

(7) Notwithstanding the foregoing provisions of this section, the processors and the Association may enter into an agreement to use an alternative system of payment for citrus delivered to processors (such as the Pound Solids Measurement System), and every system so agreed between the parties shall be as valid and effectual as the Contract Box System referred to in subsection (1) above.

4 of 2003.

19. (1) There is hereby created a body corporate by the name of the Citrus Growers' Association with perpetual succession and a common seal which shall be judicially noticed, which may sue and be sued in its corporate name and may make contracts and hold and dispose of land of whatever tenure and other property for the purpose of carrying out its functions under this Act.

Establishment of new Citrus Growers' Association.

(2) All deeds, documents or other instruments requiring the seal of the Association shall be sealed with the common seal of the Association in the presence of the Chairman and one other member of the Committee who shall sign every such deed, document or other instrument to which the common seal is affixed.

20. The Association may enter into contracts with the individual processors relating to all matters connected with the sale and delivery of citrus by the Association to the processors.

Contracts.

21. (1) The objects of the Association shall be-

Objects of the Association.

(a) to promote, foster and encourage the growing of citrus and the orderly and proper delivery thereof to processors and the extension and welfare of citrus growing as an industry;

(b) to assist in the preparation of or the settling of terms for contracts between producers and processors and with labour;

20 of 2000.

- (c) to assist in settling disputes which may arise between producers and processors, between producers and labour, and between producers *inter se*;
- (d) to act as agents for producers or any of them in any matter within the scope or objects of the Association and to undertake and execute any trusts or any agency business which may seem directly or indirectly conducive to the objects of the Association;
- (e) to make representations to the Minister on any matter affecting the interests of producers;
- (f) to buy and sell and deal in fertilizers and agricultural implements and supplies if and when it may be deemed necessary to do so for the benefit of the members of the Association;
- (g) to invest and deal with the moneys of the Association in such manner as may from time to time be determined by the Committee and to pay all costs, charges and expenses that may be incurred by the Association at any time;
- (h) to undertake, promote and facilitate the investment of monies of the Association either alone or in association with other persons or entities, including the formation of companies or corporations conducive to the attainment of its aims and objectives;
- (i) to establish and support and to aid in the establishment and support of any other association and to become members of any such associations in Belize or elsewhere formed for all or any of the objects of the Association;

- (j) to endeavour to obtain for and to extend financial aid to such members who may require such aid in the carrying on of their cultivation;
- (k) to borrow or raise or secure the payment of money for the purposes of the business of the Association;
- (l) generally to do all such acts, matters and things as may appear to the Committee to be conducive to the attainment of the above aims and objects or any of them.

(2) No member of the Association shall be personally liable for any act or default of the Association done or omitted to be done in good faith in the course of the operations of the Association.

22. (1) Members of the Association shall be of two kinds, namely full members and provisional members.

Membership.
17 of 1987.

(2) Any person who satisfies the Committee that he has not less than three acres of citrus trees and has produced not less than three hundred boxes of citrus in the year of operation preceding his application shall be entitled to become a full member of the Association on application to the Committee and on payment of the prescribed fee and on furnishing such other information relating to his citrus trees as may be required by the Committee.

(3) Every other person who satisfies the Committee that he has at least one acre of citrus trees to come into bearing shall be entitled to become a provisional member of the Association on application and on payment of the prescribed fee. Provisional members may attend meetings of the Association and participate in the discussions thereat, but may not vote and shall not be eligible to hold office in the Association.

23. (1) The Committee shall keep, in such form as the Board may prescribe, a register containing in respect of each member of the Association particulars

Register of
membership.

of-

- (a) his full name and address;
- (b) the acreage and location of the lands in his possession or control on which citrus is being produced;
- (c) the number of acres under cultivation with citrus, distinguishing between species of citrus and the varieties thereof; and
- (d) such other particulars as the Board may from time to time direct.

(2) The register shall be open to inspection during normal office hours by any member of the Association or of the Board.

Standing orders. 24. The Association may, with the approval of the Board, make standing orders for regulating its proceedings.

Management. 25. The affairs of the Association shall be managed by a Committee of Management which shall have control of the income, capital and property of the Association and shall have full authority in all matters connected with the appointment and dismissal of officers and servants of the Association and with the administration of the affairs and the accomplishment of the objects and purposes of the Association.

Committee of Management. 26. (1) The Committee shall consist of nine members of the Association who shall be elected by the full members thereof.

17 of 1987.

(2) Of the nine members-

- (a) seven shall be persons who shall each have not less than ten acres of citrus trees and who shall each have produced

and delivered to the processors not less than one thousand contract boxes of citrus during the preceding year of operation;

- (b) two shall be persons who shall each have not less than three acres and not more than nine acres of citrus trees and who shall each have produced and delivered to the processors not less than three hundred contract boxes of citrus during the preceding year of operation:

Provided that at any election of the Committee of Management, the nine members may, for good and sufficient cause, be elected from the general membership of the Association without regard to the provisions of paragraphs (a) and (b) of this subsection.

(3) At the first annual general meeting of the Association to be held all the members of the Committee shall retire from office, but they shall be eligible for re-election, and at the annual general meeting in every subsequent year one-third of the elected members for the time being, or, if the number is not a multiple of three, then the number nearest to one-third, shall retire from office.

(4) The members to retire in every year shall be those who have been longest in office but as between persons who became members on the same day those to retire shall (unless they so agree among themselves) be determined by lot.

(5) A retiring member shall be eligible for re-election.

(6) Any person who is indebted to the Association in any sum exceeding one thousand dollars and has been delinquent for more than two years shall not be eligible for election to the Committee, and no such person shall be elected to the Committee notwithstanding that he is a registered member of the Association:

Provided that after such person has fully discharged his indebtedness to the Association, he may, subject to the foregoing provisions of this section, be eligible for election to the Committee.

(7) Where any member of the Committee is or becomes indebted to the Association in any sum exceeding one thousand dollars and has been or remains delinquent for more than two years, he shall be deemed to have vacated his seat:

Provided that after such member has fully discharged his indebtedness to the Association, he may, subject to the foregoing provisions of this section, be eligible for election to the Committee.

Vacancy in
Committee.

27. (1) A member of the Committee shall vacate his seat if he-
- (a) ceases to be a producer or the attorney, manager or accredited agent of a producer;
 - (b) is absent from three consecutive meetings of the Committee without leave of the Committee;
 - (c) resigns or is removed from the Committee under the provisions of subsection (2).
- (2) A member of the Committee may at any time be removed from office by a majority of two-thirds of the members present and entitled to vote at a special general meeting.
- (3) The Committee may fill any vacancy among its members caused by the death, resignation, illness, absence from the country or inability to act of a member by a temporary appointment from among the members of the Association until an appointment has been made by the Association in general meeting.

(4) The proceedings of the Committee shall not be invalidated by reason of any temporary vacancy or vacancies in the body of members composing the Committee and notwithstanding any such vacancy the Committee shall, subject to the existence of a quorum, be deemed to be properly constituted.

(5) The Committee shall annually elect from amongst its members a Chairman and a Vice-Chairman.

(6) The Committee shall, subject to the approval of the Board, appoint a General Manager of the Association who shall be the chief executive officer of the Association and who shall be charged with the general supervision of the affairs and operations thereof and shall be present at all meetings of the Committee.

28. Subject to this Act, the Committee may, with the approval of the Board, make standing orders for-

Committee to make standing orders.

- (a) the regulation of its proceedings, the calling of meetings, the quorum necessary for the transaction of business, the voting of the members of the Committee and the retirement in rotation of members of the Committee;
- (b) the appointment of executive committees and sub-committees and the delegation to such committees and sub-committees of the powers and duties of the Committee;
- (c) the appointment and removal of the officers and servants of the Association as the Committee may think fit and the allocation of the duties of the officers and servants;
- (d) the keeping and presentation of accounts,

and generally for carrying into effect the objects of the Association.

- Rules. 29. (1) Subject to this Act, the Association in general meeting may make rules for-
- (a) prescribing the rights and privileges and for regulating the admission and removal of members of the Association;
 - (b) regulating the use of the facilities of the Association by members of the Association and by the public;
 - (c) prescribing the entrance fees and annual subscriptions to be paid by members of the Association;
 - (d) prescribing the fees to be charged by the Association for any of the services specified in section 21.

(2) Until rules are made by the Association under subsection (1), the rules of the British Honduras Citrus Growers' Association in force immediately prior to the date of the commencement of this Act shall continue in force except in so far as they are inconsistent with the provisions of this Act.

Annual general meeting.
10 of 1988.

30. A general meeting of the Association (called the annual general meeting) shall be held within one month of this Act becoming law and thereafter once in every calendar year not later than 15th September, at such place as the Committee may appoint:

Provided that the Minister may, if satisfied that it is not practicable to hold the annual general meeting before 15th September, allow such meeting to be held on any other date not later than 31st December.

Special general meeting.

31. (1) A special general meeting of the Association shall be called by the secretary-

- (a) upon the direction of the Committee; or

(b) upon the receipt by him of a requisition signed by not less than fifteen members of the Association and specifying the business to be transacted thereat.

(2) Every special general meeting called on the requisition of members of the Association shall be held not less than ten nor more than twenty-one days from the receipt of the requisition by the secretary.

32. (1) The quorum at any general meeting whether annual or special shall be twenty-five per cent of the total number of registered members. Quorum.

(2) Every member of the Association shall be given at least ten days' notice of every general meeting, whether annual or special.

(3) Every notice shall in the case of a special general meeting specify the business to be transacted thereat.

33. (1) The Committee shall, on or before 1st May in each year, prepare and submit to the Minister estimates of the income receivable and expenditure to be incurred by the Association during the financial year commencing on 1st July next following. The Committee shall also obtain and submit together with the said estimates the comments of the Board thereon. Committee to submit estimates of revenue and expenditure.

(2) The Committee shall submit the estimates in the form required by the Minister, who may approve the estimates as submitted or amend them and approve them as amended.

(3) When the Minister has approved the estimates, whether with or without amendments, he shall cause the approved estimates to be published in the *Gazette*.

(4) Except with the approval of the Minister, no further sum shall be expended during any financial year other than is provided in the estimates relating to such financial year.

Annual report
of Association.
20 f1971.

34. (1) The Committee shall prepare and present to the annual general meeting of members of the Association a report of its proceedings for the year ending 30th June preceding such meeting together with a complete statement of its financial position and its accounts, audited and certified by an auditor approved by the Minister, for such period.

(2) The Committee shall forward certified copies of such report, statement and accounts to the Minister, who shall cause the same to be published in the *Gazette* and at least one local newspaper within six months of the close of every financial year.

Rules to be
approved by
Minister.

35. Subject to section 29(2), no rules made by the Association in general meeting shall come into force until they have been approved by the Minister.

Powers and duties
of the Committee.

36. (1) The Committee may authorise any person in writing to enter and inspect the citrus cultivation of any member of the Association and any person so authorised shall, when requested, produce his authority to enter and inspect such cultivation.

(2) The Committee shall keep full and proper accounts of all its financial transactions in respect of each financial year.

(3) The Committee shall comply with all lawful directions given to the Association by the Board.

(4) The Committee shall have and may exercise all the powers conferred upon the Association by this Act.

(5) The Committee shall submit an annual return to the Board, at such time as the Board may determine, of all members of the Association, together with the following particulars in respect of each member-

(a) the acreage and location in which his citrus cultivation is situated;

- (b) the deliveries of citrus made by him to processors during the preceding year of operation;
- (c) the quantities of citrus in respect of which he had been granted licences during the preceding year of operation.

(6) Any person who wilfully obstructs, hinders or molests any person in the performance of his duties under subsection (1) commits an offence.

37. (1) The Committee, as soon as practicable after the receipt of an authorisation issued by the Board under section 16, shall issue licences in accordance with the following provisions of this section to all producers who are members of the Association desiring to produce and deliver citrus to processors.

Producers' licences.

(2) Such licences shall be issued for the respective period or periods stated in such authorisation and shall conform with any terms or conditions contained in such authorisation.

(3) The licence to be issued to each producer under this section shall be for such quantity of merchantable mature citrus as is determined by the Committee.

(4) If it appears to the Committee during the course of a year of operation that any producer has failed to produce the amount of citrus which he had been licensed to produce, the Committee may, with the approval of the Board, issue additional licences to any other producer or producers permitting them to deliver to processors an amount of citrus in excess of the quantity stated in their licences.

(5) Any producer aggrieved by the terms and conditions of his licence may appeal to the Board which may dismiss such appeal or allow such appeal and substitute such terms and conditions as it sees fit.

Imposition of
cess.

38. (1) The Association may impose, levy and collect a cess upon all citrus delivered to processors. The rate and manner of collection of such cess shall be fixed by the Committee before the beginning of each year of operation, and notice thereof shall be given to every member of the Association.

(2) Cess shall be applied-

(a) for research; and

(b) to meet the ordinary running expenses of the Association in such proportion as may be decided by the Committee of Management with the approval of the Association in general meeting.

(3) The rate of cess shall not exceed 5 1/3 cents per box of citrus except with the approval of the Minister.

(4) A cess imposed under this section may not be varied during the year of operation in respect of which it was imposed.

Establishment of
Harvest
Committee.

39. (1) There is hereby established a Committee to be known as the Harvest Committee which shall hold office for the year of operation and shall consist of-

(a) the agricultural officer of the area or any other member of the Agricultural Department nominated by him who shall be the Chairman but shall not be entitled to a casting vote;

(b) a representative of each processor;

(c) representatives of the Association appointed by the Committee equal in numbers to the representatives of the processors.

(2) At any meeting of the Harvest Committee, three members shall constitute a quorum for the transaction of business.

(3) The General Manager of the Association appointed under section 27 (6) shall be the secretary of the Committee.

(4) The Harvest Committee shall exercise supervision and control over the harvesting of citrus by producers.

(5) The Harvest Committee, in respect of each week during the harvesting season, shall decide-

(a) which producer shall deliver citrus to the processors;

(b) the quantities of such deliveries; and

(c) the dates during which such deliveries shall be made.

(6) The Harvest Committee shall issue a list of their decisions made in accordance with subsection (5), and such list shall be known as a programme of deliveries. 14 of 1968.

(7) The Harvest Committee shall, as soon as practicable after the issue of a programme of deliveries, send a copy to the Board, the Association and processor.

(8) The Committee shall, upon the receipt of each programme of deliveries, take immediate steps to organise the deliveries of the citrus by producers to conform with such programme, and shall inform all producers concerned of the time within which their citrus will be accepted by the processors in question.

- Standing orders of Harvest Committee. 40. The Harvest Committee may, with the approval of the Board, make standing orders regulating its own proceedings; the powers of the Harvest Committee shall not be affected by any vacancy in the membership thereof.
- Licence not transferable. 41. (1) No licence issued in accordance with this Act shall be bought, sold or otherwise transferred except in accordance with the provisions of the next succeeding subsection.
- (2) If a producer sells or leases the lands on which he is producing citrus for delivery to processors, he may, with the prior approval of the Board given in writing, transfer his licence to the new owner or lessee of the lands. Approval for such transfer shall not be unreasonably withheld by the Board.
- Penalty. 42. Any person guilty of an offence against this Act for which no other penalty is provided shall be liable on summary conviction to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding six months.
- Vesting of property, etc., in the Association. 43. Upon the coming into force of this Act, all property of whatever kind, rights, liabilities and obligations which immediately before the coming into force of this Act were vested in the British Honduras Citrus Growers' Association shall vest in the Association.