

# **Sugar Investment Trust (Election of Directors and Representatives) Regulations 2012**

**GN No. 6 of 2012**

## **THE SUGAR INDUSTRY EFFICIENCY ACT**

### **Regulations made by the Minister under section 34(1)(a) of the Sugar Industry Efficiency Act**

**1.** These regulations may be cited as the **Sugar Investment Trust (Election of Directors and Representatives) Regulations 2012**.

**2.** In these regulations –

“Act” means the Sugar Industry Efficiency Act;

“Board” means the Board of Directors of the Trust;

“representative” means a representative of a factory area as specified in section 6 of the Act.

**3.** (1) The election of the Directors of the Board under section 5(3) of the Act shall be conducted by the Office of the Electoral Commissioner.

(2) A Director of the Board shall hold office for a term of 3 years or until such time as the next Board is elected.

(3) No person shall be eligible for appointment as Director of the Board under section 5(2)(f) of the Act where immediately before such appointment, he has held office as Director of the Board for 2 or more consecutive terms.

**4.** (1) The election of the representatives under section 6(1) of the Act shall be conducted by the Office of the Electoral Commissioner.

(2) A representative shall hold office for a term of 3 years.

(3) In the event of the resignation, incapacity to act or death of a representative elected under section 6(1) of the Act, the vacancy shall be filled by the unsuccessful candidate who obtained the highest number of votes at the election in respect of the relevant factory area and who belonged to the same category of candidates as that to which the representative belonged.

5. (1) The Board may designate at least one planter and one employee, elected under section 6(2) of the Act, who shall be from the factory area of the sugar milling company to represent the Trust, as directors alternate to the Directors appointed under section 5(2) of the Act on the board of the relevant sugar milling company.

(2) An alternate director designated under paragraph (1) may replace a director on the board of the sugar milling company in case of incapacity, ill-health, death or prolonged absence of the director.

(3) Where a deceased representative was a director on the board of a sugar milling company, the unsuccessful candidate designated to replace him as representative may be appointed by the Board to replace the deceased representative as a director of the relevant sugar milling company.

6. Notwithstanding these regulations –

(a) the Directors elected to serve as members of the Board under section 5(2) of the Act and who are in office at the coming into operation of these regulations shall remain in office until new Directors are elected following an election held under section 5(3) of the Act;

(b) the representatives elected to serve as members of the Assembly of Delegates under section 6(2) of the Act and who are in office at the coming into operation of these regulations shall remain in office until new representatives are elected following an election held under section 6(1) of the Act;

(c) an election under section 6 of the Act shall be held not later than May 2012.

7. Regulations 4A, 5 and 6 of the Sugar Investment Trust Regulations 1995 are revoked.

8. These regulations shall be deemed to have come into operation on 1 January 2012.

Made by the Minister on 20 January 2012.

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