NATIONAL AGRICULTURAL MARKETING AND DEVELOPMENT CORPORATION ACT

CHAPTER 63:05

Act
16 of 1991

Current Authorised Pages

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Note on sections 32 and 33 with respect to the preservation of Existing Regulations

This Act repealed the Central Marketing Agency Act (Chap. 68:01). However, the Regulations made under the repealed Act shall continue in force as though made under this Act. (*See* sections 32 and 33 of this Act). These Regulations are contained in the Appendix to this Act.

CHAPTER 63:05

NATIONAL AGRICULTURAL MARKETING AND DEVELOPMENT CORPORATION ACT

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CHAPTER 63:05

NATIONAL AGRICULTURAL MARKETING AND DEVELOPMENT CORPORATION ACT

An Act to provide for the establishment of the National Agricultural Marketing and Development Corporation and for matters incidental thereto. 16 of 1991.

[16TH AUGUST 1991] Commencement.

1. This Act may be cited as the National Agricultural Marketing and Development Corporation Act. Short title.

PRELIMINARY

2. In this Act— Interpretation.

"Agency" means the Central Marketing Agency established under the Central Marketing Agency Act and made defunct by virtue of section 32(1); Ch. 68:01.

"agricultural produce" means ground provisions, livestock, fish, eggs and any farm produce or any foodstuffs found in the sea or cultivated above or beneath the soil;

"Corporation" means the National Agricultural Marketing and Development Corporation established under section 3;

"livestock" means any animals that are commonly reared for the purpose of food for human consumption and includes cattle, sheep, goats, pigs or poultry;

"Minister" means the Minister to whom responsibility for agriculture and food production is assigned;

"poultry" includes any fowl, chicken, turkey, duck, goose or other bird commonly reared for the purpose of food for human consumption;

"repealed Act" means the Central Marketing Agency Act (Ch. 68:01) repealed by this Act;

"retail market" means a market whether established in pursuance of any written law or otherwise in which agricultural produce is offered for sale by retail.

PART I

ESTABLISHMENT OF THE CORPORATION

Establishment and incorporation of the Corporation.

3. There is hereby established, as a body corporate, a corporation to be known as the National Agricultural Marketing and Development Corporation.

Constitution of the Corporation.

4. (1) The Corporation shall consist of nine members selected as follows:

(a) six members appointed by the President and having special qualifications or experience as follows:

(i) one in business management;

(ii) one in finance or management accounting;

(iii) one in produce marketing and trade;

(iv) one in food technology or agro-industry;

(v) one in information technology; and

(vi) one in agricultural production with special reference to small farming;

(b) a representative of—

(i) the Ministry responsible for agriculture; and

(ii) the Tobago House of Assembly; and

(c) the Chief Executive Officer who shall be an *ex officio* member of the Corporation.

(1A) Notwithstanding subsection (1), vacancies in the membership of the Corporation shall not affect its legal existence, unless its membership is reduced to less than five.

(2) The President shall from among the members of the Corporation appoint a Chairman and a Deputy Chairman.

(3) A member appointed under subsection (l)*(a)* or *(b)* shall, subject to subsection (4), hold office for such period not exceeding two years as the President shall specify at the time of appointment, but shall be eligible for reappointment.

(4) Any member may at any time resign his office by instrument in writing addressed to the Chairman, who shall forthwith cause it to be forwarded to the Minister.

(5) The appointment of any person as a member of the Corporation and the termination of office of any such member whether by death, resignation, revocation, effluxion of time or otherwise, shall be notified in the *Gazette*.

(6) Each member shall make and subscribe an oath before a Justice of the Peace that he will faithfully, and to the best of his ability, discharge the trust and perform the duties devolving upon him as such member.

Seal of the Corporation and service of documents.

5. (1) The seal of the Corporation shall be kept in the custody of the Chairman, or the Deputy Chairman, or the Corporate Manager and may be affixed to instruments pursuant to a resolution of the Corporation and in the presence of the Chairman or the Deputy Chairman, and of one other member, and the Corporate Manager.

(2) The seal of the Corporation shall be authenticated by the signature of the Chairman, or the Deputy Chairman, and the Corporate Manager.

(3) All documents, other than those required by law to be under seal, made by, and all decisions of, the Corporation shall be signified under the hand of the Chairman, or the Deputy Chairman, or the Corporate Manager.

(4) Service upon the Corporation of any notice, order or other document shall be effected by delivering the same or by sending it by registered post addressed to the Corporate Manager at the registered office of the Corporation.

Procedure and meetings of the Corporation.

6. (1) The Corporation shall meet at least once per quarter and at such times as may be necessary or expedient for the transaction of business, and at such places and times and on such days as the Corporation may determine.

(2) The Chairman may at any time call a special meeting of the Corporation and shall, within seven days of the receipt of a requisition in writing addressed to him by three or more members summon a special meeting to consider the matters contained in the requisition.

(3) Minutes in proper form shall be kept by the Corporate Manager and shall be confirmed as soon as practicable thereafter at a subsequent meeting and certified copies of the minutes when so confirmed shall be forwarded to the Minister within the prescribed period.

(4) The Corporation may co-opt any one or more persons to attend any particular meeting for the purpose of assisting or advising the Corporation, but no such co-opted person shall have any right to vote.

(5) Subject to this section, the Corporation has power to regulate its own proceedings.

Committees of the Corporation.

7. (1) The Corporation may appoint a committee (hereinafter called a "committee of the Corporation") to examine and report to it on any matter whatsoever arising out of or connected with any of its powers and duties under this Act.

(2) A committee of the Corporation shall consist of at least one member of the Corporation together with such other persons, whether members of the Corporation or not, whose assistance and advice the Corporation may desire.

(3) Where persons, not being members of the Corporation, are members of a committee of the Corporation, or where any person is co-opted under section 6(4), the Corporation may with the approval of the Minister by resolution declare the remuneration and allowances of such persons, and such sums shall properly be payable out of the funds and resources of the Corporation.

(4) The Corporation may by resolution reject the report of any such committee or adopt it either wholly or with such modifications, additions or adaptations as the Corporation may think fit.

Power of Corporation to delegate.

8. (1) Subject to this Act, the Corporation may delegate to any member or committee of the Corporation the power and authority to carry out on its behalf such duties as the Corporation may determine.

(2) In the discharge of its functions, the Corporation may arrange for the duties to be carried out either by the Corporation directly through its own officers, servants and employees, or indirectly through persons with whom the Corporation has entered into contract.

Functions of the Corporation.

9. (1) The functions of the Corporation are to create, facilitate and maintain an environment conducive to the efficient marketing of agricultural produce and food products through the provision of marketing services and the stimulation of business investment in the agro-industrial sector of Trinidad and Tobago.

(2) Without prejudice to the generality of subsection (1) the Corporation may—

(a) facilitate and promote the effective and efficient marketing of agricultural produce and food products and advise on the importation of and the mechanisms available to enlarge the local and international market for such produce and products;

(b) develop and provide information in respect of domestic and export markets in order to assist in the efficient organisation of production, storage and distribution of agricultural produce and food products in a manner that promotes entrepreneurial development;

(c) establish and administer wholesale markets for agricultural produce and food products;

(d) advise on policy formulation for the development and management of the retail marketing of agricultural produce and food products;

(e) facilitate the promotion of agro-industrial development;

(f) develop, administer and monitor a system of grades and standards aimed at improving the marketing of agricultural produce and food products;

(g) take over relevant activities or functions previously discharged by the Agency;

(h) lease any lands, buildings, facilities or equipment;

(i) advise on price support measures and implement such price support measures as the Minister may approve; and

(j) do all things necessary or incidental to the foregoing and generally carry out the provisions of this Act.

Declaration of interest.

10. (1) A member of the Corporation who is in any way, whether directly or indirectly, interested in a contract or a proposed contract with the Corporation, that is the subject of consideration by the Corporation shall declare the nature of his interest at the first meeting of the Corporation at which it is practicable for him to do so.

(2) A member of the Corporation shall not vote or participate in discussion on any question in respect of any contract or proposed contract, with the Corporation, in which he is in any way interested whether directly or indirectly.

(3) Any person who fails to comply with the provisions of subsection (1), is liable on summary conviction to a fine of one thousand five hundred dollars.

Remuneration of members of Corporation.

11. There shall be paid to each member of the Corporation in respect of his office such remuneration as the President may from time to time determine and to the holders of the offices of Chairman and Deputy Chairman such remuneration in addition to any remuneration which they may receive in respect of their offices as members of the Corporation as may be so determined.

Corporation to comply with directions of Minister.

12. In the exercise of the powers and duties conferred and imposed on it by this Act, the Corporation shall comply with any special or general directions which may from time to time be given to it by the Minister.

PART II

STAFF

Appointment of officers and other employees.

13. (1) Subject to section 14, the Corporation may with the approval of the Minister appoint—

(a) a Chief Executive Officer, who shall be responsible for carrying out the decisions of the Corporation; and

(b) a Deputy Chief Executive Officer,

on such terms and conditions of service as the Minister shall approve.

(2) Subject to section 14, the Corporation may, on such terms and conditions of service as it thinks fit, appoint a Corporate Manager and such other officers and employees as may be necessary for the efficient administration, management and performance of its functions.

Conditions of employment of staff of the Agency by the Corporation.

14. (1) Subject to subsection (2), on the coming into force of the Act, all officers and members of staff of the Agency shall become officers and members of the Corporation on terms and conditions enjoyed by them while in the employment of the Agency.

(2) Where a post on the establishment of the Corporation is abolished in such a manner that subsection (3) is not applicable to the incumbent, he shall be granted a temporary pension in accordance with section 15(4) of the Pensions Act. Ch. 23:52.

(3) The persons to whom subsection (1) refers shall within twenty-four months after this Act comes into force, exercise any of the following options:

(a) to remain on the staff of the Corporation on terms and conditions that are no less favourable than the terms and conditions enjoyed while in the service of the Agency;

(b) to transfer to the public service or the service of any statutory board or statutory authority with the approval of the appropriate Service Commission;

(c) to retire voluntarily on pension in accordance with the Pensions Act, if applicable, or on such terms and conditions as prescribed in the Second Schedule to the Voluntary Termination of Employment Act, if applicable, or on such terms and conditions as are agreed upon between the person exercising this option or his recognised bargaining body and the Chief Personnel Officer.

Ch. 23:03.

(4) Where a person does not exercise any of the options listed in subsection (3)*(a)* to *(c)*, he shall be deemed to have retired voluntarily in accordance with subsection (3)*(c)*.

Pension rights.

15. (1) The pension rights which would have accrued to the officers and staff of the Agency as at the date of the coming into force of this Act, shall be preserved to them and shall continue to accrue until the establishment of a pension scheme under subsection (2).

(2) The Corporation shall, within two years of its coming into being, establish a pension scheme by rules confirmed by the Minister, which shall be no less favourable than the scheme established for the benefit of officers and staff of the Agency.

(3) Where an employee of the Corporation dies or retires on or after the date of the coming into force of this Act and before the establishment of the pension scheme, the Corporation shall be responsible for payment of superannuation or death benefits accruing to that employee.

(4) The basis for the accrual and payment of superannuation or death benefits shall be the same as that which was applicable to the employee while he was in the employment of the Agency.

Transfer of staff.

16. (1) The Corporation may, with the consent of the officer concerned and the appropriate Service Commission or the relevant body, authorise the transfer of an officer from the service of the Corporation to the service of the Government, the University of

the West Indies or such other body as the Corporation may think fit, or vice versa, on such terms and conditions of service, including remuneration and pension rights, as may be agreed upon by the officer concerned and the body to which he is to be transferred.

(2) A transfer under subsection (1) may be permanent or on secondment not exceeding five years.

(3) An officer shall, upon transfer under subsection (1), have preserved to him his superannuation or pension rights accruing at the time of the transfer.

PART III

TRANSFER OF PROPERTY RIGHTS AND LIABILITIES AND FINANCIAL PROVISIONS

Vesting of certain property rights.

17. (1) On the commencement of this Act, all lands, buildings, installations, equipment and all other forms of property, whether real or personal, and all interest therein of whatsoever nature belonging to and used exclusively by the Agency shall become vested in the Corporation.

(2) If any question arises under subsection (1) whether any land, building, installation or equipment was used exclusively for the purposes of the Agency, a certificate under the hand of the Minister shall be conclusive.

Pending legal proceedings, debts and liabilities, etc.

18. (1) In any legal proceedings to which immediately before the commencement of this Act the Agency was a party and which proceedings have reference to the powers and duties transferred by this Act, the Corporation shall be substituted for the Agency, and such proceedings shall not abate by reason of the substitution.

(2) All debts and liabilities standing in the books of the Agency shall be assumed by the Corporation on the commencement of this Act.

(3) All work, capital as well as otherwise, negotiations of any kind and anything whatsoever commenced by the Agency and incomplete at the date of the commencement of this Act shall be continued and completed by the Corporation just as if there had been no transfer from one body to another.

Funds of the Corporation.

19. The funds of the Corporation shall consist of—

(a) such sums as at the commencement of this Act stand to the credit of the Agency;

(b) such sums as may be advanced by the Treasury in pursuance of the provisions of section 35 of the Exchequer and Audit Act;

Ch. 69:01.

(c) moneys earned or arising from any property, investments, mortgages or debentures acquired by or vested in the Corporation;

(d) sums borrowed by the Corporation for the purpose of meeting any of its obligations or discharging its functions;

(e) all fees derived from services or facilities owned by the Corporation; and

(f) all other sums or property which may in any manner become payable to or vested in the Corporation in respect of any matter incidental to their powers and duties.

Power to borrow or raise capital.

20. (1) The Corporation may, from time to time, with the approval of the President, borrow, secure or raise money by the issue of debentures or debenture stock, or other security, for all or any of the following purposes:

(a) the fulfilling of the functions of the Corporation under this Act;

(b) the provision of capital for the expansion of and additions to its fixed assets;

(c) the redemption of any debenture or debenture stock or other security that the Corporation is required or entitled to redeem; and

(d) any other expenditures properly chargeable to capital account.

(2) The Corporation may, with the approval of the Minister, borrow by way of overdraft or otherwise for periods not exceeding one year, such sums as the Corporation may require for meeting its obligations and discharging its functions under this Act.

Power of the Corporation to borrow from Government.

21. (1) The Corporation may borrow by way of advances from the Government such sums as may be necessary for carrying out its functions under this Act, but the Minister shall cause a statement of such advances to be laid in the House of Representatives.

(2) For the purpose of making approved advances to the Corporation under this section, the Minister may authorise advances out of the proceeds of any loan raised for the purpose or out of the reserve funds, revenues or surplus balances of Trinidad and Tobago.

(3) Pending the raising of a loan referred to in subsection (2), the Minister by warrant under his hand may authorise the Comptroller of Accounts to make advances out of the Consolidated Fund to the Corporation in such sums and on such terms and conditions as the Minister may think fit for the purposes authorised by this Act.

(4) The repayment of advances under this section and the payment of interest thereon shall be made by the Corporation in like manner and on like conditions as other borrowings by the Corporation, subject to any special terms and conditions which may be imposed by the Minister.

(5) In this section and in sections 22 and 23, "Minister" means the Minister to whom responsibility for finance is assigned.

Application of revenue.

22. (1) The revenue of the Corporation for any financial year shall be applied in defraying the following charges:

(a) remuneration, fees and allowances of the members of the Corporation or of any committee thereof;

(b) salaries, fees, remuneration and gratuities, including payments for the maintenance of the Pension Fund authorised by this Act, of the officers, agents and employees, and technical and other advisers, of the Corporation;

(c) working and establishment expenses, and expenditure on, or provision for, the maintenance of the property and of any of the works of the Corporation and the insurance of the same and the discharge of the functions of the Corporation properly chargeable to revenue account;

(d) interest on any debenture and debenture stock or other security issued, and on any loan raised by the Corporation;

(e) sums required to be transferred to a sinking fund or otherwise set aside for the purpose of making provisions for the redemption of debentures or debenture stock or other security or the repayment of other borrowed money;

(f) such sums as may be appropriate to set aside in respect of depreciation on the property of the Corporation having regard to the amount set aside out of the revenue under paragraph *(e)*;

(g) any other expenditure authorised by the Corporation and properly chargeable to revenue account.

(2) The balance of the revenue of the Corporation shall be applied to the creation of reserve funds to finance future modernisation and expansion and for such other purposes as the Minister may approve.

Authorised investments.

23. Funds of the Corporation not immediately required to be expended in the meeting of any obligations or the discharge of any functions of the Corporation may be invested from time to time in securities approved by the Minister.

Accounting of Corporation.

24. (1) All decisions, orders, rules and regulations relating to the financial operations of the Corporation and authorised by this Act shall be made by resolutions of the Corporation at a meeting thereof and shall be recorded in the minutes of the Corporation.

(2) The Corporation shall keep proper accounts and other records in respect of its operations, and shall cause to be prepared a statement in respect of each financial year.

(3) The accounts of the Corporation shall be audited by the Auditor General or by such person publicly carrying on the profession of accountant as the Auditor General may appoint.

(4) The Corporation shall, before the commencement of each financial year, submit to the Minister for his approval a copy

of its budget relating to capital expenditure and the financing thereof, and a copy of its income and expenditure budget, in relation to such year and the Minister shall cause copies of such budgets to be laid on the Table of each House of Parliament.

(5) After the end of each financial year of the Corporation, the Corporation shall, as soon as the accounts of the Corporation have been audited, cause a copy of the statement of accounts to be transmitted to the Minister together with a copy of any report made by the auditors on that statement or on the accounts of the Corporation and the Minister shall cause a copy of every statement and report to be laid on the Table of each House of Parliament.

Cash deposits and payments.

25. (1) All moneys of the Corporation accruing from its operations under this Act shall be paid into a bank appointed by resolution of the Corporation, and such moneys shall as far as practicable be paid into the bank from day to day, except such sum as the Corporate Manager may be authorised by Rules made under section 26 to retain in his hands to meet petty disbursements for immediate payments.

(2) All payments out of the funds of the Corporation, except petty disbursements not exceeding a sum to be fixed by Rules made under section 26, shall be made by the Corporate Manager or on his behalf by any other officer appointed by the Corporation in accordance with any such Rules.

(3) Cheques against any banking account required to be kept or withdrawals from any savings bank account shall be signed by the Corporate Manager and countersigned by the Chairman or any member appointed by resolution of the Corporation for the purpose, and a copy of any such resolution shall be certified by the Chairman and forwarded to the bank concerned.

Rules.

26. The Corporation shall by resolution make rules in respect of the following matters:

(a) the manner in which, and the officers by whom, payments are to be approved;

(b) the bank into which the moneys of the Corporation are to be paid, the title of any account with any such bank, and the transfer of one fund from one account to another;

(c) the appointment of a member or an officer of the Corporation to countersign cheques on behalf of the Chairman or in the absence of the Chairman;

(d) the sum to be retained by the Corporate Manager to meet petty disbursements and immediate payments and the maximum sum that may be so disbursed for any one payment;

(e) the method to be adopted in making payments out of the funds of the Corporation; and

(f) generally as to all matters necessary for the proper keeping and control of the accounts and books and the control of the finance of the Corporation.

Annual report.

27. (1) The Corporation shall, as soon as practicable after the end of each financial year, make and transmit to the Minister a report dealing generally with the activities of the Corporation during the preceding financial year and containing such information relating to the operations and policy of the Corporation as the Minister may from time to time direct.

(2) The Minister shall cause a copy of every such report to be laid on the Table of each House of Parliament.

Three-year business plan.

28. The Corporation shall, as soon as practicable after the end of each financial year, submit a three-year business plan to the Minister for his approval.

Non-application of Ch. 69:01.

29. Notwithstanding section 32 of the Exchequer and Audit Act, sections 37 and 38 of that Act do not apply to the Corporation.

Exemption from Customs duty and income tax.

30. (1) Notwithstanding anything contained in any other written law, all plant, machinery, appliances, apparatus, equipment and materials of every kind whatsoever imported by the Corporation for the purpose of carrying out its functions under this Act shall be free of all Customs duty whatsoever.

(2) Notwithstanding anything contained in the Income Tax Act, the income of the Corporation shall be wholly exempt from payment of income tax. Ch. 75:01.

PART IV

GENERAL AND REGULATIONS

31. (1) The Corporation may, with the approval of the Minister, make Regulations for the carrying out of the purposes of the Act, and without limiting the generality of the foregoing may make Regulations— Regulations.

(a) establishing marketing schemes for agricultural produce and food products;

(b) prohibiting the sale of agricultural produce by retail within a specified distance of a Central Wholesale Market;

(c) establishing Central Wholesale Markets and prescribing the articles of agricultural produce to be sold therein;

(d) fixing in respect of each category of agricultural produce wholesale and retail units;

(e) determining the basis on which commissions are to be payable to the Corporation;

(f) providing for the licensing and registration of producers and wholesale buyers of agricultural produce;

(g) prescribing the standard to which items of agricultural produce must conform in order to be deemed to be marketable;

(h) requiring registered producers to keep records and, where required, to furnish returns of the quantity and price of all agricultural produce sold by them.

(2) Regulations made under subsection (1) may provide for the imposition of a fine of one thousand five hundred dollars for the contravention of any provision thereof.

Repeal and savings of Regulations under Ch. 68:01.

***32.** The following Regulations:

(a) the Registration of Producers of Agricultural Produce Regulations (LN 137/1967);

(b) the Poultry Industry Regulations (LN 81/1973) (as amended by LN 61/1988); and

(c) the Central Marketing Agency (Wholesale Marketing) Regulations (LN 40/1976),

(hereinafter collectively referred to as "the Existing Regulations") made under the repealed Act shall continue in force as though made under section 31 of this Act.

Construction of Existing Regulations.

***33.** A reference in the Existing Regulations to—

(a) the Central Marketing Agency or the Agency shall be construed and have effect as a reference to the Corporation;

(b) the General Manager shall be construed and have effect as a reference to the Chief Executive Officer.

**See* Note on page 2.

SUBSIDIARY LEGISLATION

NATIONAL AGRICULTURAL MARKETING AND DEVELOPMENT CORPORATION (SOUTHERN WHOLESALE MARKET) REGULATIONS

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SCHEDULE I.
SCHEDULE II.

[Subsidiary]

8/2000.

NATIONAL AGRICULTURAL MARKETING AND DEVELOPMENT CORPORATION (SOUTHERN WHOLESALE MARKET) REGULATIONS

made under section 31

PART I

PRELIMINARY

Citation.

1. These Regulations may be cited as the National Agricultural Marketing and Development Corporation (Southern Wholesale Market) Regulations.

Interpretation.

2. In these Regulations—

"authorised market user" means a vendor of a marketable commodity, scale operator or trolley operator who is the holder of a permit issued under regulation 4;

"licence" means a licence issued for the purposes of Part IV;

"Manager" means the person appointed by the Corporation to hold, or act in, the office of Manager of the Market;

"Market" means the Southern Wholesale Market, Debe, situate at San Fernando-Siparia-Erin Road, La Fortune Section, Ste. MadeleineArea of Caroni (1975) Limited, in the Ward of Naparima, comprising 5.8904 hectares and which is more particularly delineated and described and shown on the plan at Schedule I; Schedule I.

"marketable commodity" means agricultural produce and food products, haberdashery, agricultural inputs, meat, fish, live animals, and any other products which will be approved by the National Agricultural Marketing Development Company's (NAMDEVCO) Board of Directors from time to time;

"scale operator" means a holder of a permit issued under regulation 4 to operate a scale in the Market;

"trolley operator" means a holder of a permit issued under regulation 4 to operate a trolley in the Market.

PART II

MANAGEMENT OF THE MARKET

Powers, functions and duties.

3. (1) The Manager shall be responsible for the efficient management of the Market and may for that purpose implement management directives with respect to—

(a) prescribing the conditions under which authorised market users are permitted to operate or use any stall, space or thing in the Market;

(b) fixing the rent, fees and charges to be paid for the use of stalls and spaces;

(c) collecting fees for the use of the Market;

(d) fixing the times during which the Market shall be opened for business;

(e) supervising the sale of marketable commodities;

(f) prohibiting the offering for sale of any commodity which, in his opinion, is unfit for human consumption;

(g) maintaining order in the Market;

(h) removing nuisances or obstructions in the Market or in the immediate environs thereof; and

(i) doing anything necessary or expedient for the exercise, performance and discharge of his power, functions and duties or for giving effect to these Regulations.

(2) The Manager shall, in exercising his powers, functions and duties be assisted by staff provided by the Corporation.

Permission to operate in Market.

4. (1) No person shall—

(a) offer anything for sale whether wholesale or retail; or

(b) operate a trolley or scale,

in the Market without a permit issued under these Regulations.

(2) Where a person applies for a permit, the Manager, if he is satisfied that the applicant is a person of good character and otherwise suitable, shall upon payment of the appropriate fee, issue a permit as prescribed at Form B in Schedule II, and allocate a stall or space for the use of that person. Schedule II.

(3) An application for a permit referred to in subregulation (2) shall be made on Form A, set out in Schedule II, which may be collected from and deposited with the Manager.

(4) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

Manager may require authorised market user to submit himself to a medical examination.

5. (1) The Manager may require an authorised market user to submit himself for a medical examination by the District Medical Officer.

(2) The Manager may revoke a permit where—

(a) an authorised market user who is required to submit to a medical examination under subregulation (1) does not, within one month of that request, submit a certificate from the District Medical Officer stating that the authorised market user is not suffering from an infectious or contagious disease; or

(b) the District Medical Officer issues a certificate stating that the authorised market user is suffering from an infectious or contagious disease.

Non-liability of Corporation.

6. The Corporation shall not be liable for—

(a) the damage to any person in the Market;

(b) the damage to or loss of any thing left in the Market.

Pecuniary interest prohibited.

7. (1) The Manager or a member of the staff of the Market shall not have any pecuniary interest in the sale in the Market of any marketable commodity or in any animal slaughtered for sale.

(2) Notwithstanding subregulation (1), a member of staff of the Market may engage in commercial trading outside of his normal working hours.

(3) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

PART III

USE OF MARKET

Restriction on goods to be sold in Market.

8. (1) No authorised market user shall offer for sale in the Market anything other than a marketable commodity.

(2) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

(3) The Manager may revoke the permit of an authorised market user who is found guilty of an offence under subregulation (2).

Restriction on use of Market.

9. (1) No person shall be in the Market while it is closed for business, without the permission of the Manager.

(2) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

Occupancy of stall or space.

10. (1) No authorised market user shall occupy any space or stall without the approval of the Manager.

(2) No authorised market user shall be assigned more than one space or stall unless there are unassigned spaces or stalls available.

Permit to be presented on request.

11. An authorised market user shall present his permit, whenever requested to do so by the Manager or a person so authorised by him.

Authorised market user or his employee to sell in rented stall.

12. No person other than—

(a) an authorised market user; or

(b) an employee of the authorised market user,

shall sell or deposit for sale any marketable commodity in any place in the Market other than in the stall or space that has been assigned to him for sale of the marketable commodity.

Commodities unfit for human consumption.

13. The Manager shall remove or cause to be removed from the Market any marketable commodity which is unfit for human consumption and dispose them in the manner he thinks fit.

PART IV

SALE OF MEAT AND FISH

Licence required to sell meat or fish.

14. (1) Notwithstanding regulation 4, any person who wishes to sell meat or fish in the Market must apply to the Manager for a licence.

(2) Where a person applies for a licence, the Manager, if he is satisfied that the applicant is a person of good character and otherwise suitable, shall issue a licence.

(3) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

Restriction on meat brought into Market.

15. (1) No person shall bring into the Market, the meat of any animal unless he has a certificate from the Clerk of the Government Municipal Abattoir stating that the animal was slaughtered in his abattoir.

(2) Where the animal is slaughtered in a place other than a Government Municipal Abattoir, no person shall bring the meat of the animal into the Market unless he presents a certificate from—

(a) a Medical Officer of Health;

(b) a registered veterinary surgeon; or

(c) a Sanitary Inspector of the District, stating that the animal was inspected before and the meat after, slaughter.

Records of meat and fish shall be kept.

16. (1) A record of all meat and fish brought into the Market for sale, shall be kept by the Manager, and such record shall contain the following:

(a) the name of the person who brought in such meat or fish;

(b) the names of the persons who were allotted tables or stalls for the sale of such meat or fish;

(c) the weight of the meat or fish; and

(d) in respect of meat and fish to be sold, the source of such meat or fish.

Schedule. Form C.

(2) To facilitate the maintenance of the record every licensee shall obtain from the Manager a copy of Form C set out in Schedule II, and perfect and sign such form giving the quality and variety of the meat or fish he brings into the market.

False advertising.

17. No meat shall be advertised or sold in the Market as being a description of meat other than the true and proper description thereof.

Chopping of meat and fish.

18. No meat or fish shall be chopped on anything, other than an approved block provided for that purpose within the allocated stall or space.

Dress code.

19. A person who offers meat or fish for sale in the Market shall be properly attired and shall wear a clean apron, headgear and other clean protective garments as required by the Corporation.

Revocation of licence.

20. The Manager may revoke a licence if he is satisfied that the holder thereof has acted in breach of any provision of this Part.

PART V

WEIGHING OF GOODS

Settlement of disputed weight.

21. Every article sold by weight shall be properly weighed and in all cases of dispute in respect of weight, the vendor shall, if required to do so by the purchaser, cause the article to be weighed in the presence of the Manager or a member of his staff.

22. No person shall sell or deliver any article in the market of less weight, measure or number than has been bargained for. Correct weight.

23. All scales used for weighing any article sold in the Market shall be positioned in such a manner, so that they are clearly seen by the purchaser. Positioning of scales.

24. (1) No person shall tamper with a scale, balance, beam or weight, whether or not the scale, balance, beam or weight is— Tampering with scales.

(a) the property of;

(b) in the possession of; or

(c) under the control of,

that person.

(2) All scales used in the Market shall be approved annually by the Weights and Measures Division of the Ministry with responsibility for weights and measures, and all such scales shall be stamped "approved" by theWeights and Measures Division.

PART VI

GENERAL

25. (1) No person shall— Prohibited behaviour.

(a) cry out excessively or in an offensive manner, anywhere in the Market;

(b) use any amplified instruments or play any musical instrument apparatus in the Market except with the permission of the Manager;

(c) damage any table, stall, bench, furniture, furnishings, fixtures or plants in the Market;

(d) spit in, on or upon any floor, wall or thing in the Market or throw or drop on the ground any offal, garbage or refuse whatsoever;

(e) molest, hinder or obstruct the Manager or a member of staff in the performance of his duties;

(f) loiter in the Market or in its immediate environs;

(g) bring or permit any dog to remain in the Market;

(h) introduce, sell, consume or display any intoxicating liquor or other illegal substances in the Market;

(i) use any fire, cook or smoke except in areas designated by the Manager;

(j) permit any animal of draught or burden, nor any cart or vehicle to remain in the Market longer than the time necessary to facilitate trading;

(k) park any motor vehicle, wheel barrow or bicycle in any area other than the designated parking area;

(l) use violence, obscene language or misconduct himself in the Market; or

(m) display produce on bare ground.

Auction.

26. No goods shall be sold by auction in the Market unless such sale is authorised by the Manager.

Sanitation of Market and stalls.

27. (1) The Manager shall cause the Market to be cleaned and washed.

(2) The authorised market user of any stall, table or space in the Market shall keep his table, space, scales, weights, appliances and other articles which he has used, in a thoroughly sanitised condition and shall deposit all garbage daily in the receptacle provided for that purpose.

Prohibition on selling.

28. No person shall sell by retail any agricultural produce within a radius of one kilometre of the Market unless that produce is sold—

(a) in a shop or an open place occupied in connection with the shop;

(b) to a registered Co-operative Society by any of its members, or by a registered Co-operative Society for the purpose of such business with the prior approval of the Debe/Penal Regional Corporation; or

(c) on the land on which the commodity has been produced.

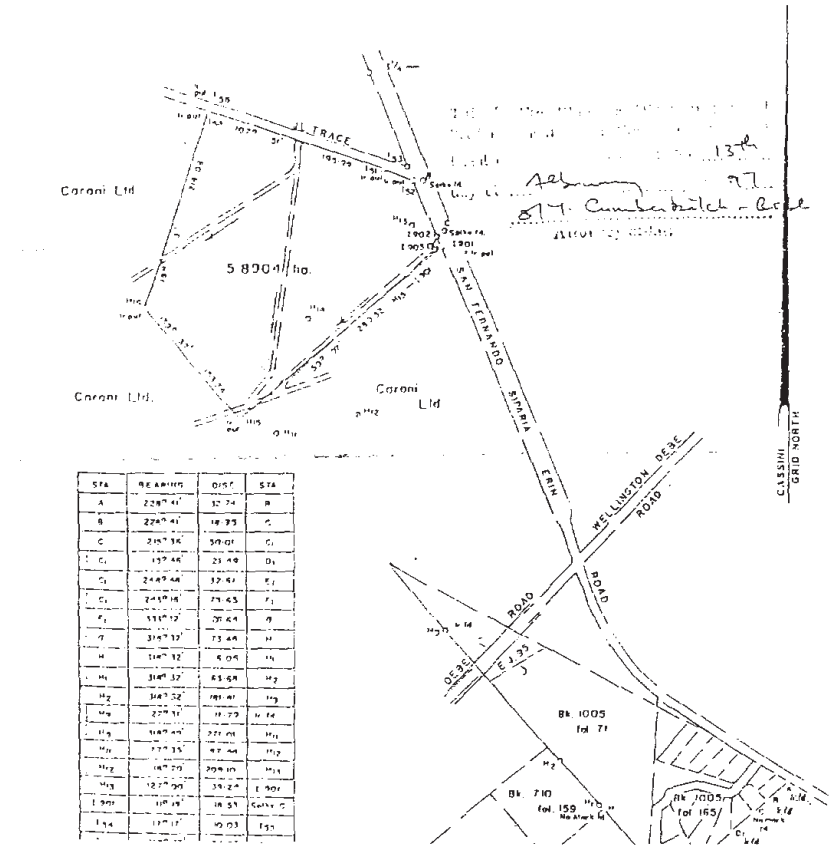
29. A person who is aggrieved by a decision of the Manager or by the management of the Market may complain in writing to the Chief Executive Officer of the Corporation within seven days of the taking of such decision and the Corporation shall take such action as it thinks fit with respect to the complaint. Complaints.

30. Any person who contravenes any provision of this Part or Part V commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars and to have his permit or licence revoked. Offences.

SCHEDULE I

SURVEY ORDER No. 153/88
L. & S. 6 / 4 / 98

Cadastral Sheet $\frac{63c}{3/a8\ 3/c}$ G. 8.
Ward of Naparima
County of Victoria



STA	BEARING	DIST	STA
A	228° 41'	32.74	B
B	228° 41'	18.25	C
C	215° 35'	50.01	C_1
C_1	135° 46'	23.49	D_1
C_2	244° 48'	32.63	E_1
C_3	245° 16'	73.63	F_1
F_1	331° 17'	35.64	G
G	316° 32'	73.44	H
H	316° 32'	6.05	H_1
H_1	316° 32'	65.68	H_2
H_2	316° 32'	181.41	H_3
H_3	229° 31'	11.23	H_4
H_4	148° 49'	221.05	H_5
H_5	229° 35'	87.44	H_6
H_6	18° 29'	209.15	H_7
H_7	122° 09'	35.27	E 901
E 901	115° 19'	18.51	Centre C
E_{94}	127° 17'	10.03	E_{95}

SCHEDULE II

FORM A

[Regulation 4(3)].

APPLICATION FOR PERMIT TO OPERATE A TROLLEY OR SCALE OR SELL IN THE MARKET

Name .....

Address .....

Goods intended to sell .....

....
Date *Authorised Signature*

FORM B

[Regulation 4(2)].

NATIONAL AGRICULTURAL MARKETING AND DEVELOPMENT CORPORATION (NAMDEVCO)

PERMIT

TO TRADE OR OPERATE/SCALES/BARROWS AT THE SOUTHERN WHOLESALE MARKET

Mr./Mrs./Ms. .....

.....

.....

.....

.....
is hereby authorised to Trade or operate a Trolley/Scale/Barrow at the Southern Wholesale Market, Debe in accordance with Regulations made by the National Agricultural Marketing and Development Corporation (NAMDEVCO).

....
Date *Authorised Signature*

[Regulation 16(2)].

FORM C

RECORD FOR MEAT AND FISH BROUGHT INTO THE MARKET FOR SALE

NAME OF PERSON WHO BROUGHT MEAT OR FISH INTO THE MARKET

.....

NAME OF PERSON WHO WAS ALLOTTED A STALL FOR THE SALE OF MEAT OR FISH

.....

STALL NO. .....

Description of Goods	Weight	Source

....
Date *Authorised Signature*

[Subsidiary]

NATIONAL AGRICULTURAL MARKETING AND DEVELOPMENT CORPORATION (NORTHERN WHOLESALE MARKET) REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

PART I

PRELIMINARY

1. Citation.
2. Interpretation.

PART II

MANAGEMENT OF THE MARKET

3. Powers, functions and duties.
4. Permission to operate in Market.
5. Manager may require authorised market user to submit himself to a medical examination.
6. Non-liability of Corporation.
7. Pecuniary interest prohibited.

PART III

USE OF MARKET

8. Restriction on goods to be sold in Market.
9. Restriction on use of Market.
10. Occupancy of stall or space.
11. Permit to be presented on request.
12. Authorised market user or his employee to sell in rented stall.
13. Commodities unfit for human consumption.

PART IV

SALE OF MEAT AND FISH

14. Licence required to sell meat or fish.
15. Restriction on meat brought into Market.
16. Records of meat and fish shall be kept.
17. False advertising.

ARRANGEMENT OF REGULATIONS—*Continued*

REGULATION

18. Chopping of meat and fish.
19. Dress code.
20. Revocation of licence.

PART V

WEIGHING OF GOODS

21. Settlement of disputed weight.
22. Correct weight.
23. Positioning of scales.
24. Tampering with scales.

PART VI

GENERAL

25. Prohibited behaviour.
26. Auction.
27. Sanitation of Market and stalls.
28. Prohibition on selling.
29. Complaints.
30. Offences.

SCHEDULE I.
SCHEDULE II.

[Subsidiary]

NATIONAL AGRICULTURAL MARKETING AND DEVELOPMENT CORPORATION (NORTHERN WHOLESALE MARKET) REGULATIONS

50/2002.

made under section 31

PART I

PRELIMINARY

1. These Regulations may be cited as the National Agricultural Marketing and Development Corporation (Northern Wholesale Market) Regulations. Citation.

2. In these Regulations— Interpretation.

"authorised market user" means a vendor of a marketable commodity, scale operator and trolley operator who is the holder of a permit issued under regulation 4 and includes a farmer, cafeteria operator and a buyer;

"licence" means a licence issued for the purposes of Part IV;

"Manager" means the person appointed by the Corporation to hold, or act in, the office of Manager of the Market;

"Market" means the Northern Wholesale Market, at Macoya, situate at Churchill-Roosevelt Highway, Orange Grove Area of Caroni (1975) Limited, in the Ward of Tunapuna comprising of 1.5 hectares and which is more particularly delineated, described and shown on the plan at Schedule I; Schedule I.

"marketable commodity" means agricultural produce and food products, haberdashery, agricultural inputs, meat, fish, live animals, and any other products which will be approved by the National Agricultural Marketing Development Company's (NAMDEVCO) Board of Directors from time to time;

"scale operator" means a holder of a permit issued under regulation 4 to operate a scale in the Market;

"trolley operator" means a holder of a permit issued under regulation 4 to operate a trolley in the Market.

PART II

MANAGEMENT OF THE MARKET

Powers, functions and duties.

3. (1) The Manager shall be responsible for the efficient management of the Market and may for that purpose implement management directives with respect to—

(a) prescribing the conditions under which authorised market users are permitted to operate or use any stall, space or thing in the Market;

(b) fixing the rent, fees and charges to be paid for the use of stalls and spaces;

(c) collecting fees for the use of the Market;

(d) fixing the times during which the Market shall be opened for business;

(e) supervising the sale of marketable commodities;

(f) prohibiting the offering for sale of any commodity which, in his opinion, is unfit for human consumption;

(g) maintaining order in the Market;

(h) removing nuisances or obstructions in the Market or in the immediate environs thereof; and

(i) doing anything necessary or expedient for the exercise, performance and discharge of his power, functions and duties or for giving effect to these Regulations.

(2) The Manager shall, in exercising his powers, functions, and duties, be assisted by staff provided by the Corporation.

Permission to operate in Market.

4. (1) A person shall not—

(a) offer anything for sale whether wholesale or retail; or

(b) operate a trolley or scale,

in the Market without a permit issued under these Regulations.

(2) An application for a permit shall be made on Form A as set out in Schedule II, which may be collected from and deposited with the Manager. Schedule II.

(3) Where a person applies for a permit, the Manager, if he is satisfied that the applicant is a person of good character and otherwise suitable, shall upon payment of the appropriate fee, issue a permit as prescribed at Form B in Schedule II, and allocate a stall or space for the use of that person. Schedule II.

(4) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

5. (1) The Manager may require an authorised market user to submit himself to a medical examination by the District Medical Officer. Manager may require authorised market user to submit himself to a medical examination.

(2) The Manager may revoke a permit where—

(a) an authorised market user who is required to submit to a medical examination under subregulation (1) does not, within one month of that request, submit a certificate from the District Medical Officer stating that the authorised market user is not suffering from an infectious or contagious disease; or

(b) the District Medical Officer issues a certificate stating that the authorised market user is suffering from an infectious or contagious disease.

6. The Corporation shall not be liable for— Non-liability of Corporation.

(a) the damage to any person in the Market; and

(b) the damage to or loss of any thing left in the Market.

7. (1) The Manager or a member of the staff of the Market shall not have any pecuniary interest in the sale in the Market of any marketable commodity or in any animal slaughtered for sale. Pecuniary interest prohibited.

(2) Notwithstanding subregulation (1), a member of staff of the Market may engage in commercial trading outside of his normal working hours.

(3) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

PART III

USE OF MARKET

Restriction on goods to be sold in Market.

8. (1) An authorised market user shall not offer for sale in the Market anything other than a marketable commodity.

(2) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

(3) The Manager may revoke the permit of an authorised market user who is found guilty of an offence under subregulation (2).

Restriction on use of Market.

9. (1) A person shall not be in the Market while it is closed for business, without the permission of the Manager.

(2) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

Occupancy of stall or space.

10. (1) An authorised market user shall not occupy a stall or space without the approval of the Manager.

(2) An authorised market user shall not be assigned more than one stall or space unless there are unassigned stalls or spaces available.

Permit to be presented on request.

11. An authorised market user shall present his permit, whenever requested to do so by the Manager or a person so authorised by him.

Authorised market user or his employee to sell in rented stall.

12. A person other than—

(a) an authorised market user; or

(b) an employee of the authorised market user,

shall not sell or deposit for sale a marketable commodity in any place in the Market other than in the stall or space that has been assigned to him for sale of the marketable commodity.

Commodities unfit for human consumption.

13. The Manager shall remove or cause to be removed from the Market a marketable commodity which is unfit for human consumption and dispose them in the manner he thinks fit.

PART IV

SALE OF MEAT AND FISH

Licence required to sell meat or fish.

14. (1) Notwithstanding regulation 4, any person who wishes to sell meat or fish in the Market must apply to the Manager for a licence.

(2) Where a person applies for a licence, the Manager, if he is satisfied that the applicant is a person of good character and otherwise suitable, shall issue a licence.

(3) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars.

Restriction on meat brought into Market.

15. (1) A person shall not bring into the Market, the meat of any animal unless he has a certificate from the Clerk of the Government Municipal Abattoir stating that the animal was slaughtered in his abattoir.

(2) Where the animal is slaughtered in a place other than a Government Municipal Abattoir, no person shall bring the meat of the animal into the Market unless he presents a certificate from—

(a) a medical officer of health;

(b) a Registered Veterinary Surgeon; or

(c) a sanitary inspector of the district, stating that the animal was inspected before and the meat after, slaughter.

Records of meat and fish shall be kept.

16. (1) A record of all meat and fish brought into the Market for sale, shall be kept by the Manager, and such record shall contain the following:

(a) the name of the person who brought in such meat or fish;

(b) the names of the persons who were allotted tables or stalls for the sale of such meat or fish;

(c) the weight of the meat or fish; and

(d) in respect of meat and fish to be sold, the source of such meat or fish.

(2) To facilitate the maintenance of the record every licensee shall obtain from the Manager a copy of Form C set out in Schedule II, and perfect and sign such form giving the quality and variety of the meat or fish he brings into the Market.

False advertising.

17. Meat shall not be advertised or sold in the Market as being a description of meat other than the true and proper description thereof.

Chopping of meat and fish.

18. There shall be no chopping of meat or fish on anything, other than an approved block provided for that purpose within the allocated stall or space.

Dress code.

19. A person who offers meat or fish for sale in the Market shall be properly attired and shall wear a clean apron, headgear and other clean protective garments as required by the Corporation.

Revocation of licence.

20. The Manager may revoke a licence if he is satisfied that the holder thereof has acted in breach of any provision of this Part.

PART V

WEIGHING OF GOODS

Settlement of disputed weight.

21. Every article sold by weight shall be properly weighed and in all cases of dispute in respect of weight, the vendor shall, if required to do so by the purchaser, cause the article to be weighed in the presence of the Manager or a member of his staff.

22. A person shall not sell or deliver any article in the Market of less weight, measure or number than has been bargained for. Correct weight.

23. All scales used for weighing any article sold in the Market shall be positioned in such a manner, so that they are clearly seen by the purchaser. Positioning of scales.

24. (1) A person shall not tamper with a scale, balance, beam or weight, whether or not the scale, balance, beam or weight is— Tampering with scales.

(a) the property of;

(b) in the possession of; or

(c) under the control of,

that person.

(2) All scales used in the Market shall be approved annually by the Weights and Measures Division of the Ministry with responsibility for weights and measurers, and all such scales shall be stamped "approved" by the Weights and Measures Division.

PART VI

GENERAL

25. (1) A person shall not— Prohibited behaviour.

(a) cry out excessively or in an offensive manner, anywhere in the Market;

(b) use any amplified instruments or play any musical instrument apparatus in the Market except with the permission of the Manager;

(c) damage any table, stall, bench, furniture, furnishings, fixtures or plants in the Market;

(d) spit in, on or upon any floor, wall or thing in the Market or throw or drop on the ground any offal, garbage or refuse whatsoever;

(e) molest, hinder or obstruct the Manager or a member of staff in the performance of his duties;

(f) loiter in the Market or in its immediate environs;

(g) bring or permit any dog to remain in the Market;

(h) introduce, sell, consume or display any intoxicating liquor or other illegal substances in the Market;

(i) use any fire, cook or smoke except in areas designated by the Manager;

(j) permit any animal of draught or burden; nor any cart or vehicle to remain in the Market longer than the time necessary to facilitate trading;

(k) park any motor vehicle, wheel barrow or bicycle in any area other than the designated parking area;

(l) misconduct himself, use violence or obscene language in the Market; or

(m) display produce on bare ground.

Auction.

26. Goods shall not be sold by auction in the Market unless such sale is authorised by the Manager.

Sanitation of Market and stalls.

27. (1) The Manager shall cause the Market to be cleaned and washed.

(2) The authorised market user of a stall, table or space in the Market shall keep his table, space, scales, weights, appliances and other articles which he has used, in a thoroughly sanitised condition and shall deposit all garbage daily in the receptacle provided for that purpose.

Prohibition on selling.

28. A person shall not sell by retail any agricultural produce within a radius of one kilometre of the Market unless that produce is sold—

(a) in a shop or an open place occupied in connection with the shop;

(b) to a registered Co-operative Society by any of its members, or by a registered Co-operative Society for the purpose of such business with the prior approval of the Tunapuna Regional Corporation; or

(c) on the land on which the commodity has been produced.

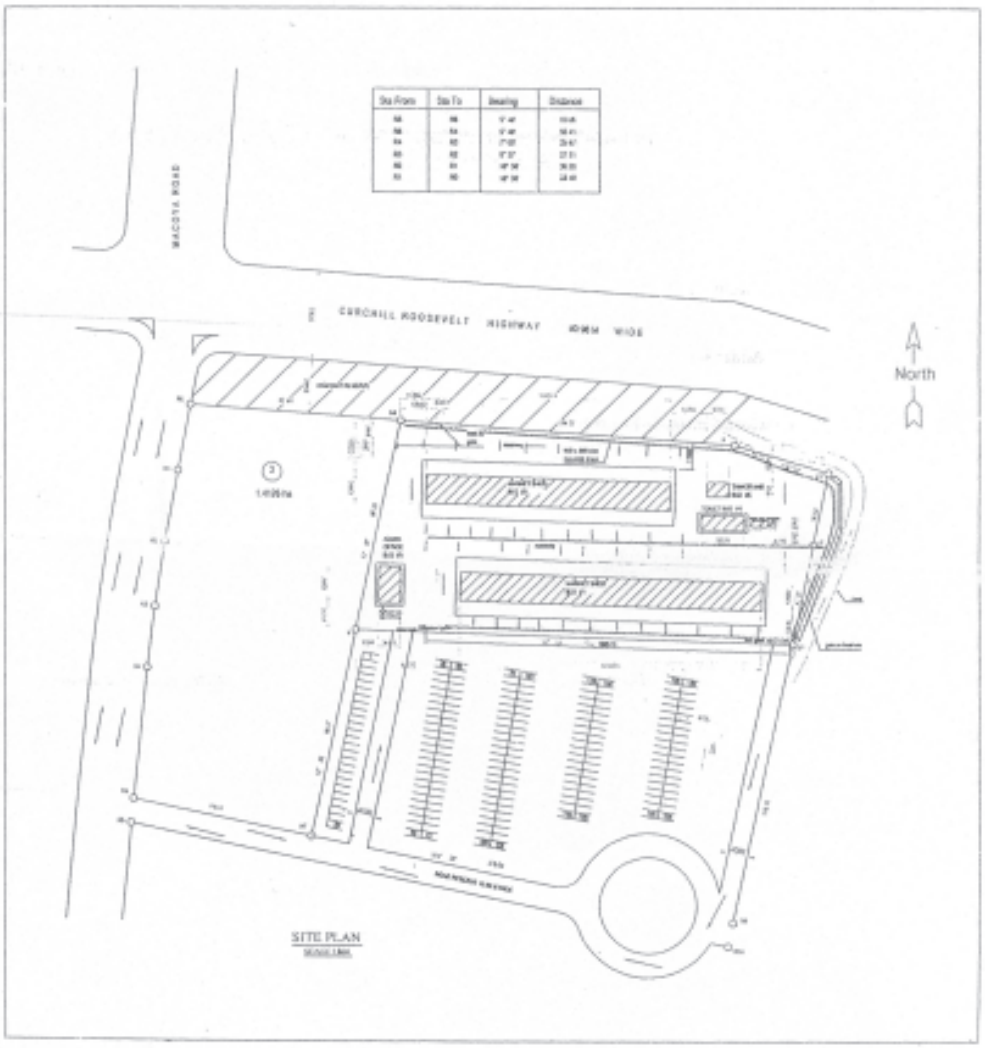
Complaints.

29. A person who is aggrieved by a decision of the Manager or by the management of the Market may complain in writing to the Chief Executive Officer of the Corporation within seven days of the taking of such decision and the Corporation shall take such action as it thinks fit with respect to the complaint.

Offences.

30. A person who contravenes any provision of this Part or Part V commits an offence and is liable on summary conviction to a fine of one thousand five hundred dollars and to have his permit or licence revoked.

SCHEDULE I



SCHEDULE II

FORM A

[Regulation 4(3)].

APPLICATION FOR PERMIT TO OPERATE A TROLLEY OR SCALE OR SELL IN THE MARKET

Name .....

Address .....

Goods intended to sell .....

....
Date *Authorised Signature*

FORM B

NATIONAL AGRICULTURAL MARKETING AND DEVELOPMENT CORPORATION (NAMDEVCO)

PERMIT

TO TRADE OR OPERATE TROLLEYS/SCALES/BARROW AT THE NORTHERN WHOLESALE MARKET

Mr./Mrs./Ms. .....

.....

.....

.....

.....
is hereby authorised to Trade or operate a Trolley/Scale/Barrow at the Northern Wholesale Market, Macoya with Regulations made by the National Agricultural Marketing and Development Corporation (NAMDEVCO).

....
Date *Authorised Signature*

[Regulation 16(2)].

FORM C

RECORD FOR MEAT AND FISH BROUGHT INTO THE MARKET FOR SALE

NAME OF PERSON WHO BROUGHT MEAT OR FISH INTO THE MARKET

.....

NAME OF PERSON WHO WAS ALLOTTED A STALL FOR THE SALE OF MEAT OR FISH

.....

STALL NO. .....

Description of Goods	Weight	Source

....
Date *Authorised Signature*

APPENDIX

REGISTRATION OF PRODUCERS OF AGRICULTURAL PRODUCE REGULATIONS

137/1967.

made under section 35

1. These Regulations may be cited as the Registration of Producers of Agricultural Produce Regulations. Citation.

2. Producers of Agricultural produce who wish to avail themselves of the marketing facilities offered by the Central Marketing Agency, and in particular, the provisions of any guaranteed price list proclaimed from time to time must register with the Agency and to ensure acceptance of their produce by the Agency must provide the Agency with such details of their produce as the Agency may require from time to time. Registration of producers.

3. Such registration must be carried out not later than the months of June for produce expected to be delivered during the months of July to December of each year, and not later than the month of December for produce expected to be delivered during the months of January to June of each year. Time for registration.

4. Such registration may be effected at any of the Central Marketing Agency Depots throughout Trinidad and Tobago. Place of registration.

5. On such registration the producer will be given a registration card which he will be required to produce whenever Agricultural produce is submitted to the Agency for purchase. Production of registration card.

6. Failure by a producer to comply with these Regulations may result in his produce not being accepted by the Agency. Failure to comply.

POULTRY INDUSTRY REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.

THE POULTRY INDUSTRY CONTROL COMMITTEE

3. Establishment of Committee.
4. General functions of Committee.
5. Policy directions.

REGISTRATION AND LICENSING OF PRODUCERS

6. Compulsory registration of producer.
7. Form of application for registration.
8. Form of application for producer's licence.
   Form of producer's licence.
9. Fees.

RECORDS AND RETURNS

10. Records and Returns.
11. Production quotas.

IMPORTATION QUOTAS

12. Importation Quotas.
13. Power of entry for certain purposes.
14. Offences and penalties.

FIRST SCHEDULE.
SECOND SCHEDULE.

[Subsidiary]

POULTRY INDUSTRY REGULATIONS

81/1973.
[61/1988].

made under section 35

1. These Regulations may be cited as the Poultry Industry Regulations. Citation.

2. (1) In these Regulations— Interpretation.

"back-yarder" means a person who rears broilers for table use in quantities less than two hundred birds at any one time;

"breeder flock producer" means a person who rears hens for the purpose of producing hatching eggs for sale for incubation;

"broiler" means meat-type poultry intended for table use;

"broiler grower" means a person who rears meat-type birds (broilers) for table use up to eighteen weeks old in quantities not being less than one hundred birds at any one time;

"broiler hatching-egg producer" means a person who rears meat-type multiplier flocks for the purpose of producing saleable hatching eggs for incubation to produce broiler chicks;

"feed manufacturer" means a person who produces and sells balanced formula poultry feeds;

"hatchery operator" means a person who operates a hatchery for the purpose of producing poultry, including broiler chicks, table egg chicks, ducklings, turkey chicks and gosling in quantities not less than one hundred per hatch;

"importer" in relation to equipment means a person who imports equipment for use in the poultry industry, and in relation to drugs and medications, means a person who imports drugs and medications for use in the poultry industry;

"pluck-shop operator" means a person who kills, plucks and eviscerates poultry for the retail trade;

"Poultry Industry Control Committee" or "Committee" means the Committee established under regulation 3;

"processor" means a person who kills, plucks, eviscerates, packages, freezes or chills poultry for sale;

"producer" means a broiler grower, broiler hatching-egg producer,

table-egg producer, table-hatching-egg producer, hatchery operator, processor, pluck-shop operator and a feed manufacturer, but does not include a back-yarder;

"quota" means the quantity of the agricultural product allocated to a producer by the Committee for production with a view to fulfilling the quantity of the product or any description thereof, specified in an Order made by the Minister under section 34 of the Act;

"table-egg producer" means a person who rears table egg producing hens for the purpose of producing table eggs for sale in quantities not less than one hundred hens at any one time;

"table hatching egg producer" means a person who rears table egg type breeder or multiplier flocks for the purpose of producing hatching eggs for sale for incubation to produce table egg pullets.

THE POULTRY INDUSTRY CONTROL COMMITTEE

Establishment of Committee. [61/1988].

3. (1) A Committee is hereby established for the purposes of these Regulations.

(2) Subject to subregulation (3) the Committee shall consist of eight members who shall be appointed by the Minister as follows:

(a) a representative of the University of the West Indies (Livestock Division);

(b) a representative of the Ministry responsible for food production (Agricultural Planning Division);

(c) a representative of the Central Marketing Agency;

(d) two representatives of the poultry industry;

(e) a representative of the private sector (excluding poultry);

(f) a representative of the Ministry responsible for industry; and

(g) a representative of the Agricultural Development Bank;

(3) The Minister shall appoint the Chairman of the Committee from among the members of the Committee.

(4) The appointment of a member of the Committee shall, subject to the provisions of subregulation (5), be for such period, being not more than three years, as the Minister shall specify at the time of the appointment.

(5) A member of the Committee may at any time resign his office by instrument in writing addressed to the Chairman who shall forthwith cause it to be forwarded to the Minister.

General functions of Committee.

4. (1) It is the duty of the Committee to carry out the policy of the Agency in relation to the regulation of the poultry industry and subject to these Regulations the Committee shall have and exercise such functions including the fixing of production quotas as are conferred upon it by these Regulations and by any other written law.

(2) Where the Committee fixes production quotas it shall determine what portion thereof shall be fulfilled by each producer and shall impose purchase restrictions on each such producer who shall be able to purchase supplies in such amount only as would enable him to fulfil his production quota and no more.

Policy directions. [61/1988].

5. In the exercise and performance of its functions under this or any other written law the Committee shall act in accordance with any special or general directions of the Minister.

REGISTRATION AND LICENSING OF PRODUCERS

Compulsory registration of producer.

6. (1) Every producer shall, within six months after the commencement of these Regulations, register with and be licensed by the Agency in accordance with regulations 7 and 8.

(2) Producers who, in compliance with the Circular Notice of the Ministry of Agriculture, Lands and Fisheries (hereinafter called "the Ministry") dated November 1968, registered on or before 15th November 1968, and whose capacity has been checked and found correct, shall be deemed to be registered under these Regulations.

Form of application for registration. Form 1. First Schedule.

7. A producer shall make application to the Agency for registration in the form set out as Form 1 in the First Schedule.

Form of application for producer's licence. Form 2. First Schedule.

8. (1) For the purpose of obtaining a licence as a producer application shall be made to the Agency in the form set out as Form 2 in the First Schedule.

Form of producer's licence. Form 3. First Schedule.

(2) A producer's licence shall be in the form set out as Form 3 in the First Schedule.

Fees. Second Schedule.

9. The fee for a producer's licence is such as is respectively specified in the Second Column of the Second Schedule.

RECORDS AND RETURNS

Records and Returns.

10. (1) Every producer shall keep proper production records at his place of business or residence in Trinidad and Tobago or at such other place as may be approved by the Committee, and in such form as required by the Committee and containing such information as will enable the Committee to supervise and control the poultry industry, and shall make such returns as the Committee may from time to time require.

(2) Where a producer has failed to keep adequate records or to make such returns for the purposes of these Regulations, the Committee may require him to keep such records as it may specify and that producer shall thereafter keep records as so required.

(3) Every producer who fails to keep such production records or to make such returns as may be required by this regulation is guilty of an offence.

Production quotas.

11. (1) Production quotas shall be granted to producers only in such amount as the Committee may determine and, subject to the total amount of the quotas fixed for production of a product, in any given period in accordance with this regulation.

(2) Producers deemed to be registered under these Regulations in accordance with regulation 6(2) shall be granted quotas commensurate with so much of the declared capacity as was checked by officials of the Ministry and found to subsist. Capacity in excess of that declared shall be eligible for additional quotas, in the discretion of the Committee, after quotas referred to in subregulations (3), (4) and (5) have been granted.

(3) In the case of producers who were carrying on business before 15th November 1969, but who failed to register as mentioned in regulation 6(2) quotas shall be granted (in the discretion of the Committee) in respect of declared capacity checked by officials of the Ministry or by inspectors of the Agency Committee and found to subsist at the time of registration after quotas referred to in subregulation (2) have been granted. Capacity in excess of that declared shall be eligible for additional quotas, in the discretion of the Committee after quotas referred to in subregulations (4) and (5) have been granted.

(4) The provisions of subregulation (3) shall apply to producers who were not carrying on business before 15th November 1969 but who registered after that date in accordance with the Circular Notice of the Ministry referred to in regulation 6(2) or under these Regulations, but only after the quotas referred to at subregulations (2) and (3) have been granted.

(5) In this regulation "Ministry" means the Ministry of Agriculture.

IMPORTATION QUOTAS

Importation Quotas.

12. (1) Subject to any other written law, the provisions of this regulation shall have effect in relation to the importation of products for use in the poultry industry.

(2) Importers shall obtain all import licences from the Ministry of Industry and Commerce in accordance with any other law for the time being in force.

(3) All applications for import licences shall be accompanied by a statement of the production quotas assigned to the importer by producers in accordance with subregulation (4) and shall be supported by such evidence of the assignment and production quotas as may be required.

(4) For the purpose of securing the importation of any product for use in the poultry industry a producer may assign any part of his production quota to an importer on terms *inter alia* that

the importer shall on importation of the product the subject of the production quotas, sell to the producer and that the producer shall on his part buy from the importer the full amount of the production quota so assigned.

Power of entry for certain purposes.

13. (1) An inspector or a Committee member may, at all reasonable times, enter into the premises of any poultry producer, and may examine production records and observe the conduct of operations therein.

(2) If any person who in compliance with the provisions of this regulation is admitted into a producer's premises discloses to any person any information obtained by him in the producer's premises with regard to any process or trade secret, he is, unless the disclosure was made in the performance of his duty, guilty of an offence.

(3) Every person who hinders or molests or interferes with any person doing anything that he is authorised to do, or prevents or attempts to prevent any person from doing any such thing, and any person who, unless he is unable to do so, fails or refuses to do anything that he is required by or pursuant to this regulation to do, is guilty of an offence.

Offences and penalties.

14. (1) A producer who fails to register as required by regulation 6 or who contravenes, or is guilty of an offence against, any other provision of these Regulations is liable on summary conviction to a fine of one thousand dollars and in the case of a continuing offence to a further fine of two hundred dollars for each day that the offence continues after conviction.

(2) In addition to any fine imposed upon conviction for an offence under these Regulations a producer may have his Producer's Licence cancelled by the Agency.

FIRST SCHEDULE

FORM 1

(Regulation 7).

POULTRY INDUSTRY REGULATIONS

REGISTRATION OF POULTRY PRODUCER

(Note: All producers of poultry are required by the Central Marketing Agency Act to register his or her operation. Failure to do so constitutes an offence and will be subject under conviction to a penalty not exceeding.....).

REGISTRATION PARTICULARS

1. Name of Producer .....

2. Home Address .....

3. Name of Farm .....

4. Address of Farm .....

5. Type of Operation:

Broiler ☐ Breeder ☐

Layer ☐ Hatcher ☐

Pluck Shop Operator ☐ Processor ☐

Poultry Feed Miller ☐

6. Date of Commencement of Farm .....

7. Capacity:

Broiler			Hatchery Operator	
Layer				
Breeder			Pluck Shop Operator	
			Processor	
			Poultry Feed Miller	

8. Actual Production in 1967
1968
1969
1970
1971

Signature .....

Identification .....

Witness to mark .....

N.B.—"Producer" means a person who is engaged in any or all the following activities:

(a) rearing more than 500 broilers at any one time;
(b) rearing meat type multiplier flocks or breeder flocks for producing hatching eggs for sale;
(c) rearing table egg type breeder or multiplier flocks or breeder flocks for producing hatching eggs for sale for incubation;
(d) rearing more than 100 hens for producing table eggs for sale;
(e) operating a hatchery for producing more than 100 chicks per hatch;
(f) killing, plucking, eviscerating, packaging, freezing or chilling poultry for sale;
(g) producing and selling more than 1,000 lbs. of balanced formula foods for poultry per month.

FORM 2

[Regulation 8(1)].

POULTRY INDUSTRY REGULATIONS

APPLICATION FOR A LICENCE

I/We .....

residing at .....

hereby make application for a licence to .....

.....

.....

.....

.....

We hereby enclose the licence fee .....

.....

.....

.....

.....
Signature of Applicant

[Regulation 8(2)].

FORM 3

POULTRY INDUSTRY REGULATIONS

POULTRY PRODUCER'S LICENCE

Mr./Mrs. .....residing at .....

is hereby granted a licence to carry on the business of a Licensed Poultry Breeder on premises situated at ..... for the period of one year commencing from the ..... day of .....

20..... and ending the ..... day of ..... 20.....

Dated this ..... day of ..... 20.....

.....
Manager,
Central Marketing Agency

(Regulation 9).

SECOND SCHEDULE

FEES FOR PRODUCER'S LICENCE

First Column	*Second Column*
1. Feed Manufacturer	5 c. per 100 lb. of Poultry Feed sold.
2. Hatchery operator	$500.00
3. Processor	$500.00
4. Pluck Shop Operator	$ 10.00
5. Breeder flock producer	$ 10.00
6. Broiler hatching egg producer	$ 10.00
7. Broiler producer	$ 10.00
8. Table egg producer	$ 10.00

[Subsidiary]

CENTRAL MARKETING AGENCY (WHOLESALE MARKETING) REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Hours of opening and closing of wholesale market.
4. Licence required for sale of agricultural produce.
5. Successful applicant to be notified in writing.
6. Restriction on sale of produce by wholesaler.
7. Licence required to operate scale or hand barrow.
8. General Manager may require wholesaler, etc., to submit himself for medical examination.
9. General Manager may suspend licence of wholesaler, etc.
10. Scale-operator to keep daily record of volume of produce weighed by him.
11. Type of scale permitted to be used.
12. Offence to have false or unjust weights, etc., in one's possession.
13. Procedure where dispute arises between a wholesaler and a purchaser.
14. Wholesaler may park containers.
15. Licence required for use of parking facilities.
16. Mode of application for licence.
17. Fees to be paid to Agency.
18. Obligations of wholesaler.
19. Agency not liable for safe keeping of articles.
20. Written permission of General Manager required to do certain things.
21. Restrictions on use of wholesale market.
22. Penalty.

SCHEDULE.

[Subsidiary]

40/1976.

CENTRAL MARKETING AGENCY (WHOLESALE MARKETING) REGULATIONS

made under section 35

Citation.

1. These Regulations may be cited as the Central Marketing Agency (Wholesale Marketing) Regulations.

Interpretation.

2. In these Regulations—

"the Agency" means the Central Marketing Agency established under section 3 of the Act;

"central wholesale market" or "wholesale market" means any place from time to time described in the Schedule;

Schedule.

"General Manager" means the person appointed as such under section 14 of the Act;

"porter" means a person who has been granted a licence by the Agency for the purpose of operating a hand-barrow in a wholesale market;

"scale-operator" means a person who has been granted a licence by the Agency for the purpose of operating a scale in a wholesale market;

"stall" includes any stand, table, shed or place allotted to a wholesaler in a wholesale market for the purpose of selling or offering or exposing for sale any agricultural produce;

"wholesaler" means a person who has been granted a licence by the Agency to sell agricultural produce by wholesale in a wholesale market.

Hours of opening and closing of wholesale market.

3. (1) The hours of opening and closing of a wholesale market shall be as from time to time determined by the Agency.

(2) No wholesale market shall be open for business on public holidays.

Licence required for sale of agricultural produce.

4. (1) No person shall sell agricultural produce in a wholesale market unless he is in possession of a licence issued in accordance with these Regulations.

(2) An application for a licence shall be made in the manner specified in these Regulations and must be accompanied by—

(a) a certificate of good character; and

(b) a medical certificate of good health issued by a Medical Officer of Health.

Successful applicant to be notified in writing.

5. (1) Where an application is successful the General Manager shall notify the applicant in writing and require the payment of a fee of five dollars. On payment of the fee a licence shall be issued.

(2) A licence issued under subregulation (1) shall be in respect of the agricultural produce, stall and wholesale market specified therein and shall be valid for one calendar year, but may be renewed annually if the requirements of regulation 4(2) are satisfied and on payment of a fee of five dollars.

Restriction on sale of produce by wholesaler.

6. A wholesaler shall not be permitted to sell any produce whatever by retail in a wholesale market and the minimum wholesale units of sale therein shall be in the amounts hereunder specified:

Produce	*Minimum wholesale Units of sale*
lettuce	10 heads
watercress and spinach	10 bundles (weighing in the aggregate not less than 10 lbs.)
chive	1 large bundle (each of 24 bunches and weighing in the aggregate not less than 2 lbs).
bodi peas	1 large bundle (weighing not less than 10 lbs.)

Produce	*Minimum wholesale Units of sale*
dasheen leaves	1 small parcel (each of 25 bundles and weighing in the aggregate not less than 30 lbs.)
celery	10 bundles (weighing in the aggregate not less than 2 lbs.)
patchoi	10 bundles (weighing in the aggregate not less than 10 lbs.)
ochroes	100 in number
pumpkin	55 in number
mangoes and citrus (oranges, grapefruit, etc.)	50 in number
pommecytheres	100 in number
dry coconuts	25 in number
breadfruit	25 in number
all other produce (except condiments)	10 lbs.
All condiments (except otherwise specified)	10 bundles or 10 in number depending on their unit of sale.

Licence required to operate scale or hand barrow.

7. No person other than a wholesaler, shall operate a scale or a hand barrow in a wholesale market unless he is in possession of a licence issued in accordance with these Regulations. Fees shall not be payable in respect of such a licence.

General Manager may require wholesaler, etc., to submit himself for medical examination.

8. The General Manager, if he has reasonable grounds to believe that a wholesaler, porter or scale-operator is suffering from an infectious or contagious disease, shall require the wholesaler, porter or scale-operator to submit himself forthwith to a Medical Officer of Health for a medical examination.

General Manager may suspend licence of wholesaler, etc.

9. (1) The General Manager shall suspend the licence of a wholesaler, porter or scale-operator if—

(a) the Medical Officer of Health is of the opinion that the wholesaler, porter or scale-operator is suffering from an infectious or contagious disease; or

(b) the wholesaler, porter or scale-operator fails or refuses to present himself for a medical examination when required to do so.

(2) A licence that has been suspended may be restored if—

(a) the Medical Officer of Health is satisfied that the wholesaler, porter or scale-operator is no longer suffering from the contagious or infectious disease or any other such disease; or

(b) the wholesaler, porter or scale-operator submitted himself for a medical examination and was found to be free from any contagious or infectious disease.

Scale-operator to keep daily record of volume of produce weighed by him.

10. Every scale-operator shall keep a daily record of the volume of agricultural produce weighed by him and shall conform with any system of recording volumes which the Agency may introduce.

Type of scale permitted to be used.

11. Every scale used in a wholesale market shall be a platform scale with two faces. The scale shall be stamped annually by an Inspector of Weights and Measures.

Offence to have false or unjust weights, etc., in one's possession.

12. (1) No wholesaler or scale-operator shall have in his possession or custody or under his control any false or unjust weights, weighing machines or scales.

(2) A wholesaler or scale-operator who contravenes subregulation (1) is guilty of an offence.

Procedure where dispute arises between a wholesaler and a purchaser.

13. Whenever a dispute arises between a wholesaler, a scale-operator and a purchaser with respect to the weight or measure of any agricultural produce that has been purchased or that is about to be purchased, the wholesaler or scale-operator shall, if the purchaser so demands, cause the produce to be weighed in the presence of an authorised officer of the Agency.

Wholesaler may park containers.

14. Containers commonly known as "sea-land" and any other similar containers may be parked by a wholesaler in an area of a wholesale market provided by the Agency.

Licence required for use of parking facilities.

15. (1) A wholesaler shall not avail himself of the parking facilities provided in a wholesale market unless he is in possession of a licence issued in accordance with these Regulations. The fees payable for use of the parking facilities shall be such as are from time to time determined by the Agency.

(2) A licence issued pursuant to subregulation (1) shall specify the parking space allotted to each applicant. Where the parking space is left unused for one month or more without prior notification in writing by the occupier to the General Manager, it shall be deemed to have been abandoned and the licence issued in respect thereof may be revoked.

Mode of application for licence.

16. (1) Every application for a licence under these Regulations shall be made in writing in a form approved by the Agency and shall be addressed to the General Manager.

(2) Every licence issued under these Regulations shall be produced on demand to any authorised officer of the Agency.

(3) A person who fails to produce his licence when requested to do so is guilty of an offence.

Fees to be paid to Agency.

17. All fees payable under these Regulations shall be paid to the Agency.

Obligations of wholesaler.

18. (1) A wholesaler shall ensure that—

(a) his stall is kept in a clean and sanitary condition at all times;

(b) his agricultural produce is kept and sold in bags, crates, baskets, boxes or other containers;

(c) his agricultural produce is not displayed on the ground and except with the written permission of the General Manger, is not sold from the trays of vehicles.

(2) A wholesaler who contravenes any of the provisions of subregulation (1) is guilty of an offence.

Agency not liable for safe keeping of articles.

19. The Agency, its employees or agents shall not be responsible for the safe keeping of any articles left in a wholesale market.

Written permission of General Manager required to do certain things.

20. Except with the written permission of the General Manager no person shall—

(a) sell any goods by auction in a wholesale market;

(b) erect any structures or use any structures other than those provided by the Agency;

(c) use a stall in a wholesale market unless he is in possession of a licence issued in respect of that stall;

(d) post in a wholesale market any bill or placard other than a bill or placard on which there is a description of the agricultural produce on sale.

Restrictions on use of wholesale market.

21. (1) No person shall in a wholesale market—

(a) hawk, cry out the price of or carry about any article for the purpose of sale;

(b) use a bell or other instrument for the purpose of advertising goods;

(c) sell, deposit, offer or expose for sale any agricultural produce except on the stall specified in his licence;

(d) tamper with any scale, balance, beam or weight whether or not the scale, balance, beam or weight is his property, is in his possession or under his control;

(e) act or behave in a disorderly or indecent manner;

(f) fight or otherwise disturb the peace;

(g) make use of insulting, annoying, violent, obscene, indecent or profane language;

(h) make any loud noise or play any musical instrument, radio or other mechanical apparatus;

(i) consume intoxicating liquor;

(j) loiter or stand in any court, yard or passage in such a manner as to impede the free passage of any other person;

(k) molest, hinder or obstruct the General Manager or any agent, employee or authorised officer of the Agency in the execution of his duties;

(l) damage any property of the Agency or wilfully soil or deface any part of such market;

(m) spit on the floor or ground thereof or drop, deposit and leave any offal, garbage or other matter therein;

(n) bring in or permit any dog or other animal to follow him in or to be in his custody or under his control.

(2) A person who contravenes any of the provisions of subregulation (1) is guilty of an offence.

Penalty.

22. (1) A person who commits an offence under these Regulations is liable on summary conviction to a fine of five hundred dollars.

(2) Where the person who commits the offence is a wholesaler, porter or scale-operator, in addition to any fine which may be imposed under subregulation (1), he may be liable to have his licence revoked.

SCHEDULE

Regulation 2.

That portion of the Central Market, situated at the Beetham Highway, known as Block I including the Farmers' Market and bounded on the North by a drain and the St. Joseph Road; on the South by Block II of the Central Market and the Beetham Highway, on the West by the Central Market and on the East by the St. Joseph Road, and more particularly shown, delineated and coloured red on the plan published as a supplement to *Gazette* No. 116 of 1976 dated 15th April 1976.