

SUGAR QUOTAS ACT

CHAPTER 64:02

Act

12 of 1937

Amended by

172/1961

16 of 1962

136/1976

Current Authorised Pages

| <i>Pages (inclusive)</i> | <i>Authorised by L.R.O.</i> |
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Note on Subsidiary Legislation

Sugar Quotas Orders

Sugar Quotas Orders made under section 3(1) of the Act are omitted. *See* the Schedule to this Act.

Note on Adaptation

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 52/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 64:02

SUGAR QUOTAS ACT

ARRANGEMENT OF SECTIONS

SECTION

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CHAPTER 64:02

SUGAR QUOTAS ACT

1950 Ed.
Ch. 23 No. 13.
12 of 1937.

An Act to regulate the manufacture of sugar in Trinidad and Tobago, the disposal of such sugar, the allocation to local manufacturers of quotas for exportation and for sale for local consumption and for other purposes connected therewith.

Commencement.

[1ST SEPTEMBER 1937]

Short title.

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

Interpretation.

2. In this Act—

“quota” means the quantity of sugar manufactured in Trinidad and Tobago which each manufacturer of sugar is permitted to sell, deliver or otherwise dispose of either by exportation or for consumption in Trinidad and Tobago in accordance with an Order made under this Act;

“quota period” means any period in respect of which any quota has been fixed by an Order made under this Act;

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

The Minister may by Order fix quotas for the manufacture and disposal of sugar.

3. (1) The Minister may by Order fix the quota which each sugar manufacturer in Trinidad and Tobago shall be permitted—

(a) to export;

(b) to sell or deliver for consumption within Trinidad and Tobago,

during any quota period specified in the Order, and prescribe the conditions under which the permission shall be granted.

Schedule.

(2) The quota* Order formerly contained in the Schedule, hereinafter referred to in this section as the original Order, shall be in force until varied by an Order made under subsection (1).

*See Schedule to Ordinance No. 12–1937.

(3) In any variation of the original Order the increase or decrease in the export quota allotted to each sugar manufacturer shall bear to that allotted to him under the original Order the same ratio as the total quantity of sugar permitted to be exported by all sugar manufacturers under such varied Order bears to the total amount permitted to be exported by all sugar manufacturers under the original Order.

(4) No sugar manufacturer shall be required to accept any additional export quota or part thereof that may be allotted to him.

(5) If any sugar manufacturer does not accept any of the additional export quota that may be allotted to him, the additional export quota or part thereof shall be divided amongst the other sugar manufacturers in the same proportion that the export quota allotted to each sugar manufacturer under the original Order bears to the total export quota allotted to all sugar manufacturers under the original Order.

4. No sugar manufacturer shall manufacture and hold in stock at any time a quantity of sugar exceeding the quota allotted to the sugar manufacturer under section 3 plus twenty-five per cent of the quota. Restriction on holding surplus stock of sugar.

5. If there is any contravention of any of the provisions of an Order made under section 3, the owner and the manufacturer of the sugar the subject matter of the contravention, and any other person who is a party to the contravention, is liable on summary conviction to a fine of ten dollars and in addition to a further fine of not less than five dollars and not more than ten dollars in respect of each hundredweight of sugar manufactured, exported, sold, delivered or otherwise disposed of, in contravention of the Order. Contraventions. Penalty.

6. (1) No sugar other than sugar manufactured by a sugar manufacturer to whom a quota for export has been allotted by an Order made under section 3 shall be exported and no such sugar manufacturer shall export any sugar in excess of the quota allotted to him by the Order; but this subsection shall not be construed so as to affect or prohibit the re-exportation of sugar arriving in Trinidad and Tobago and on board any ship from a place outside Trinidad and Tobago. Restriction on export of sugar.

(2) If any sugar is exported or an attempt is made to export any sugar in contravention of subsection (1) or if any sugar is brought to any quay or place for the purpose of being exported in contravention of subsection (1) the sugar shall be forfeited, and any person concerned in the exportation, attempted exportation, or bringing of the goods to such quay or place for the purpose of being so exported, is liable on summary conviction to a fine of four thousand dollars.

Ch. 78:01.

(3) Every sugar manufacturer to whom a quota for export has been allotted shall make or cause to be made before shipment due entry of any sugar to be exported in the same manner as if the entry was required to be made under section 167 of the Customs Act.

(4) Any sugar manufacturer who fails or neglects to make entry in accordance with subsection (3) is liable to the penalties prescribed by the Customs Act to the same extent as if the failure or neglect constituted a contravention of section 167 of the Customs Act

Provisions of section 6 to form part of Customs laws. Ch. 78:01.

7. The provisions of section 6 of this Act shall form part of the Customs laws as defined in the Customs Act, and the provisions of such Customs laws shall apply thereto in the same manner and to the same extent as if the provisions of section 6 were included in and formed part of the Customs Act.

Disposal of excess stock.

8. (1) The Minister may by Order declare in what manner any sugar manufactured in excess of the fixed quota plus twenty-five per cent which each sugar manufacturer is permitted to hold in stock shall be disposed of, and may order the seizure and destruction of any such excess stock of sugar. The manufacturer shall not be entitled to claim compensation for any sugar seized, destroyed or otherwise disposed of in accordance with such Order.

(2) The Minister may authorise any person with or without assistants to enter any factory, building or land in or on which any sugar is stored or kept to ascertain whether the provisions of any Order made under subsection (1) has been complied with and if any such Order has not been complied with, then to seize, destroy or dispose of any sugar in accordance with such Order.

(3) Any person who fails or neglects to comply with the provisions of an Order made under subsection (1) and any person who assaults, impedes or obstructs or who aids or abets any other person in assaulting, impeding or obstructing any person authorised to exercise any of the powers under subsection (2) or any person aiding and assisting him is liable on summary conviction to a fine of two thousand dollars or to imprisonment for six months.

9. (1) The Minister may require any person by Order served on him or published in the *Gazette* to make and submit to the Minister, within such time as may be specified in the Order, a return in the form of a statutory declaration giving full and accurate particulars of all or any of the following matters:

The Minister may require returns relating to sugar to be submitted. [16 of 1962].

- (a) the sugar manufactured by him during any period specified in the Order;
- (b) the stocks of sugar belonging to him or in his possession, power or control on any particular date or during any period specified in the Order the place of storage of the same, and, if such sugar was acquired by him, the person from whom he acquired the same;
- (c) the sugar disposed of by him either by sale or delivery locally or by exportation during any period specified in the Order;
- (d) an estimate of his total sugar production and of the quantity intended to be exported during any period;
- (e) any other particulars required for the purposes of this Act.

(2) Any person who fails or neglects to comply with such Order is liable on summary conviction to a fine of one thousand dollars.

Penalty for failing to make a return.

10. Proceedings under this Act shall not be instituted except by or with the consent of the Director of Public Prosecutions.

Consent of Director of Public Prosecutions. [172/1961 136/1976].

Section 3(2).

***SCHEDULE**

SUGAR QUOTAS ORDER

Note—The Sugar Quotas Order is changed annually and the current Order is therefore not published here.

*See Note on page 2.