

**BAUXITE AND ALUMINA INDUSTRIES
(SPECIAL PROVISIONS)**

**THE BAUXITE AND ALUMINA INDUSTRIES
(SPECIAL PROVISIONS) ACT**

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SCHEDULE

THE BAUXITE AND ALUMINA INDUSTRIES
(SPECIAL PROVISIONS) ACT

Acts
28 of 1977,
3 of 1982.

[13th December, 1977.]

1. This Act may be cited as the Bauxite and Alumina Industries (Special Provisions) Act.

Short title.

2.—(1) In this Act, unless the context otherwise requires—
“associated producer” means—

Interpretation and effect.

(a) subject to the provisions of section 4 (3),
any of the bauxite producers named in
the Schedule;

Schedule.

(b) any person declared under section 4 to be
an associated producer;

“bauxite producer” means a holder, under the Mining Act, of a mining lease, or special mining lease, for bauxite or laterite;

“production levy” means the tax imposed by the Bauxite (Production Levy) Act on bauxite or laterite extracted or won in Jamaica;

“transfer” includes convey and assign.

(2) If any provision of the Bauxite (Production Levy) Act is, in so far as it applies to an associated producer, inconsistent with this Act, this Act shall, to the extent of the inconsistency, prevail over that provision.

3.—(1) It is hereby declared that the appropriate Ministers may, on behalf of the Government, make or confirm such agreements and arrangements, containing such undertakings

Power to make and confirm agreements.

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between the Government and associated producers, as the Ministers think expedient to enable the Government to participate in the operations of the bauxite, alumina and related enterprises of Jamaica.

(2) This section shall be deemed to have come into operation on the 1st day of October, 1976.

Power to
declare
certain
persons
associated
producers.

4.—(1) The Minister may, by order, declare to be an associated producer—

(a) any bauxite producer with whom the Government has an agreement in force under which the Government is associated either directly or indirectly with that bauxite producer in the production of bauxite or alumina in Jamaica or in related enterprises; or

(b) any person who—

(i) is engaged in the winning in Jamaica of bauxite or in the producing in Jamaica of alumina from bauxite won in Jamaica, and is, in the opinion of the Minister, in special relationship with the Government; or

(ii) is engaged in the winning in Jamaica of bauxite or in the producing in Jamaica of alumina from bauxite won in Jamaica, or is engaged in other related enterprises or in all those activities and enterprises, and in any case has entered into a special agreement with the Government for the purpose of facilitating the carrying on of those activities or enterprises or of rationalizing the bauxite industry.

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S. 3 (a).

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(2) Any order made under subsection (1) may contain such consequential, supplementary or ancillary provisions as the Minister thinks necessary or expedient.

(3) Each associated producer named in the Schedule shall continue to be an associated producer for the duration of the agreement under which the Government is associated with that associated producer in the production of bauxite or alumina in Jamaica or in related enterprises. Schedule.

(4) Any order made under subsection (1) shall be subject to affirmative resolution of the House of Representatives. 3/1982
S. 3 (b).

5.—(1) For the purpose of giving effect to any agreement between the Government and an associated producer, the Minister may, or if requested by the associated producer so to do he shall, by order, declare that any property which— Transfer
and vest-
ing of
property.
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S. 4 (a).
3/1982
S. 4 (b).

(a) is owned or legally transferable by a party to that agreement;

(b) that agreement requires to be transferred; and

(c) is specified in the order,
shall be transferred to and vested in such person, on such date, as the order shall specify.

(2) No order shall be made under subsection (1) which is inconsistent with the agreement aforesaid.

(3) Upon the date specified in an order made under subsection (1), the property so specified shall, by virtue of this section and without further assurance, be transferred to and vested in the person so specified.