

THE CARIBBEAN AGRICULTURAL RESEARCH AND
DEVELOPMENT INSTITUTE ACT

Act
7 of 1982.

[28th April, 1982.]

1. This Act may be cited as the Caribbean Agricultural Research and Development Institute Act. Short title.

2. In this Act—

"the Agreement" means the Agreement establishing the Caribbean Agricultural Research and Development Institute of which the text of the Articles is set out in the Schedule; Interpretation.
Schedule.

"the Institute" means the Caribbean Agricultural Research and Development Institute established under the Agreement.

3. The Institute shall be a body corporate to which the provisions of section 28 of the Interpretation Act shall apply. Incorporation of the Institute.

4. The Minister may, by order, make such provisions as he may consider necessary or expedient for giving effect to any provisions of the Agreement. Power of Minister to make orders.

5.—(1) Where any amendment to the Agreement is accepted by the Government, the Minister may, by order, amend the Schedule by including therein the amendment so accepted. Amendment of Schedule and matters thereon consequential.

(2) Any order made under this section may contain such consequential, supplemental or ancillary provisions as appear to the Minister to be necessary or expedient for the

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purpose of giving due effect to the amendment accepted as aforesaid and, without prejudice to the generality of the foregoing, may contain provisions amending references in this Act to specific provisions of the Agreement.

(3) Every order made under this section shall be subject to negative resolution of the House of Representatives.

(4) Where the Schedule is amended pursuant to this section, any reference in this Act or any other instrument to the Agreement shall, unless the context otherwise requires, be construed as a reference to the Agreement as so amended.

Institute to be exempt from customs duties, etc.

6. The Institute shall be exempt from payment of any import duty, tax under the General Consumption Tax Act, consumption duty or additional stamp duty for any article imported into Jamaica or taken out of bond in Jamaica by the Institute.

Questions as to entitlement to privileges and immunities.

7. If in any proceedings any question arises whether or not the Institute or any other person ought to be afforded the benefit of any privilege, immunity or exemption under the Agreement, a certificate issued by or under the authority of the Minister and stating that the Institute or such other person ought or ought not to be afforded that benefit as aforesaid shall be conclusive of the matters so stated.

SCHEDULE (Sections 2 and 5)

AGREEMENT ESTABLISHING THE CARIBBEAN AGRICULTURAL
RESEARCH AND DEVELOPMENT INSTITUTE

THE CONTRACTING PARTIES:

SHARING a common determination to promote social stability and a better quality of life for the people of the Region;

RECOGNISING the merits of a regional organisation for agricultural research and development;

AWARE that the solution to the problems of agriculture on a regional basis will complement the current efforts towards regional economic integration and particularly the efforts towards regional co-operation in agricultural development;

CONSCIOUS of the need for efficient and adequate national extension services;

CONVINCED that the establishment of a regional institution for agricultural research and development will facilitate the achievements of these needs;

HEREBY AGREE AS FOLLOWS:

ARTICLE 1
ESTABLISHMENT

The Caribbean Agricultural Research and Development Institute (hereinafter referred to as "the Institute") is hereby established having the membership, powers and functions hereinafter specified.

ARTICLE 2
MEMBERSHIP

1. Membership of the Institute shall be open to—

- (a) States listed in the Annex to this Agreement;
- (b) Any other State of the Caribbean Region which becomes a Member or Associate Member of the Caribbean Community;
- (c) Any country of the Association of Caribbean States approved by the Standing Committee of Ministers responsible for Agriculture.

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2. The States listed in the Annex to this Agreement, the Governments of which sign this Agreement in accordance with Article 18 and ratify it in accordance with Article 19 shall become Members of the Institute.

ARTICLE 3
OBJECTS OF THE INSTITUTE

1. The objects of the Institute shall be—

- (a) to provide for the research and development needs of the agriculture of the Region as identified in national plans and policies;

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- (b) to provide an appropriate research and development service to the agricultural sector of Member States;
 - (c) to provide and extend the application of new technologies in production, processing, storage and distribution of agricultural products of Member States;
 - (d) to pursue for specified periods long-term research in pertinent areas;
 - (e) to provide for the co-ordination and integration of the research and development efforts of Member States where this is possible and desirable;
 - (f) to undertake teaching functions normally at the post-graduate level, limited to the development of the relevant research by any Member State;
 - (g) to seek to achieve the optimum decentralisation of facilities.
2. For the purposes of this Article the Institute may take such action as may be necessary or expedient for the attainment of its objects and the performance of its functions.

ARTICLE 4
STRUCTURE

The Institute shall have—

- (a) a Government Body;
- (b) a Board of Directors with a Chairman and Deputy Chairman;
- (c) an Executive Director; and
- (d) such other officers and staff as may be necessary.

ARTICLE 5
GOVERNING BODY OF THE INSTITUTE

1. The Standing Committee of Ministers responsible for Agriculture (hereinafter referred to as "The Standing Committee") shall be the Governing body of the Institute.
2. Without prejudice to the generalities of paragraph 1 of this Article the Standing Committee shall have the power to—
 - (a) give general or specific policy directions to the Board of Directors;
 - (b) appoint an Executive Director after it has considered the recommendation of the Board of Directors and has consulted with the University of the West Indies;
 - (c) appoint the Chairman of the Board of Directors;
 - (d) authorise agreements to be entered into with third countries or other entities;
 - (e) approve the budget of the Institute to be prepared annually for the next following three financial years;

- (f) approve the work programmes annually for the next following three financial years.

ARTICLE 6
MEMBERSHIP OF THE BOARD

1. The composition of the Board of Directors (hereinafter referred to as "the Board") shall be as follows—

One Member nominated by—

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- (i) The Government of Antigua and Barbuda;
- (ii) The Government of Barbados;
- (iii) The Government of Belize;
- (iv) The Government of the Commonwealth of Dominica;
- (v) The Government of Grenada;
- (vi) The Government of the Cooperative Republic of Guyana;
- (vii) The Government of Jamaica;
- (viii) The Government of Montserrat;
- (ix) The Government of St Kitts and Nevis;
- (x) The Government of St. Lucia;
- (xi) The Government of St. Vincent and the Grenadines;
- (xii) The Government of Trinidad and Tobago;
- (xiii) The University of Guyana;
- (xiv) The Caribbean Development Bank;
- (xv) The Executive Director *ex-officio*;
- (xvi) The Chairman;
- (xvii) The University of the West Indies;
- (xviii) The Caribbean Food Corporation.

2. Subject to the provisions of paragraph 2 of Article 8, the Chairman and the Executive Director together with the representatives of the Caribbean Community Secretariat and the Caribbean Development Bank shall sit as non-voting Members of the Board.

- 3.—(a) Alternate Directors shall be appointed by the appropriate authorities in accordance with paragraph 1 above.
- (b) Directors and Alternate Directors shall be persons of integrity and high competence with extensive experience in Agriculture or Agricultural research and development or administration or both and shall be selected with due regard to the principle of equitable geographical distribution.

4. Directors shall hold office for a term of three years and shall be eligible for re-appointment. They shall continue in office until their successors shall have been appointed and assumed office. If the office of a Director becomes vacant before the expiration of his term of office, the vacancy shall be filled by a new Director who shall be appointed in the same manner as his predecessor and he shall hold office for the remainder of the term of office of his predecessor.