

THE CARIBBEAN FOOD CORPORATION ACT

Act
2 of 1979.

[26th February, 1979.]

1. This Act may be cited as the Caribbean Food Corpora- Short title.
tion Act.

2. In this Act—

Interpreta-
tion.

“the Corporation” means the Caribbean Food Corpora-
tion established under the Corporation Agreement;

“the Corporation Agreement” means the Agreement
establishing the Caribbean Food Corporation, the
original of which is deposited with the Secretary-
General of the Commonwealth Caribbean
Regional Secretariat and of which the text of the
Articles is set out in the Schedule.

Schedule.

3.—(1) The Minister is authorized to pay for the account of Jamaica the amounts payable from time to time to the Corporation under the Corporation Agreement: Financial provisions.

Provided that the Bank of Jamaica may from time to time, subject to the terms of any agreement made by that Bank with the Government, pay from its own funds such of the amounts aforesaid as may be specified in such agreement.

(2) The Minister may borrow, from any person, any sum or sums required for payments under this section and, for the purpose of such borrowing, he may create and issue any securities bearing such rate of interest and subject to such conditions as to repayment, redemption or otherwise as he thinks fit.

(3) The principal and interest of any securities issued under subsection (2) and the expenses incurred in connection with their issue shall be charged on the Consolidated Fund.

(4) Subject to the terms of any agreement to the contrary made by the Bank of Jamaica with the Government pursuant to the proviso to subsection (1), any moneys received by the Government from the Corporation or raised by securities under subsection (2) shall be paid into the Consolidated Fund Account and shall form part of the Consolidated Fund and be available in any manner in which that Fund is available.

(5) The Bank of Jamaica shall act as a depository for the holdings of currency of Jamaica and other assets of the Corporation.

(6) In this section "the Minister" means the Minister responsible for finance.

Certain provisions of Corporation Agreement given force of law in Jamaica.

4. Subject as hereinafter provided by this Act, the provisions of Articles 30 to 34 (inclusive) of the Corporation Agreement (which relate to the status, immunities, exemptions and privileges to be given effect in regard to the Corporation) shall have the force of law in Jamaica.

Questions as to entitlement to privileges and immunities.

5. If in any proceedings any question arises whether or not the Corporation 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 Corporation or such other person ought or ought not to be afforded that benefit as aforesaid shall be conclusive of the matters so stated.

Power of Minister to make orders.

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

7.—(1) Where any amendment to the Corporation 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. Schedule.

(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 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 Corporation 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 Corporation Agreement shall, unless the context otherwise requires, be construed as a reference to the Corporation Agreement as so amended.

CARIBBEAN FOOD CORPORATION

SCHEDULE

(Section 2)

AGREEMENT ESTABLISHING
THE CARIBBEAN FOOD CORPORATION*Preamble*

The Contracting Parties, being Governments of the Member States of the Caribbean Common Market;

CONSCIOUS of the need to adopt a scheme for the rationalisation of agricultural production within the Region with a view to promoting complementarity in national agricultural programmes as contemplated in Article 49 of the Annex to the Treaty Establishing the Caribbean Community;

NOTING the alarming rate of increase in the importation of agricultural products into the Region caused to some extent by the inadequate methods and practices of farming on a large or small scale in the past;

MINDFUL of the need to increase agricultural production within the Region and to facilitate the transportation, distribution and marketing of the products thereof within and without the Region;

CONSIDERING that while any such scheme should be organised on a sound commercial basis full advantage should be taken of the potential of the scheme for assisting in the development of small farming enterprises and the development of the human resources of the Region;

DETERMINED to remedy the situation by using advanced technology to implement a viable and efficient import replacement scheme in order to achieve self-sufficiency in food and to raise nutritional levels within the Region without displacing or competing with national efforts;

HAVE AGREED AS FOLLOWS:

CHAPTER I

ESTABLISHMENT, OBJECTIVES, MEMBERSHIP
AND POWERS OF CORPORATION

ARTICLE 1

Establishment

By this Agreement the Contracting Parties establish a Caribbean Food Corporation having the objectives, membership and powers hereinafter specified.

ARTICLE 2

Interpretation and Application

1. In this Agreement unless the context otherwise requires—
 - (a) "agricultural production" includes the production of fish and meat;

- (b) "Common Market" means the Caribbean Common Market established by the Annex to the Treaty;
- (c) "Corporation" means the Caribbean Food Corporation established by Article 1;
- (d) "dollar" means a dollar in the territory of the principal office of the Corporation;
- (e) "financial year" means the period January 1 to December 31, unless the Board of Directors otherwise determines;
- (f) "Less Developed Countries" or "LDCs" has the same meaning as in Article 3 of the Treaty;
- (g) "Member Country" means any Country which signs or accepts or accedes to this Agreement;
- (h) "More Developed Countries" or "MDCs" has the same meaning as in Article 3 of the Treaty;
- (i) "Region" means the States comprising the membership of the Common Market;
- (j) "Secretary-General" means the Secretary-General of the Caribbean Community established by the Treaty;
- (k) "Treaty" means the Treaty Establishing the Caribbean Community done at Chaguaramas on the 4th July, 1973.

2. Any question of interpretation or application of the provisions of this Agreement not otherwise expressly provided for shall be submitted to the Board of Governors for decision by a simple majority of the total number of Governors.

ARTICLE 3

Objectives

The Corporation shall have as its objectives the production, processing, packing, storage, transportation, distribution and marketing of food, and without limiting the generality of the foregoing, the following—

- (a) identifying, planning and implementing all stages of agricultural production schemes and any schemes relating thereto and, in pursuing the foregoing, to co-operate with national agencies;
- (b) mobilising funds, technical and managerial skills from within and without the Region to promote, finance and implement agricultural production schemes;
- (c) organising and facilitating the bulk purchase of agricultural inputs, as well as the marketing and other services associated with agricultural production schemes.

ARTICLE 4

Membership

1. Membership of the Corporation shall be open to—

[The inclusion of this page is authorized by L.N. 57/1980]