

THE COFFEE INDUSTRY REGULATION ACT

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THE COFFEE INDUSTRY REGULATION ACT

[9th December, 1948.]

Cap. 64.
Law
62 of 1958.
Acts
6 of 1962,
34 of 1967,
14 of 1985,
14 of 1998.

1. This Act may be cited as the Coffee Industry Regulation Act. Short title.

2. In this Act—

Interpre-
tation.

“approved association” means any association or body declared by the Minister to be the approved association pursuant to subsection (6) of section 14; 6/1962
S. 2(a).

“coffee product” means any article the principal constituent of which is coffee;

“coffee works” means any plant, machinery, appliances, mills or apparatus, whether similar to the foregoing or not, and any premises, used for the curing, drying, pulping, washing, cleaning, processing or preparation for sale of any coffee berries or for the manufacture of any coffee product;

“nominated member” means a person appointed a member of the Board by the Minister from a panel of coffee growers; 6/1962
S. 2(b).

“nursery” means any nursery for the cultivation of coffee plants or coffee seedlings;

“panel of coffee growers” means a panel of five persons actively engaged in the growing of coffee nominated from time to time and as the occasion requires by the approved association and from which nominated members may be appointed. 6/1962
S. 2(c).

3. There is hereby established a body corporate which shall be known as the Coffee Industry Board which shall have perpetual succession and a common seal and which may sue and be sued in its own name. Establish-
ment and
incorpora-
tion of the
Board.

General
duties of
Board.

4. The Board shall—

- (a) do all such acts as may lawfully be done, or but for the provisions of this Act might lawfully have been done, by any individual which the Board having due regard to the financial resources at its disposal may consider most expedient for the encouragement and development of the coffee industry in Jamaica and for the promotion of the welfare of persons engaged in that industry;
- (b) upon being required so to do by the Minister, make recommendations to the Minister as to any matter directly or indirectly affecting, relating to or connected with the coffee industry or persons engaged in that industry;
- (c) perform such other duties in relation to or connected with the coffee industry or persons engaged in that industry as the Minister may require to be performed by the Board.

Powers of
Board in
relation to
property.

5. The Board may in its absolute discretion—

- (a) acquire by purchase, exchange, gift, devise or in any other manner, whether similar to the foregoing or not, any estate or interest or rights or encumbrances in, over or upon any real property and lease or rent any land and hold any estate, interest, rights or encumbrances in, over or upon any real property so acquired or any land so leased or rented; and
- (b) mortgage, charge, sell, exchange, surrender, give away or dispose of in any manner, whether similar to the foregoing or not, any estate, interest, right or encumbrance in, over or upon any real property held by the Board and create any estate or interest, right or encumbrance in, over or upon any real property so held by the Board and grant leases of or rent any land so held; and

- (c) acquire by purchase, barter, gift, bequest or in any other manner, whether similar to the foregoing or not, any personal property and rent or accept the bailment (whether for reward or otherwise) of any personal property and hold any personal property so acquired, rented or bailed; and
 - (d) sell, barter, exchange, charge, pledge, give away or dispose of in any manner, whether similar to the foregoing or not, and lend, rent or bail (whether for reward or otherwise) any personal property so held by the Board,
- as fully and effectually as if the Board were an individual of full age and not under disability.

6. Without prejudice to the generality of any other power conferred by or under this Act and notwithstanding anything to the contrary in any regulations under this Act, the Board may in its absolute discretion—

Special
powers of
Board.

- (a) establish, maintain and operate any nurseries; and
- (b) import, cultivate, sell, give away, distribute, export or otherwise dispose of any coffee seedlings or coffee plants; and
- (c) establish, maintain and operate any coffee plantations or coffee works;
- (d) cultivate, dry, cure, pulp, clean, wash or process in any other manner any coffee berries and manufacture any coffee product and purchase, prepare for market, store, transport, distribute, sell or export any coffee berries or any coffee product; and
- (e) establish, maintain or operate research stations for
 - (i) investigating the cause, incidence, prevention, control or eradication of any disease

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- likely to be prejudicial to the interests of the coffee industry;
- (ii) investigating the types of coffee which and the conditions under which, and the manner in which coffee may most advantageously be cultivated in Jamaica or in any area in Jamaica;
 - (iii) investigating the conditions under which and the manner in which coffee may most advantageously be cured, dried, pulped, washed, cleaned, processed, stored, prepared for market, transported or exported from Jamaica;
 - (iv) improving the yield or other economic value of coffee or of any type of coffee;
 - (v) investigating the types of coffee products most suitable for manufacture in Jamaica and the conditions under which and the manner in which any such products may be most advantageously manufactured, stored, processed, prepared for market, transported or exported;
 - (vi) investigating any other matter the investigation of which may in the opinion of the Board be necessary or expedient in the interests of the coffee industry;
- (f) do any of the acts or things referred to in paragraphs (a) to (e) (both inclusive) on behalf of or as agent for or in partnership with any other person or finance the doing of any such acts or things by any other person;
- (g) execute, accept, endorse and negotiate bills of exchange, cheques and promissory notes on its own behalf or on behalf of any other person;