

THE SUGAR (RESERVE FUNDS) ACT

ORDERS
(under section 5)

(Omitted)

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THE SUGAR (RESERVE FUNDS) ACT

REGULATIONS
(under section 9)

THE SUGAR INDUSTRY (CAPITAL REHABILITATION FUND)
REGULATIONS, 1949

(Made by the Governor in Executive Council on the 4th day of
April, 1949)

L.N. 28/49
Amul:
L.N. 103/52
119/59
30/64
269/75

1. These Regulations may be cited as the Sugar Industry (Capital Rehabilitation Fund) Regulations, 1949.

2. In these Regulations—

“the Authority” means the Sugar Industry Authority established by section 3 of the Sugar Industry Control Act;

“the Fund” means the Sugar Industry Capital Rehabilitation Fund created by section 3 of the Act;

“rehabilitation” means expenditure on replacements, improvements or additions of a capital nature to existing buildings, plant, machinery or equipment pertaining to sugar factories or their ancillary services and on cane cultivations and includes expenditure on deferred maintenance or on new capital developments.

3. The amount available for distribution shall be the aggregate of the amounts collected from sugar manufacturers in respect of the Fund and any other amounts which may from time to time accrue to the Fund from any source whatever, together with any interest accruing thereon after deducting therefrom the proportion of the allowable expenses incurred by the sugar manufacturers in connection with the amounts received by them for payment into the Sugar Reserve Funds which is applicable to the Fund.

*THE SUGAR INDUSTRY (CAPITAL REHABILITATION FUND)
REGULATIONS, 1949*

4. If any sugar manufacturer submits a claim under regulation 9 and if that claim is accepted by the Authority he shall be entitled to withdraw from the Fund the amount of such claim up to his proper proportion of the sums he has contributed thereto subject to the provisions of regulation 5.

5.—(1) Cane farmers shall share in the Fund as hereinafter provided.

(2) The allocation of the Fund as between factories on the one hand and all cane cultivations (including those of cane farmers) on the other hand shall be made in relation to the capital employed in the factories and in the fields in accordance with paragraph 74 of the Sugar Industry Commission's Report on capital subject to any revisions agreed on by the Authority as necessary to include all additional investments which have been made since the Sugar Industry Commission's valuation.

(3) Distribution of that portion of the Fund applicable to cane cultivations as a whole as between sugar manufacturers and cane farmers shall be made on the basis of canes delivered to each factory from the estates' cultivations and by cane farmers respectively.

6.—(1) A cane farmer's right to his allocation from the Fund shall determine if he fails to claim the allocation for a period of six years from the date when the right first accrued.

(2) Any allocations remaining unclaimed for the period of six years shall be paid to the All-Island Jamaica Cane Farmers' Association.

7. Sugar manufacturers and cane farmers shall be entitled to spend their receipts from the fund upon rehabilitation of whatever nature.

8. A sugar manufacturer or cane farmer operating more than one factory or cane farm may spend the whole or a portion of his receipts from the Fund on rehabilitation in connection with any one factory or its ancillary services or the cane cultivations connected therewith or any cane farm.

9. Claims in respect of expenditure incurred on rehabilitation shall be supported by statements duly certified by auditors or by evidence of a nature satisfactory to the Authority. In the case of sugar manufacturers claims shall be scrutinized by the Sugar Manufacturers' Association (of Jamaica) Limited and in the case of cane farmers by the All-Island Jamaica Cane Farmers' Association before such claims are submitted to the Authority.

10. Expenditure in respect of claims once admitted but not fully met by the moneys available in the Fund at the time may be carried forward.

11. Payments to any cane farmer from the Fund may include intended future expenditure on rehabilitation in addition to past expenditure. Evidence satisfactory to the Authority shall be subsequently furnished by any such cane farmer showing that the intended expenditure has in fact been incurred.

12. Cane farmers may be permitted to pool the amounts that are to be distributed to them from the Fund and to utilize this sum for the purpose of providing plant and/or equipment for joint use or joint services. Proposals in respect of any particular group of farmers shall be considered on the merits of each individual proposal.

13. A register shall be kept by the Authority showing—

- (a) the quantity of sugar exported from time to time by each exporter;
- (b) the amount of the statutory deduction payable to the Fund by each exporter;
- (c) the date of payment of such deduction; and
- (d) the amount of the claim or claims rendered by each sugar manufacturer and cane farmer and the decisions of the Authority in each case.

14. All disbursements from the Fund approved by the Authority shall be made by the Accountant-General with the approval of the chairman of the Authority and one other member.

THE SUGAR (RESERVE FUNDS) ACT

REGULATIONS
(under section 9)

THE SUGAR INDUSTRY LABOUR WELFARE BOARD REGULATIONS, 1964

(Made by the Minister under the above section and by virtue of paragraph 2 of the Sugar (Reserve Funds) (Deputation of Minister) Order, 1963 (revoked) on the 23rd day of January, 1964)

L.N. 29/64
Amd:
L.N. 183/64
371/65
72/66
61/68
133/71
434c/73

1. These Regulations may be cited as the Sugar Industry Labour Welfare Board Regulations, 1964.

2. The Sugar Industry Labour Welfare Board established under regulation 3 of the Sugar (Reserve Funds) Regulations 1948, (revoked)* shall continue to exist and is hereafter in these Regulations referred to as "the Board".

3.—(1) The Board shall consist of the chairman of the Sugar Industry Authority and not more than twenty-one other members to be appointed by the Minister of whom—

- (a) four shall be public officers, one being nominated by the Minister responsible for labour, one by the Minister responsible for housing, one by the Minister responsible for health and one by the Minister responsible for welfare and respectively representing those ministries;
- (b) not more than five and not less than three shall be nominees of the trade unions having bargaining rights within the sugar industry to be selected by the Minister from a panel of five names to be submitted by each union to the intent that each union shall have at least one nominee on the board;
- (c) two shall be nominees of the Cane Farmers' Association;
- (d) two shall be nominees of the Sugar Manufacturers' Association.

* Regulation 3 of the Sugar (Reserve Funds) Regulations, 1948 (revoked) reads as follows:
"3. There are hereby established three Boards to be known as the Sugar Price Stabilization Board, the Sugar Industry Capital Rehabilitation Board and the Sugar Industry Labour Welfare Board which have the power to administer the Sugar Price Stabilization Fund, the Sugar Industry Capital Rehabilitation Fund and the Sugar Industry Labour Welfare Fund, respectively."