

THE BANANA BOARD ACT

ARRANGEMENT OF SECTIONS

Preliminary

1. Short title.
2. Interpretation.

Establishment and Constitution of Board

3. Establishment and composition of Board.
4. Temporary members.
5. Tenure of office of member.
6. Resignation.
7. Removal of members; temporary chairman.
8. Publication of membership of Board.
9. Incorporation.
10. Procedure and meetings.

Functions, Duties and Powers of Board

11. Functions of Board.
12. General powers of Board.
13. Borrowing powers.
14. Power of Minister responsible for finance to guarantee borrowings by the Board.
15. Repayment of sums issued to meet guarantees, and of advances.
16. Remuneration of members.
17. Appointment of officers, agents and servants.
18. Delegation of power.
19. Access to information from Commissioner of Customs and Excise and Inspector of Agricultural Produce.
20. Regulations.
21. Liability of members of Board.
22. Powers of Minister.

*BANANA BOARD**Financial Provisions*

23. Special provisions relating to funds of Board.
24. Reserve fund.
25. Investments.
26. Accounts and audit.
27. Annual report and estimates.

Control of Purchase, Sale and Exportation of Bananas

28. Penalties.
29. Rules.

THE BANANA BOARD ACT

[1st October, 1953.]

Preliminary

- | | |
|---|---|
| <p>1. This Act may be cited as the Banana Board Act.</p> | Short title. |
| <p>2. In this Act, unless the context otherwise requires—</p> <p>“agent” means an agent of the Board and includes any Government department acting for and on behalf of the Board;</p> <p>“approved association” means an association of persons engaged in the banana industry approved by the Board for the purposes of this Act;</p> <p>“bananas” includes processed bananas;</p> <p>“the Board” means the Banana Board established in accordance with this Act;</p> <p>“chairman” means chairman of the Board, and includes the acting chairman;</p> <p>“export” means to take or cause to be taken out of this Island or the territorial waters thereof;</p> <p>“limited purchasing order” means an order in writing relating to the quantity of bananas which the Board will purchase from the person to whom such order is addressed in respect of a particular banana cultivation, during any period specified in the order;</p> <p>“member” means member of the Board and includes chairman;</p> <p>“the Minister” means the Minister responsible for agriculture.</p> | <p>Interpretation.</p> <p>23/1970
S. 2.</p> <p>16/1965
S. 2.</p> <p>17/1960
S. 2 (1).</p> |

Laws
24 of 1953,
16 of 1955,
41 of 1958,
17 of 1960.
Acts
16 of 1965,
24 of 1969
2nd Sch.
23 of 1970,
12 of 1985
Sch.

Establishment and Constitution of Board

Establishment and composition of Board.

16/1965

S. 2.

23/1970

S. 3 (a).

3.—(1) There shall be established for the purposes of this Act a body to be called the Banana Board.

(2) The Board shall be appointed by the Minister and shall consist of not less than five nor more than eight members of whom one shall be a person selected from a panel of three persons nominated by the body which the Minister recognizes as being representative of banana growers in the Island.

17/1960

S. 2 (1).

(3) The Minister may appoint a person to fill a vacancy among the members, and a member so appointed shall hold office for the residue of the term of the member whom he has succeeded.

16/1965

S. 2.

23/1970

S. 3 (b).

(4) The Minister shall appoint a chairman and a vice-chairman of the Board from amongst the members thereof.

Temporary appointments.

23/1970

S. 4.

4. In the case of the absence or inability to act of any member (in this section referred to as the permanent member), the Minister may appoint any person (in this section referred to as the temporary member) to act temporarily in the place of the permanent member, so, however, that such appointment shall be made in the same manner and from the same category of persons, if any, as the appointment of the permanent member.

Tenure of office of member.

41/1958

S. 3.

5.—(1) The appointment of every member of the Board shall be evidenced by an instrument in writing, and such instrument shall state the period of office of the member which shall not exceed three years.

(2) Every member shall be eligible for reappointment.

Resignation.

6.—(1) Any member of the Board, other than the chairman, may at any time resign his office by instrument

in writing addressed to the Minister and transmitted through the chairman, and from the date of the receipt by the Minister of such instrument, such member shall cease to be a member of the Board.

(2) The chairman may at any time resign his office by instrument in writing addressed to the Minister and such resignation shall take effect as from the date of the receipt of such instrument by the Minister.

7.—(1) The Minister if he thinks it expedient so to do may at any time remove any member from office.

Removal of
members;
temporary
chairman.

(2) In the event of the absence or inability to act of the chairman the Minister may appoint any person to act temporarily as chairman; and subject to the conditions (if any) of his appointment a person so appointed shall while so acting have all the powers and be liable to perform all the duties of the chairman; but where an appointment under this subsection is made by reason of the absence from Jamaica of the chairman in the course of the performance of the functions of his office as such, this subsection shall not operate to invalidate anything done by him in the course of such performance during such absence.

17/1960
S. 2 (1).

8. The names of all members of the Board and every change in the membership thereof shall be published in the *Gazette*.

Publica-
tion of
member-
ship of
Board.

9.—(1) The Board shall be a body corporate having perpetual succession and a common seal with power to purchase, lease or otherwise acquire and hold and dispose of land and other property of whatever kind.

Incorpora-
tion.

(2) The seal of the Board shall be authenticated by the signatures of the chairman or one member of the Board authorized to act in that behalf and the secretary of the