

THE CARGO PREFERENCE ACT

[15th June, 1979.]

Act
11 of 1979.

1. This Act may be cited as the Cargo Preference Act. Short title.

2. In this Act—

Interpreta-
tion.

“cargo” includes goods of any kind carried or to be carried in or on a ship or other vessel;

“liner cargo” means cargo that normally moves, in liner ships, in parcels, any one of which does not constitute a substantial portion of a vessel’s cargo capacity, shipped and consigned by a number of shippers to a number of consignees under arrangements whereby the cost of loading and discharging such cargo is included in the freight charges;

“liner ship” means a ship, not being a tramp vessel, which plys along fixed routes on pre-announced schedules carrying general cargo, whether packaged or containerised, at scheduled rates;

“tramp vessel” means a ship which, at any time when the description is relevant to a distinction from a liner ship—

- (a) caters for full shiploads of homogeneous cargo; or
- (b) if chartered, operates mainly for the use of the charter; or
- (c) while not plying along fixed routes or on pre-announced schedules, caters for general cargo, whether packaged or containerised.

Certain
cargoes to
be carried
only in
Government
ships.

3.—(1) Subject to the provisions of subsection (5), and to section 4, no person shall import or export from Jamaica, as the case may be, any of the cargoes specified in subsection (2) except in ships owned, chartered or operated by the Government and approved for the purpose by the Minister.

(2) The cargoes referred to in subsection (1) are—

- (a) bauxite, alumina and such other natural resources of Jamaica and their by-products, as may be prescribed;
- (b) such agricultural products, to be exported from Jamaica as may be prescribed;
- (c) such government-controlled goods, to be exported from or imported into Jamaica, as may be prescribed.

(3) For the purposes of this Act a ship is deemed to be owned by the Government if the Government or an agency of the Government owns the majority of shares of such ship or the company or companies owning, chartering or operating such ship.

(4) The Minister shall not approve a ship for the purpose of subsection (1) unless he is satisfied that the freight charged by such ship is not unreasonable.

(5) The provisions of this section shall not apply to the carriage of liner cargoes.

(6) In this section—

“agricultural product” includes livestock, poultry, fish and the product of any plant or animal;

“government-controlled goods” means goods purchased or sold by the Government or an agency of the Government or an enterprise owned or controlled by the Government and includes goods moving in commerce following a transaction to which the Government is a party.