

BELIZE:

SUGAR INDUSTRY (AMENDMENT) BILL, 2021

ARRANGEMENT OF CLAUSES

1. Short title.
2. Amendment of section 6.
3. Amendment of section 32.
4. Repeal and replacement of section 37.
5. Insertion of new section 38A.

BELIZE:

BILL

for

AN ACT to amend the Sugar Industry Act, Chapter 283 of the Substantive Laws of Belize, Revised Edition 2011; to clarify provisions in relation to elections of officers of the Association; to empower the Minister to receive and deal with disputes and complaints; and to provide for matters connected therewith or incidental thereto.

(Gazetted, 2021)

BE IT ENACTED, by and with the advice and consent of the House of Representatives and Senate of Belize and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the

SUGAR INDUSTRY (AMENDMENT) ACT, 2021,

CAP. 283.

and shall be read and construed as one with the Sugar Industry Act, which is hereinafter referred to as the principal Act.

Amendment of
section 6.

2. Section 6 of the principal Act is amended in sub-section (1) as follows—

(a) by repealing paragraph (g) and substituting the following—

“(g) arranging the conduct or supervision, or both, of elections and bi-elections of officers of the associations and of all bodies within the structures of the associations;”;

(b) by inserting after paragraph (g), the following new paragraph—

(ga) calling elections of the associations by October of the relevant year in instances where the associations have not yet held elections for that year,

provided that for the crop year 2021/2022, elections of officers of the associations shall be held on or before the 19th of December using the membership of the associations for the 2020/2021 crop season.”.

3. The principal Act is amended in section 32 as follows—

Amendment of section 32.

(a) by repealing sub-section (4), and substituting the following—

“(4) Each association so registered with the Board shall submit to the Board—

(a) a copy of its bye-laws at the time of registration;

(b) a copy of every amendment to the bye-laws within a month of making that amendment

provided that associations which have amended their bye-laws prior to the commencement of this Act and without having filed a copy with the Board shall have a grace period of fifteen days within which to cure the default.”;

(b) by inserting after sub-section (4), the following new sub-section—

“(4A) Where an association fails to comply with any of the requirements under sub-section 4, that Association shall suffer a temporary suspension of its registration until the default is cured, but where the default continues for a period of six months, that association shall suffer a revocation of its registration by the Board.”

4. The principal Act is amended by repealing section 37 and substituting the following—

Repeal and replacement of section 37.

“**37.** (1) An association may make standing orders regulating its own procedure and governing the conduct of its business.

(2) An association shall file, with the Board, copies of its standing orders and any amendments to the standing orders by October of every year.”

5. The principal Act is amended by inserting after section 38, the following new section—

Insertion of new section 38A.

“Power of the
Minister.

38A. (1) Where a person is aggrieved by a decision—

(a) of the Board, that person shall refer the complaint to the Minister for a decision;

(b) other than a decision of the Board, that person shall refer the complaint to the Board for a decision but where the Board is unable to resolve the matter, it shall forward the complaint to the Minister for a decision.

(2) Where there is a complaint by a member of an association or where a dispute arises between a member of the association and that association, or between members of an association, the complaint or dispute shall be reduced to writing and submitted to the Board for a decision.

(3) In receiving a complaint or dispute under subsection (2), the Board may request additional documentation or may request a meeting with the relevant parties to the complaint or dispute.

(4) A decision of the Board under this section shall be given within four weeks of having received all documentation requested or having met with the relevant parties to the complaint or dispute.

(5) Where the Board is unable to address a complaint or resolve a dispute submitted to it under this section, it shall refer the complaint or dispute to the Minister for a decision.