

CHAPTER 265.**COTTON EXPORT.**

(28th June, 1934.)

7/1934.
3/1935

1. This Ordinance may be cited as the Cotton Export Ordinance. Short title

2. In this Ordinance— Interpretation

“Association” means the West Indian Sea Island Cotton Association (Incorporated);

“Committee” means the standing committee appointed by the Administrator hereunder;

“cotton” means clean cotton lint;

“export certificate A” means an export certificate showing the amount of cotton which the exporter named thereon has been authorised to export hereunder and the quantity he shall be allowed to hold in the hereunder prescribed area;

“export certificate B” means an export certificate showing the amount of cotton which the exporter named thereon has been authorised to export after production of satisfactory evidence to the Committee by such owner that such cotton has been sold and is being exported for direct sale;

“prescribed area” includes the United Kingdom and the continent of Europe and such other areas as the Administrator may from time to time prescribe by proclamation.

“prescribed form” includes such forms as the Administrator may, from time to time, direct to be used;

“prescribed quantity” means for the year 1934, 360,000 lb. of cotton and thereafter such quantity as the Administrator in Council from time to time shall prescribe by proclamation;

Standing
Committee.

3. (1) The Administrator may appoint a Committee of two Government Officials and one unofficial member, two members of which will form a quorum.

(2) The Administrator may request the Committee to consider and report to him, *inter alia*, upon the following subjects—

(a) applications received for exporter's licences and export certificates A and B;

(b) the allocation or reallocation of prescribed quantities amongst the exporters;

(c) the approval of transfers and cancellations of export certificates;

(d) such other matters upon which the Administrator may ask their advice.

Exporter's
licence.

4. The Administrator may grant an exporter's licence to any person upon the production of such evidence as the Administrator may require, that the applicant is an established and *bona fide* exporter of cotton.

Limitation of
exporter.

5. The Administrator, with the advice of the Association or Committee, may prescribe the quantity of cotton which may be exported from the Colony, either by consignment or direct sales in any year.

Export
certificates.

6. (1) The Administrator may issue export certificates (A or B) showing the name, address and licence number of the exporter and the total quantities of cotton authorised to be exported thereunder.

(2) Such certificates shall provide for entries, duly certified by the Treasurer, of all shipments to be made thereon: Provided that the quantities authorised by certificate A shall not exceed 360,000 lb. of cotton for the year 1934, and the prescribed quantity thereafter. Provided further that no certificate B shall be issued by the Administrator until the exporter has satisfied the Committee that the cotton to be exported thereunder is a direct sale, and the Committee has recommended that a certificate B shall be issued.

Issue of
certificate.

7. (1) All applications for export certificates A must be lodged with the Treasurer before a proclaimed day in July of each year (of which 30 days notice shall be given), in the prescribed form in the *Gazette*.

(2) Each exporter shall make a declaration in the prescribed form showing full details of the total amount of cotton which he wants authority to export.

(3) Such declaration shall also contain an undertaking by the exporter that no cotton already sold by direct sale will be included in any shipment on certificate A and that should the exporter wish to sell by direct sales prior to export any quantity already entered upon a certificate A the exporter will at once notify the Committee and permit the consequential readjustment of the total quantity of cotton allocated to him for export under certificate A. Should any disagreement arise in respect of such readjustment of the total allocation of any exporter and the Committee, the provisions of section 11 shall apply to the transaction

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(4) Within seven days after the proclaimed date, the Administrator in Council with the advice or recommendations of the Committee shall consider all applications correctly lodged and may allocate the prescribed quantity amongst the exporters.

(5) After the annual allocation has been made, the Administrator may re-allocate unexported balances of the prescribed quantities, or issue further certificates to individual exporters as he may deem just

8. (1) Application for export certificate B may be lodged with the Chairman of the Committee at any time, together with such evidence of direct sales as the Administrator from time to time shall authorise the Committee to require.

Issue of
Certificate B.

(2) Upon receipt of such application, the Chairman shall forthwith summon a meeting of the full Committee and consider the application.

(3) If the application is approved by the Committee it shall be so endorsed and signed by the Chairman and one member and forwarded without delay to the Administrator.

(4) The Administrator may, upon receipt of the approved application issue such export certificates B as he may deem just.

(5) The Administrator may issue certificates B under a separate allocation in a similar manner to which certificates A are issued, or without allocation as he may deem expedient.

Transfer of
export
certificate.

9. (1) Any exporter may transfer the whole or any part of his export certificate to any other exporter, with the approval of the Administrator.

(2) All applications for transfer must be made on the prescribed form of declaration, disclosing full particulars of the transaction; signed by both parties to the transfer and lodged with the Chairman.

(3) The application for transfer shall be considered by the Committee and forwarded to the Administrator with any recommendations of the Committee.

Endorsement of
transfer.

10. (1) Upon receipt of the recommendations of the Committee the Administrator, if he approves the transfer, may cause such transfer to be endorsed upon the original certificate or any new certificate issued in consequence of the transfer, and initial such endorsement.

(2) The endorsed certificate shall then be returned to the Chairman for the signatures of the parties to the transfer and at least two members of the Committee.

Cancellation of
balance of
allocation.

11. The Administrator may cancel the balance of any unused allocation of any exporter who refuses or neglects to transfer such unused balance remaining, at the request of the Committee, and re-allocate such balance as he may deem just: Provided that such cancellation shall not be made when the exporter can prove, to the satisfaction of the Committee that he is in possession of a quantity of cotton owned or grown by him sufficient to cover the unexported balance of the allocation authorised by such certificate, which he wishes to delay exporting for some date in the future.

Export entries
on certificate.

12. The Treasurer shall endorse and sign upon the certificate of the exporter all exportations of cotton and the balance remaining under the authority of such certificate.

Offences.

13. Any person who—

(1) exports any cotton from the Colony without lawful authority under the provisions of this Ordinance; or

(2) makes any false statement or declaration in connection with the issue of any transaction connected with this Ordinance,

shall on summary conviction be liable to a fine of four hundred and eighty dollars or six months imprisonment.

Nothing in this section shall prevent a prosecution under any other law, but so that a person shall not be punished twice for the same offence.

14. The Administrator may make rules for regulating proceedings under this Ordinance, and the fees payable in respect thereof and such penalties not exceeding twenty-four dollars for any act or omission committed by any person in contravention thereof.

Power to make rules.

15. The provisions of this Ordinance shall only apply to the exportations of cotton to a prescribed area.

Application of Ordinance.

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