

(b) Such examinations shall be held on such day during the month of December in the year 1937 and on such day during the month of December in the year 1938 as the Chief Justice may in each case direct.

(3) Every candidate for an examination under this section shall pay the following fees into the Public Treasury:—

(a) For an examination under paragraph (e) of sub-section (1), a fee of five pounds.

(b) For an examination under paragraph (f) of sub-section (1), a fee not exceeding two pounds as the Chief Justice may direct.

(4) The provisions of section 5 shall apply to any person who has been approved and admitted to practise as an advocate by the Chief Justice under sub-section (1).

(5) No person—

(a) shall be approved and admitted to practise as an advocate by the Chief Justice, or

(b) shall have his name enrolled in the Roll of Advocates, under the provisions of this section after the thirty-first day of December, 1938.”

No. 21 of 1937.

A LAW TO REGULATE AND CONTROL THE CULTIVATION OF COTTON, AND THE COTTON INDUSTRY.

H. R. PALMER,
Governor.

[30th July, 1937.]

BE it enacted:—

1. This Law may be cited as the Cotton Law, 1937. Short title.

2. In this Law—

“baling licence” means a licence issued under this Law to bale cotton only; Interpretation.

“cotton plant” means the growing plants, cuttings, buds and grafts, seeds, leaves, bolls, or any portion of the cotton plant in a natural state;

“ginning licence” means a licence issued under this Law to gin cotton;

“lint cotton” means ginned cotton;

“raw cotton” means unginmed or seed cotton.

Cotton to be grown from authorized seed only.

3. Any person who grows cotton from seed which has not been supplied by the authority of the Director of Agriculture under the provisions of section 4 shall be guilty of an offence.

Authorized supply of cotton seed.

4.—(1) The Director of Agriculture may authorize such persons as he thinks fit to supply cotton seed for sowing purposes.

(2) Every person so authorized shall supply only cotton seed for sowing purposes which has been approved by the Director of Agriculture or by an officer of the Agricultural Department authorized by him in that behalf.

(3) Any person who supplies cotton seed for sowing purposes in contravention of the provisions of this section shall be guilty of an offence.

Power to Director of Agriculture to require cotton seed to be reserved for sowing purposes.

5.—(1) The Director of Agriculture may serve a notice in writing upon any person owning cotton seed requiring such person—

(a) to reserve at his premises such cotton seed for inspection by the Director of Agriculture or his representative named in the notice, and

(b) if such seed is approved for sowing purposes, to supply the same for such purposes.

(2) Any person who without reasonable excuse fails to comply with any of the terms of a notice served on him under the provisions of sub-section (1) shall be guilty of an offence.

Power to fix sale prices for cotton seed.

6.—(1) The Director of Agriculture may with the approval of the Governor by notice to be published in the *Gazette* fix sale prices for cotton seed supplied for sowing purposes either generally or in respect of any area specified in such notice.

(2) Any person who acts in contravention of the terms of a notice made under sub-section (1) shall be guilty of an offence.

Segregated areas.

7.—(1) Anything in this Law to the contrary notwithstanding the Governor may, for the purpose of increasing the seed supply of any species or variety of cotton or for the purpose of improving the quality of cotton grown, by notice to be published in the *Gazette* declare any area within the Colony to be a segregated area.

(2) In any such area cotton shall not be planted, sold or ginned, except under the authority of and as directed by the Director of Agriculture and any person who acts in contravention of this sub-section shall be guilty of an offence.

8.—(1) The Director of Agriculture may by notice in writing direct the owner or any person having charge of any cotton seed harbouring or likely to harbour any cotton pest or cotton disease to treat such cotton seed, or to destroy such cotton seed, either within any specified time or forthwith and in any specified manner, and any person who without reasonable excuse fails to comply with the terms of such notice shall be guilty of an offence.

Destruction
of pestiferous
cotton seed.

(2) The Director of Agriculture may also authorize any person to enter upon the place or premises in which such seed is stored or to be found and to destroy it forthwith—

(a) if the person upon whom the notice has been served fails to comply therewith within the time specified ; or

(b) without serving such notice if in his opinion the circumstances justify such action.

(3) For the purposes of carrying out the provisions of this section the expression " Director of Agriculture " shall include any officer of the Agricultural Department authorized by the Director to exercise the powers conferred upon the Director by this section.

(4) No compensation shall be payable in respect of any cotton seed destroyed in accordance with any of the provisions of this section, and any expenses necessarily incurred by any Department in effecting the destruction of such seed shall be deemed to be a debt due to the Government from the owner or person in charge of the seed and shall be recoverable accordingly.

9. Any officer of the Agricultural Department may enter upon any land on which any cotton is being grown and may require the occupier of such land to uproot therefrom within seven days any cotton plant grown from seed not supplied by the authority of the Director of Agriculture as hereinbefore provided or considered by the Director of Agriculture to be of an undesirable type, and in the event of non-compliance with such direction the occupier shall be guilty of an offence and it shall be lawful for the officer to uproot or authorize any person to uproot such plant.

Uprooting of
cotton plants
not grown
from
authorized
seed.

10. Any person, other than the holder of a permit to use a hand gin, who gins or bales cotton at any place without being in possession of a licence to gin or bale at that place issued to him by the Director of Agriculture shall be guilty of an offence.

Ginning
and baling
licences.

Governor may require certain particulars to be furnished with applications for ginning licences in respect of new ginneries.

11.—(1) The Governor may, on the recommendation of the Director of Agriculture, by notice to be published in the *Gazette* require that every application for a ginning licence in respect of a ginnery which was not erected, established or in use prior to the commencement of this Law, shall be accompanied by plans, drawings, specifications and declarations containing such particulars and conforming with such requirements as may be prescribed by rules made hereunder.

(2) Upon the publication of such a notice in the *Gazette* and notwithstanding anything in this Law contained, no ginning licence shall be issued in respect of any such ginnery unless the plans, drawings, specifications and declarations relating thereto have been approved by the Director of Agriculture, and unless such ginnery otherwise complies with such other requirements as may be prescribed by rules made hereunder.

Grounds for refusal to issue licences.

12. Subject as hereinafter provided the Director of Agriculture may refuse to issue a ginning licence or a baling licence on the ground that—

(a) the applicant has been convicted of an offence against this Law or against any rule made hereunder ;
or

(b) the applicant has been convicted of an offence involving dishonesty or fraud ; or

(c) in the case of an application for a ginning licence—

(i) the applicant is unable to give satisfactory proof of his financial stability, or

(ii) the proposed ginnery is unsuitable by reason of its equipment or machinery for the purpose of ginning cotton without causing deterioration or other damage to the cotton to be handled in such ginnery, or

(iii) the applicant is not properly qualified to work or manage a ginnery.

Period of licence.

13. Every ginning licence or baling licence shall expire on the 31st day of July next following the date of issue.

Licences personal but transferable.

14. Every ginning licence and baling licence shall be personal to the holder, but subject to the provisions of this Law the Director of Agriculture may permit any licence holder to transfer his licence to any other person, and such licence shall continue to its expiration without payment of any fee by the transferee.

15. Any person aggrieved by the refusal of the Director of Agriculture—

Right of appeal to Governor in Council.

- (a) to issue a ginning licence or a baling licence, or
- (b) to transfer a ginning licence or a baling licence, or
- (c) to approve any plans, drawings, specifications or declarations under section 11,

may appeal to the Governor in Council whose decision thereon shall be final and conclusive.

16. The Governor may by notice prescribe the form of a ginning licence and a baling licence and unless and until such power be exercised every licence shall be issued in the appropriate form set out in the First Schedule.

Form of licence.

17. The Governor may by notice prescribe the form of application for a ginning or baling licence and unless and until such power be exercised every application for a ginning or baling licence shall be submitted in the form set out in the Second Schedule.

Form of application for a ginning or baling licence.

18.—(1) The Governor in Council may by order prescribe the fee chargeable in respect of any ginning licence, and unless and until such power be exercised the fee payable shall be five shillings.

Fee for ginning licence.

(2) No fee shall be chargeable in respect of a baling licence.

19.—(1) Every licence holder shall forward to the Director of Agriculture within twenty-one days after the end of each calendar month during which his ginnery was in operation details of all cotton ginned during that month. These details shall specify—

Licence holders to forward to Director of Agriculture monthly return of cotton ginned.

- (a) the quantities ginned during the month ;
- (b) the qualities into which these quantities are classified ;
- (c) whether the cotton was saw or roller ginned.

(2) Any licence holder who contravenes any of the provisions of this section shall be guilty of an offence.

20. Any person who, without having previously obtained from the Director of Agriculture a permit in that behalf, uses or causes to be used any hand gin shall be guilty of an offence.

Restriction on use of hand gins.

21. Any person who acts in contravention of or fails to comply with the provisions of any rule made under this Law shall be guilty of an offence.

Contravention of rules,

Penalties.

22. Any person who is convicted of an offence against this Law or any rule made hereunder shall be liable to a fine not exceeding twenty-five pounds or to imprisonment for a period not exceeding three months or to both such punishments.

Replacement
of destroyed
licences.

23. If any licence issued or deemed to have been issued under the provisions of this Law is lost or destroyed the holder may require the issuing officer to issue a certified copy of the licence on payment of a fee of one shilling and such copy shall be deemed to be the licence of which it is a copy.

Rules.

24. The Governor in Council may make rules to be published in the *Gazette*—

- (a) prescribing the place of origin, the variety and the quality of seed to be used for growing, and controlling the production of seed ;
- (b) regulating and controlling the method, time and place of growing and harvesting cotton ;
- (c) for the inspection of cotton plantations, cotton seed and raw cotton ;
- (d) for the inspection of ginneries and of buildings in which cotton seed, raw cotton, lint cotton or baled cotton is stored or deposited ;
- (e) regulating, controlling and prescribing methods of storing or depositing cotton seed, raw cotton, lint cotton or baled cotton ;
- (f) regulating and controlling the collection, sorting, grading, ginning, baling and handling of raw cotton ;
- (g) regulating and controlling the transportation of raw cotton, lint cotton and cotton seed ;
- (h) regulating and controlling and prescribing methods for the packing and bagging of raw cotton, baled cotton, lint cotton and cotton seed ;
- (i) preventing, controlling and suppressing cotton disease and insect pests ;
- (j) prescribing and enforcing directions for the protection of cotton from deterioration and destruction ;
- (k) prescribing, in respect of ginneries which were not erected, established or in use prior to the commencement of this Law, the minimum size of plots of land upon which such ginneries may be erected or established, the places at which such plots of land may be situated, the type and dimensions of buildings which may be erected on such plots, the type of

equipment and machinery which may be used in such ginneries, and the particulars to be contained in plans, drawings, specifications and declarations accompanying applications for ginning licences in respect of such ginneries ; and

(l) for the better furtherance in general of the provisions and purposes of this Law.

25. Nothing in this Law shall affect the provisions of any Law for the time being in force relating to factories or workshops or to the regulation of trades and industries.

FIRST SCHEDULE.

(Section 16.)

A.

THE COTTON LAW, 1937.

LICENCE TO GIN COTTON.

Licence No.
District
Name of Licensee
Premises at.....
Description of premises

Licence is hereby granted to the above named to gin cotton at the premises stated in this licence.

Dated this.....day of.....19....

This Licence expires on the 31st day of July next after the date hereof.

Fee : 5s.
Director of Agriculture.

B.

THE COTTON LAW, 1937.

LICENCE TO BALE COTTON.

Licence No.
District
Name of Licensee.....
Premises at.....
Description of premises

Licence is hereby granted to the above named to bale cotton at the premises stated in this licence.

Dated this.....day of.....19....

This Licence expires on the 31st day of July next after the date hereof.

Fee : Nil.
Director of Agriculture,

SECOND SCHEDULE.

(Section 17.)

THE COTTON LAW, 1937.

APPLICATION FOR A LICENCE TO GIN (OR BALE) COTTON.

To the Director of Agriculture,

I/we beg to apply for a licence to gin (or bale) cotton at my/our premises situated at..... in the District of..... during the period commencing on..... and ending on.....

Particulars relating to the above premises are as follows :—

- Name of firm.....
Number of roller gins.....
Number of saw gins and size.....
Number of seed cotton openers.....
Number of delinters.....
Number of power presses.....
Number of hand presses.....
Description of engine employed to work machinery.....
Number and dimensions of stores.....
Estimated capacity of stores (seed cotton).....
Description of machinery used for cotton or other purposes.....

Dated this.....day of.....19.....

Signature of Owner or Manager.

Address :.....