

THE JAMAICA 4-H CLUBS ACT

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SCHEDULE

THE JAMAICA 4-H CLUBS ACT

Acts
23 of 1966,
42 of 1969
3rd Sch.

[1st December, 1966.]

1. This Act may be cited as the Jamaica 4-H Clubs Act. Short title.

2. In this Act—

Interpreta-
tion.

“Board” means the Jamaica 4-H Clubs Board of Management established by this Act;

“chairman” means the chairman of the Board and includes any person for the time being performing the functions of the chairman;

“farming” includes any activities relating to agriculture, horticulture, forestry, apiculture, fish-culture, fishing, the development and maintenance of pastures, the cultivation of crops and the keeping or breeding of livestock or poultry;

“functions” includes duties and powers;

“home-making” includes any activities relating to cooking, baking, sewing, laundering and interior decoration;

“member” means a member of the Board;

“vice-chairman” means the vice-chairman of the Board and includes any person for the time being performing the functions of the vice-chairman;

“4-H Club” means a Club which uses the figure and letter “4-H” in its name and which has as its object the development among children and young

persons in Jamaica of an interest in rural life, a desire to be efficient in farming and home-making and an interest in cultural and civic activity.

Establishment of Board of Management.

3.—(1) There shall be established for the purposes of this Act a body to be called the Jamaica 4-H Clubs Board of Management.

Schedule.

(2) The provisions of the Schedule shall have effect as to the constitution of the Board and otherwise in relation thereto.

Functions of the Board.

4.—(1) It shall be the duty of the Board to promote the education and training of children and young persons with a view to—

- (a) increasing efficiency in farming and home-making; and
- (b) stimulating interest in rural life; and
- (c) encouraging cultural and civic development and activity.

(2) Subject to the provisions of this Act, the Board shall have power, for the purpose of discharging its functions under this Act, to do anything and to enter into any transaction which, in the opinion of the Board, is necessary to ensure the proper performance of its functions.

(3) In particular and without prejudice to the generality of the provisions of subsections (1) and (2), the Board shall have the power—

- (a) to form, or promote the formation of, 4-H Clubs in Jamaica and to advise and assist such Clubs in the promotion and organization of activities which, in the opinion of the Board, are suitable for such Clubs;

- (b) to undertake any project which, in the opinion of the Board, aids, whether directly or indirectly, the exercise of the Board's powers under paragraph (a).

5. The Board may, with the approval of the Minister, make regulations— Regulations.

- (a) providing for the composition, registration, control, governance and administration of 4-H Clubs;
- (b) providing for the appointment, functions and responsibilities of Parish Advisory Councils and an Island Advisory Council;
- (c) prescribing forms for the purposes of this Act.

6.—(1) The Board may appoint committees for any such general or special purposes with which the Board may be concerned as in the opinion of the Board would be better regulated and managed by means of a committee. Appoint-
ment of
committees.

(2) The number of members of a committee appointed under subsection (1), their functions and term of appointment, the quorum of the committee and the area, if any, within which the committee is to exercise authority shall be determined by the Board.

(3) A committee appointed pursuant to this section may include persons who are not members of the Board:

Provided that at least two-thirds of the members of any such committee shall be members of the Board.

(4) The provisions of paragraph 13 of the Schedule shall apply to a member of a committee who is not a member of the Board in like manner as they apply to a member of the Board. 42/1969
3rd Sch.

(5) The validity of the proceedings of a committee appointed pursuant to this section shall not be affected by

any vacancy amongst the members thereof or by any defect in the appointment of a member thereof.

Power to delegate.

7.—(1) Subject to the provisions of this Act the Board may delegate to any member or committee of the Board or to any of its officers or servants the power and authority to carry out such functions as the Board may determine.

(2) Every delegation under this section shall be revocable by the Board and no delegation shall prevent the exercise by the Board of any function delegated.

Funds and resources of the Board.

8.—(1) The funds and resources of the Board shall consist of—

- (a) such sums as may be provided annually for the purpose in the Estimates of Revenue and Expenditure of Jamaica;
- (b) sums borrowed by the Board pursuant to section 9 for the purpose of meeting any of its obligations or discharging any of its functions;
- (c) all other sums or property which may in any manner become payable to, or vested in, the Board in respect of any matter incidental to its functions.

(2) Notwithstanding sections 10 and 11 any such sums as are mentioned in paragraph (a) of subsection (1) shall not be invested in securities or placed in a reserve fund unless the Estimates of Revenue and Expenditure of Jamaica so allow.

Borrowing powers.

9.—(1) Subject to the provisions of subsection (2), the Board may borrow sums required by it for meeting any of its obligations or discharging any of its functions.

(2) The power of the Board to borrow shall be exercisable only with the approval of the Minister responsible for finance as to the amount, as to the source

of borrowing and as to the terms on which the borrowing may be effected, and an approval given in any respect for the purpose of this subsection may be either general or limited to a particular borrowing or otherwise, and may be either unconditional or subject to conditions.

(3) In this section the word "borrow" includes obtaining advances.

10. Moneys standing to the credit of the Board may from time to time be invested in securities approved either generally or specifically by the Minister, and the Board may from time to time, with the like approval, sell any or all of such securities.

Invest-
ments.

11. The Board may, with the approval of the Minister, establish a reserve fund to be utilized for such purposes as the Minister may approve.

Reserves.

12.—(1) The Board shall keep accounts of its transactions to the satisfaction of the Minister and such accounts shall be audited annually by the Auditor-General.

Accounts
and audit.

(2) The members, officers and servants of the Board shall grant to the Auditor-General access to all books, documents, cash and securities of the Board and shall give to him on request all such information as may be within their knowledge in relation to the operation of the Board.

13.—(1) The Board shall, in each year—

- (a) on or before the first day of October, submit to the Minister a report of its activities during the twelve months ending on the 31st day of March in that year, including a statement of its accounts audited in accordance with the provisions of section 12;

Annual
Reports and
Estimates.

(b) on or before the 31st day of October, submit to the Minister for his approval Estimates of Revenue and Expenditure for the financial year commencing on the 1st day of April next following.

(2) Copies of reports submitted pursuant to paragraph (a) of subsection (1) together with the Auditor-General's report shall be laid on the Table of the House of Representatives and of the Senate and shall be published in the *Gazette*.

(3) The Board may, subject to such conditions as may be imposed by the Minister, apply savings effected or to be effected on any head of its Estimates or a surplus of actual over estimated receipts to meet deficiencies on any head, so, however, that the total expenditure shall not exceed that approved by the Minister in such Estimates:

Provided that any expenditure incurred which would have been in accordance with this subsection but for any such condition may be subsequently approved by the Minister upon the application of the Board if such expenditure appears to him to have been necessarily incurred and thereafter, without prejudice to any right or liability enforced prior to such approval, the observance of such condition shall be deemed not to have been required in relation to such expenditure.

Appoint-
ment of
officers and
servants.

14.—(1) Subject to the provisions of this section, the Board may appoint and employ at such remuneration and on such terms and conditions as it thinks fit a secretary and such other officers and servants as it thinks necessary for the proper carrying out of the provisions of this Act.

(2) No officer or servant shall be employed by the Board at any salary in excess of two thousand dollars per annum unless with the prior approval of the Minister.

(3) The Governor-General may, subject to such conditions as he may impose, approve of the appointment of any officer in the service of Jamaica to any office with the Board:

Provided that, in relation to pension, gratuity, allowance and other rights as a public officer, such officer shall be deemed to be in the service of Jamaica while so employed.

15. The Minister may, after consultation with the chairman, give to the Board—

- (a) directions of a general character as to the policy to be followed in the performance of its functions in matters appearing to him to concern the public interest; and
- (b) directions for the remedying of any serious difficulty or failure in the successful performance of its functions,

and the Board shall give effect to such directions.

Power of Minister to give directions on policy of Board.

SCHEDULE

(Section 3)

- Constitution of the Board.** 1. The Board shall consist of such number of persons, not being less than seven, as the Minister may from time to time determine.
- Appointment of members.** 2. The members of the Board shall be appointed by the Minister by instrument in writing and, subject to the provisions of this Schedule, shall hold office for such period, not exceeding two years, as the Minister may direct in such instrument.
- Reappointment.** 3. Every member of the Board shall be eligible for reappointment.
- Chairman.** 4. The Minister shall appoint one of the members of the Board to be the chairman thereof and another to be vice-chairman thereof.
- Acting appointments.** 5. If the chairman, vice-chairman or any other member of the Board is absent or unable to act, the Minister may appoint any person to act in the place of such chairman, vice-chairman or other member.
- Resignations.** 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 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 by the Minister of such instrument.
- Leave.** 7. The Minister may, on the application of any member, grant leave of absence to such member.
- Revocation of appointment.** 8. The Minister may at any time revoke the appointment of any member of the Board if he thinks it expedient so to do.
- Gazetting of appointments.** 9. The names of all members of the Board as first constituted and every change in the membership thereof shall be published in the *Gazette*.
- Incorporation.** 10. (1) The Board shall be a body corporate having perpetual succession and a common seal with power to acquire hold and dispose of land and other property of whatever kind.
- (2) The seal of the Board shall be kept in the custody of the chairman or of any officer of the Board authorized by the Board in that behalf and shall be affixed to instruments pursuant to a resolution of the Board and in the presence of the chairman, one other member of the Board and an officer thereof.
- (3) The seal of the Board shall be authenticated by the signatures of the chairman or any other member of the Board authorized to act in that behalf and of the secretary or some other officer authorized by the Board to act on the secretary's behalf.

(4) All documents other than those required by law to be under seal, made by, and all decisions of, the Board may be signified under the hand of the chairman or any other member or officer of the Board authorized to act in that behalf.

(5) The Board may sue and be sued in its corporate name and may for all purposes be described by such name.

11. (1) The Board shall meet at such times as may be necessary or expedient for the transaction of its business and such meetings shall be held at such places and times and on such days as the Board may determine. Procedure and meetings.

(2) The chairman may at any time call a special meeting of the Board and shall call a special meeting within seven days of receipt of a written requisition for that purpose addressed to him by any three members of the Board.

(3) The chairman, or in his absence the vice-chairman, shall preside at all meetings of the Board and in the case of the absence of both the chairman and the vice-chairman from a meeting, the members present shall elect one of their number to preside at that meeting.

(4) The quorum of the Board shall be the minimum number constituting a majority of the total members of the Board.

(5) The decisions of the Board shall be by a majority of votes and, in addition to an original vote, the chairman or other member presiding at the meeting shall have a casting vote in any case in which the voting is equal.

(6) Minutes in proper form of each meeting of the Board shall be kept and shall be confirmed as soon as practicable thereafter at a subsequent meeting.

(7) Subject to the foregoing provisions of this Schedule the Board may regulate its own proceedings.

12. No act done or proceedings taken under the Act shall be questioned on the ground— Protection of the Board.

(a) of the existence of any vacancy in the membership of the Board or any defect in the appointment of a member thereof; or

(b) of any omission, defect or irregularity not affecting the merits of the case.

13. (1) No action, suit, prosecution or other proceedings shall be brought or executed personally against any member in respect of any act done *bona fide* in pursuance or execution or intended execution of the Act. Protection of members of the Board.

(2) Where any member of the Board is exempt from liability by reason only of the provisions of this paragraph, the Board shall be liable to the extent that it would be if the member were a servant or an agent of the Board.

Remuneration of members.

14. There shall be paid from the funds of the Board to the chairman and other members of the Board or any member of a committee thereof of such remuneration (whether by way of honorarium, salary or fees) and such allowances as the Minister may determine.

Office of chairman or member not public office.

15. The office of chairman, vice-chairman or member of the Board or member of any committee thereof shall not be a public office for the purposes of Chapter V of the Constitution of Jamaica.