

CHAPTER 152

COCONUT INDUSTRY

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*Ordinances Nos. 12 of 1965, 37 of 1966, 35 of 1968
Legal Notices Nos. 112 of 1970, 118 of 1970, Act No. 11 of 1983*

AN ACT RELATING TO THE GROWING OF COCONUTS AND THE
MANUFACTURE OF COPRA, COCONUT OIL AND COCONUT PRO-
DUCTS.

[25 June 1965.]

PART I—PRELIMINARY

Short title

1. This Act may be cited as the Coconut Industry Act.

Interpretation

2. In this Act, unless the context otherwise requires—
 - “appeals officer” means any person appointed by the Board to hear and decide appeals from the decision of an official grader;
 - “Board” means the Coconut Board constituted under the provisions of this Act;
 - “coconuts” means mature coconuts or coconuts sold or capable of being sold or used for the same purpose as mature coconuts, with or without husks;
 - “coconut farmer” means any person growing coconut trees for the purpose of selling coconuts or of making copra himself with his own coconuts;
 - “coconut oil” means oil obtained by any process from coconuts or copra;
 - “coconut product” means any product made wholly or in part from any constituent of a coconut but does not include copra and coconut oil;
 - “coconut product maker” means any person who makes a coconut product by way of trade or business;
 - “co-operative society” means a registered co-operative society which makes copra;
 - “copra” means the kernel of a coconut grown in Fiji in its dried condition when it has been extracted from the coconut;
 - “copra exporter” means any person who exports copra from Fiji;
 - “copra maker” means a co-operative society and a professional copra maker;
 - “Council” means the Coconut Advisory Council constituted under the provisions of this Act;
 - “licensed” means licensed by the Board;
 - “official grader” means a grader of copra appointed by the Permanent Secretary for Primary Industries;
 - “prescribed” means prescribed by regulations made under this Act;
 - “professional copra maker” means any person who buys coconuts and makes copra from such coconuts whether such person is or is not a coconut farmer;
 - “reasonable expenses” means out-of-pocket expenses only and shall not include fees;
 - “unit of coconuts” means the minimum number of coconuts prescribed to be bought at any one time by a copra maker.
- (Amended by Ordinance 35 of 1968, s. 2; Legal Notice 112 of 1970.)*

PART II—COCONUT BOARD AND COCONUT ADVISORY COUNCIL

Establishment of Coconut Board

3.—(1) There is hereby established a Board which shall consist of a chairman and two other members appointed by the Minister, each member to be appointed for a term not exceeding four years as the Minister may decide. (*Amended by Legal Notice 112 of 1970.*)

(2) The Board shall be a body corporate under the name of the Coconut Board and by that name shall have perpetual succession and a common seal. The Board shall have power to hold land, to sue and to be sued in its corporate name.

(3) (a) In the absence of the chairman from any meeting of the Board, the chairman may appoint a deputy chairman or if he does not do so, the Board shall elect a deputy chairman to preside over that meeting.

(b) The Minister shall appoint a suitable person to be secretary to the Board.

(c) On application by the Board, the Minister may, from time to time, delegate to it the power of appointment conferred by paragraph (b), on being satisfied that the Board will assume full responsibility for all the emoluments of the secretary.

(d) The Board shall have power to employ staff and agents.

(e) The Board shall have power to delegate to its secretary and staff the powers, duties and functions conferred on it by this Act.

(f) A quorum of the Board shall be two members.

(g) Subject to the provisions of this Act, the Board shall regulate its own procedure.

(h) A document may be served on the Board by leaving it at or sending it by post to the office of the Board.

(i) The Board shall cause proper records of its proceedings to be kept and shall publish an annual report and statement of accounts.

(j) The Board shall have power to apply the whole or any portion of its funds not required for the expenses of the Board and Council, including the reasonable expenses of the members of the Board, to any purpose it deems to be in the interests of the coconut industry.

(k) The Board shall have power to invest any part of its funds which are not for the time being required for the purposes of the Board in any of the stocks, funds or securities for the time being specified in section 12 of the Trustee Act and may vary, sell and transfer the same as may from time to time be necessary for the proper administration of its funds. (*Cap. 65.*)

(l) The income of the Board shall be exempt from income tax.

(*Amended by Legal Notice 112 of 1970.*)

(4) The secretary to the Board shall be paid such salary as is determined from time to time by the Higher Salaries Commission. (*Inserted by Act 11 of 1983, s. 27, Sch. 2.*)

(5) Subject to the provisions of the Higher Salaries Commission Act, other officers and servants employed by the Board shall be paid such salaries as the Board from time to time determines. (*Inserted by Act 11 of 1983, s. 27, Sch. 2.*)

Board may be directed to assume marketing functions

4.—(1) The Minister may, when in his opinion it is advisable so to do, direct the Board, by notification in the Gazette, to assume responsibility for the marketing of copra and for that purpose to act as buyer and seller of all or any of the copra produced in Fiji.

(2) Where the Minister has given a direction under the provisions of subsection (1) he may appoint such number of additional members as he considers suitable, having such qualifications as he considers appropriate, to the Board to hold office for such period or periods as he may direct.

(3) The Minister, after consulting the Board, may make regulations specifying the duties and functions to be undertaken by the Board under the provisions of this section, the manner in which such duties and functions shall be performed and generally providing for all such matters as may be required for the purpose of carrying the provisions of this section into effect.

(4) Where the Minister has given a direction under the provisions of subsection (1), the Board shall have, in addition to the other powers conferred upon it by this Act, the following powers:—

- (a) to buy and sell copra on its own account;
- (b) to export copra;
- (c) to fix prices at which it shall buy copra to be exported or for local crushing;
- (d) to borrow or otherwise raise money to finance its operations under the provisions of this section;
- (e) to pay to all or any of the members of the Board such remuneration as may be determined by the Minister;
- (f) to carry out such other matters as may be required for the proper functioning of the Board as a marketing authority.

(Inserted by Ordinance 35 of 1968, s. 3; amended by Legal Notice 112 of 1970.)

Duties of the Board

5. The Board—

- (a) shall consult the Council regularly when exercising its powers, duties and functions under this Act;
- (b) shall conduct an annual survey before 30 November in every year of the coconut and copra estimated to be available in the next following year;
- (c) shall publish an annual statement of policy relating to the selling and buying of coconuts, copra and coconut oil;
- (d) shall, by order, at such times as it may decide, fix prices or the maximum and minimum prices of coconuts for copra making, for export or for local manufacture by coconut product makers and of copra, subject to such conditions as the Board may think fit;
- (e) shall consult the Fijian Development Fund Board in every case where cess is payable by a licensee to that Board and insert suitable conditions in licences relating thereto, where it considers it appropriate and necessary to do so;
- (f) shall discuss annually, grading and grading formulas for copra and coconuts with the Council and, by order, prescribe grades of copra;
- (g) shall assist in obtaining export markets for the coconut industry;
- (h) shall encourage limited exports of copra;

- (i) shall prescribe and control by order a standard of copra to be exported from Fiji;
- (j) may license all or any of the following persons in accordance with the provisions of this Act:—
 - (i) copra makers;
 - (ii) coconut oil makers;
 - (iii) copra exporters;
 - (iv) coconut product makers;
 - (v) exporters of coconuts;
 - (vi) copra traders;

Provided that the Board shall not issue a licence to a coconut product maker making foods in any form for human consumption, without the approval of the Minister;

- (k) may cause copra driers to be inspected;
 - (l) may, by order, prohibit the sale or purchase of such varieties of coconuts as may be specified in such order;
 - (m) may, by order, prescribe the minimum number of coconuts to be bought at one time by a copra maker.
- (Amended by Ordinance 35 of 1968, s. 4; Legal Notice 112 of 1970.)*

Establishment of Coconut Advisory Council

- 6.—(1) There is hereby established a Coconut Advisory Council.
- (2) The Chairman of the Council shall be the person appointed from time to time by the Minister to be Chairman of the Board. In his absence, the deputy chairman of the Board appointed by the Chairman thereof shall preside or if no deputy chairman has been appointed, the Board shall elect a chairman to preside over the Council. *(Amended by Legal Notice 112 of 1970.)*
- (3) The Council shall consist of all members of the Board, and of such members as may be appointed thereto by the Minister, so that such appointed members, in his opinion, adequately represent the Government of Fiji, and
- (a) coconut farmers;
 - (b) copra makers;
 - (c) copra exporters;
 - (d) shippers of coconuts or copra within Fiji;
 - (e) coconut oil makers; and
 - (f) coconut product makers;
- Provided that any representative of the persons specified in the preceding paragraphs shall be actively engaged in such trade or industry. *(Amended by Legal Notice 112 of 1970.)*
- (4) The Chairman of the Council shall have power to appoint temporary members upon the sickness or absence from Fiji of a member.
- (5) Subject to the provisions of this Act, the Council shall regulate its own procedure.
- (6) The secretary of the Council shall be the person appointed from time to time to be the secretary of the Board.
- (7) The Chairman of the Council shall convene meetings of the Council as often as is necessary and at least twice a year in order to discuss the general future of the coconut industry:
- Provided that the Chairman shall convene special meetings when requested by members of the Council to raise matters appearing to him to require discussion

before the next usual meeting of the Council.

(8) The expenses of the Council shall be paid by the Board.

(9) The members of the Council shall be entitled to reasonable expenses incurred in attending meetings.

Functions of the Council

7. The functions of the Council shall be to discuss regularly all aspects of the coconut industry other than industrial relations and wages and to advise the Board in relation thereto.

PART III—CONTROL AND LICENSING

Offences

8.—(1) Any person, other than a coconut product maker licensed to do so, who buys, sells or offers for sale any meat of a coconut when extracted from the shell, containing moisture in excess of 15 per cent of such meat, shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding \$200 and such meat may be forfeited by order of the court. (*Amended by Ordinance 35 of 1968, s. 5.*)

(2) Any person who sells coconuts for copra making to any person other than a licensed copra maker or any person, not being a licensed copra maker, who buys coconuts for copra making, shall be guilty of an offence and upon conviction the buyer of such coconuts as aforesaid shall be liable to a fine not exceeding \$200 and the seller to a fine not exceeding \$100.

(3) Any person who, without a licence, makes copra from coconuts bought by him shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding \$500 or to imprisonment for a period not exceeding twelve months.

(4) Any person who, without a licence, makes coconut oil or any coconut product by way of trade or business or who exports copra shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding \$500.

(5) Any person who buys copra, other than a licensed coconut oil maker or a licensed copra exporter or a licensed coconut product maker or a licensed copra trader, shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding \$1,000 or to imprisonment for a period not exceeding two years.

(6) Any person who sells copra otherwise than to a licensed coconut oil maker or a licensed copra exporter or a licensed coconut product maker or a licensed copra trader, shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding \$200.

(7) Any person, whether licensed or otherwise, who buys or sells copra before it has been graded or which has been rejected by any official grader, shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding \$200.

Licences

9.—(1) Subject to the provisions of section 15, licences issued by the Board shall remain in force until they are cancelled or suspended by the Board or surrendered by the licensee.

(2) The Board in any licence issued thereby may impose conditions additional to any condition to which such licence is subject under the provisions of this Act.

(3) The Board may cancel or suspend any licence for a breach of any condition thereof.

- (4) (a) The Board when suspending any licence shall specify the period of suspension.
- (b) A person whose licence has been cancelled may apply to the Board at any time for leave to apply for a licence and the licence shall only be issued after leave has been given and due application has been made therefor. Such leave shall not be unreasonably withheld.

Licensed copra makers

10.—(1) Licences issued by the Board to copra makers shall be issued subject to the following conditions:—

- (a) the licensee shall pay the price for coconuts bought by him as may be fixed by the Board from time to time;
- (b) the copra drier or driers of the licensee shall be regularly inspected by any person authorised in writing in this regard by the Board and shall be maintained in good order and capable of making first grade copra;
- (c) the licensee shall prominently display on a board outside his premises the current prices for coconuts;
- (d) the licensee shall, if a co-operative society, buy from non-members nearest to its drier if so requested up to the full capacity of its drier, and if a professional copra maker, buy from farmers nearer to, in preference to farmers farther from his drier;
- (e) the licensee shall take reasonable steps to satisfy himself that the coconuts offered for sale belong to a coconut farmer entitled to sell them;
- (f) the licensee shall not purchase at any one time less than one unit of coconuts;
- (g) the licensee shall comply with the provisions of this Act or of any regulations made thereunder or of any lawful order of the Board.
- (2) Any such licensee who consistently makes copra below the average made by other copra makers shall be liable to have his licence cancelled or suspended by the Board.

Licensed coconut oil makers

11.—(1) Licences issued by the Board to coconut oil makers shall be subject to the following conditions:—

- (a) the licensee shall pay for copra bought by him such price as may be fixed by the Board from time to time;
- (b) the licensee shall give the Board at least three months, prior notice when proposing to cease making coconut oil or substantially to reduce the quantity of coconut oil to be made by him;
- (c) the licensee shall, when so directed in writing by the Board, be required to sell all or any of the products of the copra crushing process in Fiji in preference to exporting such products;
- (d) the licensee shall be required to buy copra up to the full capacity of his mill if the Board deems fit and if the Board guarantees to provide the licensee with copra up to 75 per cent of the capacity of his mill;
- (e) the licensee shall comply with the provisions of this Act or of any regulations made thereunder or of any lawful order of the Board.
- (Amended by Ordinance 35 of 1968, s. 6.)
- (2) When the Board has issued a direction under the provisions of paragraph

(c) of subsection (1) the Board may specify in writing the prices or the maximum and minimum prices at which the licensee shall sell the product to which the direction applies. (*Inserted by Ordinance 35 of 1968, s. 6.*)

Saving for existing coconut oil makers

12.—(1) Any person engaged in the business of making coconut oil on 25 June 1965 shall be entitled to make a quantity of such oil up to and not exceeding the capacity of his business on such date without a licence. Such quantity shall be determined by the Board on the Board being satisfied that the process and machinery used is efficient or will be made efficient for making coconut oil suitable to be processed either for food or soap, or for food and soap, as the case may be. Such person shall be deemed to be a licensed coconut oil maker and shall be subject to the conditions specified in section 11.

(2) Where any person is deemed to be a licensed coconut oil maker under the provisions of subsection (1), the Board may from time to time vary the quantity of oil to be made by such person and may, on being satisfied that such person is no longer using efficient machinery or that his continuing to make coconut oil is no longer in the best interests of the coconut industry, or that he is in breach of any condition specified in section 11, or for other good cause, order that such person shall by a date to be fixed by the Board apply thereto for a licence under the provisions of this Act.

Licensed copra exporters

13. Licences issued by the Board to copra exporters shall be subject to the following conditions:—

- (a) the licensee shall pay to the copra maker the current price for copra as may be fixed by the Board from time to time;
- (b) the licensee shall comply with the provisions of this Act or of any regulations made thereunder or of any lawful order of the Board.

Licensed coconut product makers and exporters

14. Licences issued by the Board to coconut product makers or exporters of coconuts shall be subject to the condition that the licensee shall comply with the provisions of this Act or of any regulations made thereunder or of any lawful order of the Board.

Licensed coconut product traders

15.—(1) Licences issued by the Board to copra traders shall be for a period of twelve months and shall, at the discretion of the Board, be renewable annually. Such licences shall be subject to the following conditions:—

- (a) the licensee shall pay to the seller of copra the current price for copra as may be fixed from time to time;
- (b) the licensee shall comply with the provisions of this Act or of any regulations made thereunder or of any lawful order of the Board.

(2) The Minister may, on being satisfied that adequate arrangements have been made by the Board for the purchase, sale and disposal of copra by licensed coconut oil makers, licensed coconut product makers and licensed copra exporters, by notice in the Gazette declare that all licences granted to copra traders shall, as from such date as he, in such notice, may specify be cancelled and as from such date all reference in this Act to licensed copra traders shall be deemed to have been

deleted. (*Amended by Legal Notice 112 of 1970.*)

Appeals

16.—(1) Any licensee whose licence is cancelled or suspended by the Board may within thirty days of such cancellation or suspension appeal in writing to a resident magistrate* who shall have power to confirm, annul or vary such cancellation or suspension.

(2) The decision of such magistrate on such appeal shall be final and conclusive.

(Amended by Legal Notice 118 of 1970.)

Regulations

17.—(1) The Minister, after consulting the Board, may make regulations prescribing anything which may be prescribed under the provisions of this Act and for the better carrying out of the purposes and provisions thereof, and in particular, without prejudice to the generality of the foregoing, for any of the following purposes:—

- (a) prescribing forms of licences and fees payable to the Board for such licences and in respect of services rendered by the Board;
- (b) requiring any copra maker, coconut farmer, coconut oil maker, coconut product maker or copra trader to make such returns to the Board and give such information, other than financial information, at such time and in such form as may be specified;
- (c) exempting any person or classes of persons or any trade or business from any of the provisions of this Act or any regulations made thereunder, subject to such conditions as he may think fit;
- (d) controlling and prescribing the standards for copra driers or prohibiting the use of unsatisfactory or unsuitable copra driers;
- (e) relating to appeals made under the provisions of this Act.

(Amended by Ordinance 37 of 1966, s. 105; Legal Notice 112 of 1970.)

(2) Any person who contravenes or fails to comply with the provisions of any regulation made under the provisions of subsection (1) shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding \$200 or to imprisonment for a period not exceeding six months.

Grading of copra

18.—(1) The Permanent Secretary for Primary Industries, is hereby authorised—

- (a) to appoint suitable persons to be official graders;
- (b) to organize the grading of copra in accordance with the directions of the Board and the destruction of rejected copra and to pay the expenses of such organization or destruction or of any matter connected therewith:

Provided that the Minister may order that such expenses as aforesaid be paid by the Board and upon the date specified in such order the Board shall pay and be responsible for them. (*Amended by Legal Notice 112 of 1970.*)

(2) Any person aggrieved by the decision of an official grader may appeal in

* See Legal Notice No. 44 of 1977.

the manner and to such person, as may be prescribed.

(3) The Minister may, after consulting the Board, prescribe fees to be charged by and payable to the Board in respect of the grading of copra under the provisions of this section and may prescribe different fees in respect of different grading stations. (*Inserted by Ordinance 35 of 1968, s. 7; amended by Legal Notice 112 of 1970.*)

PART IV—PAYMENT FOR EXPENSES OF THE BOARD

Finance for running expenses of the Board

19. The expenses of the Board, including those of the Council, shall be financed by the coconut industry as follows:—

- (a) by the revenue of the Board from whatever sources;
- (b) by an extra levy which may be fixed by the Board, with the approval of the Minister, to be paid on copra for local manufacture either into coconut oil for local consumption or into coconut products, or on coconuts sold to coconut product makers or exporters on the basis of the copra equivalent of the coconuts so sold, any such levy being paid by the coconut oil maker, the coconut product maker or the exporter, as the case may be, direct to the Board in such manner and at such times as the Board may order;
- (c) until such time as the income derived by the Board under paragraphs (a) and (b) becomes sufficient to pay the reasonable expenses of the Board, the Board may, with the approval of the Minister, levy a sum not exceeding \$2 per ton of copra sold to coconut oil makers and copra exporters, to assist in paying the expenses of the Board. This levy shall be deducted by order of the Board from the price paid for every ton of such copra and be remitted to the Board by the coconut oil maker or exporter in such manner and at such times as the Board may order.

(*Amended by Ordinance 35 of 1968, s. 8; Legal Notice 112 of 1970.*)

PART V—MISCELLANEOUS

Power to enter and inspect land and premises

20.—(1) Any member of the Board and any officer, servant or agent of the Board duly authorised in that behalf shall for any purpose relating to this Act have power at any time between sunrise and sunset, to enter any premises or place other than a dwelling-house, in order to make such inspection or examination as may be necessary for carrying into effect any prescribed purpose.

(2) Any person who refuses to permit any member of the Board or any officer, servant or agent thereof, to carry out any of the powers conferred upon him by or under this Act, or obstructs or hinders any such person in the execution of his duty under this Act, shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding \$200 or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Protection of members of Board or Council

21.—(1) No member of the Board or Council shall be liable to be sued in any civil court for any act done or ordered to be done by such Board or Council, as the

case may be, in the discharge of its functions under this Act, provided that such member at the time in good faith believed the Board or Council, as the case may be, was acting in the discharge of such functions.

(2) No person bound to execute the lawful orders of the Board or Council shall be liable to be sued in a civil court for the execution of any such order which he would be bound to execute if within the jurisdiction of the Board or Council issuing the same.

Controlled by Ministry of Primary Industries

CHAPTER 152

COCONUT INDUSTRY

SECTION 17—COCONUT INDUSTRY (COPRA GRADING APPEALS)
REGULATIONS

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- Schedule—Deposits on Appeals

Regulations 7 March 1966, Legal Notice No. 66 of 1967

Short title

1. These Regulations may be cited as the Coconut Industry (Copra Grading Appeals) Regulations.

Appointment of Copra Grading Appeals Officers

2. The Coconut Board shall, by notice in the Gazette, appoint suitable persons to be known as Copra Grading Appeals Officers for the purpose of hearing and determining appeals brought under the provisions of these Regulations.
(Amended by Legal Notice 66 of 1967.)

Appeals against decision of copra grader

- 3.—(1) Any person aggrieved by the decision of an official grader may, either personally or by his agent duly authorised in writing in that behalf, appeal to a Copra Grading Appeals Officer by giving notice of intention to appeal to the official grader against whose decision such appeal is intended to be brought, immediately after the grading of the copra and before it has been removed from the grading station, and, within twenty-four hours after giving such notice of intention to appeal, delivering to such official grader a notice in writing stating clearly the grounds of appeal, and, within such period of twenty-four hours as aforesaid, paying to such official grader a deposit of such of the amounts of money specified in the Schedule as may be appropriate:

Provided that in the event of such period of twenty-four hours expiring on a Saturday, Sunday or any public holiday, such written grounds of appeal and deposit may be delivered and paid to such official grader at any time during normal

working hours on the next succeeding working day. (*Amended by Legal Notice 66 of 1967.*)

(2) Any person who, having given notice of intention to appeal under the provisions of paragraph (1), fails to deliver the written grounds of appeal required to be delivered, or to pay the deposit required to be paid, under the provisions of that paragraph, shall be deemed to have abandoned his appeal and to have accepted the decision of the copra grader against whose decision such notice of intention to appeal was given.

Copra to be retained pending determination or abandonment of an appeal

4. On receipt of any notice of intention to appeal given under the provisions of regulation 3, the official grader shall take possession of all copra in respect of which such notice of intention to appeal is given and retain it in his custody until such time as the appeal has been determined or is deemed to have been abandoned by virtue of the failure of the appellant to deliver the written grounds of appeal required to be delivered, or to pay the deposit required to be paid, under the provisions of regulation 3, in either of which events the official grader shall release such copra to the person entitled to the possession of the same.

Procedure in determining appeals

5. Subject to the provisions of these Regulations, a Copra Grading Appeals Officer may regulate the procedure relating to the hearing and determination of appeals brought under the provisions of these Regulations. (*Amended by Legal Notice 66 of 1967.*)

Determination of appeals

6.—(1) Upon receipt of the appellant's written grounds of appeal together with the amount of deposit required to be paid under the provisions of regulation 3, the official grader against whose decision such appeal is brought shall forthwith send such written grounds of appeal to a Copra Grading Appeals Officer who, after making due inquiry, shall determine the grade of the copra in respect of which the appeal is brought and communicate his decision to the appellant and to the official grader against whose decision the appeal is brought, and the decision of the Copra Grading Appeals Officer shall be final. (*Amended by Legal Notice 66 of 1967.*)

(2) In the event of any appeal brought under the provisions of these Regulations being determined in favour of the appellant, the amount of any deposit paid by him under the provisions of regulation 3 shall be forthwith refunded to him by the official grader or, in the event of the decision of the official grader being upheld, the amount of such deposit shall be paid into the funds of the Coconut Board.

Coconut oil maker may make written submissions to Board

7. Notwithstanding any other of the provisions of these Regulations, a coconut oil maker may, if dissatisfied with any method or methods of grading employed by an official grader, make written submission thereon to the Coconut Board who shall forthwith refer the matter for investigation and report by the Director of Agriculture.

SCHEDULE
(Regulation 3)

DEPOSITS ON APPEALS

Amounts to be deposited with an official grader on delivery of written grounds of appeal—

(a) If the quantity of copra in respect of which the appeal is brought is 100 bags or less	\$ 2
(b) If the quantity of copra in respect of which the appeal is brought exceeds 100 bags	4

SECTION 17—COCONUT INDUSTRY (CRUDE COCONUT OIL MAKERS EXEMPTION), REGULATIONS

TABLE OF PROVISIONS

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1. Short title
2. Exemption

Regulations 24 January 1966, Legal Notice No. 82 of 1979

Short title

1. These Regulations may be cited as the Coconut Industry (Crude Coconut Oil Makers Exemption) Regulations.

Exemption

2. Persons making crude coconut oil for customary domestic purposes, or for sale, in quantities not exceeding 45 litres in any calendar month, shall be exempt from the provisions of the Act or of any regulations made thereunder, relating to coconut oil makers. (Amended by Legal Notice 82 of 1979.)

SECTION 17—COCONUT INDUSTRY (LICENCES AND FEES)
REGULATIONS

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First Schedule—Forms of Licences
Second Schedule—Fees for Licences

*Regulations 7 March 1966, 18 May 1966,
Legal Notices Nos. 82 of 1979, 112 of 1983*

Short title

1. These Regulations may be cited as the Coconut Industry (Licences and Fees) Regulations.

Forms of licences

- 2.—(1) Licences issued by the Board to copra makers shall be in Form 1 in the First Schedule and shall be subject to the conditions specified therein together with such additional conditions as the Board may impose.
- (2) Licences issued by the Board to coconut oil makers shall be in Form 2 in the First Schedule and shall be subject to the conditions specified therein together with such additional conditions as the Board may impose.
- (3) Licences issued by the Board to copra exporters shall be in Form 3 in the First Schedule and shall be subject to the conditions specified therein together with such additional conditions as the Board may impose.
- (4) Licences issued by the Board to coconut product makers shall be in Form 4 in the First Schedule and shall be subject to the conditions specified therein together with such additional conditions as the Board may impose.
- (5) Licences issued by the Board to exporters of coconuts shall be in Form 5 in the First Schedule and shall be subject to the conditions specified therein together with such additional conditions as the Board may impose.
- (6) Licences issued by the Board to copra traders shall be in Form 6 in the First Schedule and shall be subject to the conditions specified therein together with such additional conditions as the Board may impose.

Fees

3. The fees set out in the Second Schedule shall be payable to the Board on the issue of the respective licences specified therein, and thereafter annually in respect of each year or part thereof during which any such licence remains in force.
(*Substituted by Regulations 18 May 1966.*)

FIRST SCHEDULE
(Regulation 2)
(Amended by Legal Notice 82 of 1979.)

FORM 1

COCONUT INDUSTRY ACT
(CHAPTER 152)
(Sections 9 and 10 and Regulation 2(1))
COPRA MAKER'S LICENCE

(ZONE NO.)

.....of.....
(hereinafter referred to as "the licensee") is hereby licensed under the provisions of the Coconut Industry Act, to purchase coconuts for copra making subject to the following conditions:—

1. This licence shall remain in force until cancelled or suspended by the Board or surrendered by the licensee;
2. The licensee shall pay such price for all units of coconuts bought by him as may be fixed by the Board from time to time for the zone in which he purchases such coconuts;
3. The copra drier or driers of the licensee shall be regularly inspected by any person authorised in writing in this regard by the Board and shall be maintained in good order and capable of making first grade copra;
4. The licensee shall prominently display on a board outside his premises the current prices for units of coconuts as may from time to time be determined by the Board;
5. The licensee shall, if a co-operative society, buy from non-members nearest to its drier if so requested up to the full capacity of its drier, and if a professional copra maker, buy from farmers nearer to, in preference to farmers farther from his drier;
6. The licensee shall take reasonable steps to satisfy himself that the coconuts offered for sale belong to a coconut farmer entitled to sell them;
7. The licensee shall not purchase at any one time less than one unit of coconuts;
8. The licensee shall comply with the provisions of the Coconut Industry Act and of all regulations made thereunder, and with all lawful orders of the Board;
9. The licensee shall comply with the provisions of the Fijian Development Fund Act; (Cap. 121.)
10. (Here insert any additional conditions)

.....
.....

Dated at this day of , 19

Secretary, Coconut Board

Fee.....

FORM 4

COCONUT INDUSTRY ACT

(CHAPTER 152)

(Sections 9 and 14 and Regulation 2(4))

COCONUT PRODUCT MAKER'S LICENCE

.....of.....
(hereinafter referred to as "the licensee") is hereby licensed under the provisions of the Coconut Industry Act, to make products containing any constituent of a coconut, subject to the following conditions:—

1. This licence shall remain in force until cancelled or suspended by the Board or surrendered by the licensee;
2. The licensee shall comply with the provisions of the Coconut Industry Act and of all regulations made thereunder and with all lawful orders of the Board;
3. The licensee shall comply with the provisions of the Fijian Development Fund Act;
4. (Here insert any additional conditions) (Cap. 121.)
5. This licence is not transferable and shall be prominently displayed at the business premises of the licensee.

Dated at this day of , 19

Secretary, Coconut Board

Fee.....

FORM 5

COCONUT INDUSTRY ACT

(CHAPTER 152)

(Sections 9 and 14 and Regulation 2(5))

COCONUT EXPORTER'S LICENCE

.....of.....
(hereinafter referred to as "the licensee") is hereby licensed under the provisions of the Coconut Industry Act, to buy coconuts for export, and to export coconuts, subject to the following conditions:—

1. This licence shall remain in force until cancelled or suspended by the Board or surrendered by the licensee;
2. The licensee shall comply with the provisions of the Coconut Industry Act and of all regulations made thereunder and with all lawful orders of the Board;
3. No coconuts may be purchased under the authority of this licence except in quantities of not less than one unit of coconuts as may from time to time be specified in writing by the Board;
4. The licensee shall comply with the provisions of the Fijian Development Fund Act;
(Cap. 121.)
5. The licensee shall, not later than the fourteenth day of every month during the currency of this licence, furnish to the Board a statement containing particulars of the number of coconuts exported by him during the preceding month, the price obtained therefor and the country to which the coconuts were exported;
6. (Here insert any additional conditions)
.....
.....
.....
7. This licence is not transferable.

Dated at this day of , 19 .

.....
Secretary, Coconut Board

Fee.....

COCONUT INDUSTRY ACT

FORM 6

(CHAPTER 152)

(Sections 9 and 15 and Regulation 2(6))

COPRA TRADER'S LICENCE

.....of.....
(hereinafter referred to as "the licensee") is hereby licensed under the provisions of the Coconut Industry Act, to buy copra at premises known as.....and situated at....., subject to the following conditions:—

1. This licence shall, unless sooner cancelled or suspended by the Board or surrendered by the licensee, remain in force for a period of twelve months from the.....day of....., 19.....;
2. The licensee shall pay to all sellers of copra the current price for copra as

- may from time to time be fixed by the Board;
3. The licensee shall prominently display on a board outside his premises the current prices of copra as may from time to time be fixed by the Board;
 4. The licensee may deduct from the purchase price payable by him to any seller of copra such amount per tonne of copra as may from time to time be prescribed by the Board to cover his reasonable expenses and handling charges;
 5. The licensee shall not later than 14 January, 14 April, 14 July and 14 October, furnish a return to the Board containing particulars by grades of the tonnage of all copra purchased by him during the preceding quarter together with the actual shrinkages sustained per grade;
 6. The licensee shall comply with the provisions of the Coconut Industry Act and of all regulations made thereunder and with all lawful orders of the Board;
 7. The licensee shall comply with the provisions of the Fijian Development Fund Act; (Cap. 121.)
 8. (Here insert any additional conditions)
.....
.....
.....
 9. This licence is not transferable and may not be renewed unless application therefor is made not less than three months prior to the date of its expiry.

Dated at this day of , 19 .

.....
Secretary, Coconut Board

Fee

SECOND SCHEDULE
(Regulation 3)
(Substituted by Legal Notice 112 of 1983.)

<i>Item</i>	<i>Type of Licence</i>	<i>Annual fee</i>
		\$
1	Copra maker	10
2	Coconut oil maker	250
3	Copra exporter	50
4	Coconut product maker	25
5	Coconut exporter	50
6	Coconut trader	50

SECTION 17—COCONUT INDUSTRY (SALE AND PURCHASE OF
COCONUT MEAT) (EXEMPTION) REGULATIONS

TABLE OF PROVISIONS

REGULATION

1. Short title
2. Exemption of licenced copra makers
3. Exemption of farmers

Schedule—Conditions of Exemption

Legal Notice No. 111 of 1983

Short title

1. These Regulations may be cited as the Coconut Industry (Sale and Purchase of Coconut Meat) (Exemption) Regulations.*

Exemption of licensed copra makers

2. Copra makers licensed under section 10 of the Act (hereinafter referred to as “licensed copra makers”) may purchase meat of coconuts which when extracted from the shells contains moisture in excess of 15 per cent of such meat and shall, in respect of such purchases, be exempted from the provisions of subsection (1) of section 8 of the Act, subject to the conditions specified in the Schedule.

Exemption of farmers

3. Coconut farmers who sell coconut meat to licensed copra makers pursuant to regulation 2 shall be exempted from the provisions of subsection (1) of section 8 of the Act.

SCHEDULE
(Regulation 2)

CONDITIONS OF EXEMPTION

1. Licensed copra makers shall pay for coconut meat purchased under the authority of this exemption in accordance with the formula notified from time to time by the Board.
 2. The current net price for coconut meat, based on the formula notified by the Board in terms of paragraph 1, shall be displayed on a board outside the buying premises of the licensed copra maker.
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* Date of operation 1 January 1984.

SECTION 17—COCONUT INDUSTRY (SALE AND PURCHASE OF
UNGRADED COPRA) (EXEMPTION) REGULATIONS

TABLE OF PROVISIONS

REGULATION

1. Short title
2. Exemption of licensed copra traders
3. Exemption of farmers

Schedule—Conditions of Exemption

Legal Notice No. 29 of 1983

Short title

1. These Regulations may be cited as the Coconut Industry (Sale and Purchase of Ungraded Copra) (Exemption) Regulations.

Exemption of licensed copra traders

2. Copra traders licensed under section 15 of the Act (hereinafter referred to as "licensed traders") may purchase ungraded copra at places approved by the Board and shall, in respect of such purchases, be exempted from the provisions of subsection (7) of section 8 of the Act subject to the conditions specified in the Schedule hereto.

Exemption of farmers

3. Coconut farmers who sell ungraded copra to licensed traders pursuant to regulation 2 shall be exempted from the provisions of subsection (7) of section 8 of the Act.

SCHEDULE
(Regulation 2)

CONDITIONS OF EXEMPTION

1. Licensed traders shall pay for ungraded copra purchased under the authority of this exemption in accordance with the formula notified from time to time by the Board.
2. Licensed traders may deduct from the purchase price payable to the seller of ungraded copra such amount per tonne of copra, or a proportionate part thereof where a quantity less than a tonne is sold, as may be specified by the Board to cover reasonable expenses and handling charges.
3. The current net price for ungraded copra, based on the formula notified by the Board in terms of paragraph 1 and after making the deductions authorised by paragraph 2, shall be displayed on a board outside the buying premises of every licensed trader.
4. Licensed traders shall comply with the provisions of the Fijian Development Fund Act.

(Cap. 121.)

5. Licensed traders shall furnish to the Fijian Development Fund Board such security either by way of bond or cash deposit as may reasonably be required by that Board for the due payment to it of any monies which the licensed traders may become liable to pay under the provisions of the Fijian Development Fund Act. (Cap. 121.)

COCONUT INDUSTRY

SECTION 17—COCONUT INDUSTRY (SMOKE DRIERS PROHIBITION)
REGULATIONS

TABLE OF PROVISIONS

REGULATION

1. Short title
 2. Prohibition
-

Regulations 19 July 1965

Short title

1. These Regulations may be cited as the Coconut Industry (Smoke Driers Prohibition) Regulations.

Prohibition

2. The use of smoke driers in the preparation of copra is prohibited.

Controlled by Ministry of Primary Industries