

THE COCOA INDUSTRY BOARD ACT
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THE COCOA INDUSTRY BOARD ACT

[1st August, 1957.]

Laws
21 of 1957,
61 of 1958.
Acts
41 of 1963,
3 of 1965,
42 of 1969
3rd Sch.
2 of 1991.

1. This Act may be cited as the Cocoa Industry Board Act. Short title.

Preliminary

2. In this Act, unless the context otherwise requires— Interpre-
tation.
- “Board” means the Cocoa Industry Board established by this Act;
- “the former Board” means the Cocoa Marketing Board constituted and appointed under the Cocoa Marketing Law (hereby repealed);
- “chairman” means the chairman of the Board and includes the acting chairman;
- “cocoa” means the fruits of the *Theobroma Cocoa* and its allied species, whether in the pod or pulp or separated, and whether cured or uncured, ripe or unripe, wet or dry or fermented or unfermented;
- “cocoa product” means any article the principal constituent of which is cocoa;
- “cocoa dealer” means a person authorized by law to purchase or sell cocoa; 2/1991
S. 2 (a).
- “cocoa works” means any plant, machinery, appliances, mills or apparatus, whether similar to the foregoing or not, and any premises, used for fermenting, curing, drying, cleaning, processing or

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preparation for sale of any cocoa beans or for the manufacture of any cocoa product;

“export” means export from the Island to any place outside the limits of the Island;

41/1963
S. 2.

“financial year” means the twelve months ending on the 30th September in any year;

“member” means a member of the Board and includes the chairman;

“Minister” means the Minister responsible for the cocoa industry;

“nominated member” means a member appointed upon the nomination of a body authorized by this Act to nominate a member;

“nursery” means any place, nursery or propagator used for the production or cultivation of cocoa plants or cocoa seedlings;

“purchase” includes exchange or barter whether for goods or services and any agreement or contract of purchase, exchange or barter;

“sell” includes exchange or barter whether for goods or services and any agreement or contract to sell, exchange or barter.

Establishment and Functions of Board

Establish-
ment and
constitution
of the Board.

3.—(1) There shall be established for the purposes of this Act a body to be called the Cocoa Industry Board.

[The inclusion of this page is authorized by L.N. 90/1993]

(2) The Board shall consist of seven members appointed in manner following, that is to say—

- (a) four by the Minister of whom one shall be appointed by the Minister to be the chairman; 3/1965
S. 2 (a)
- (b) three by the Minister, being persons actively engaged in the growing of cocoa and selected from a panel of five persons nominated by the body which the Minister recognizes as representative of the growers of cocoa.

(3) The appointment of every member of the Board shall be evidenced by an instrument in writing, and such instrument shall state the period of office of the member which shall not exceed three years.

(4) Every member shall be eligible for reappointment.

(5) If the chairman is granted leave of absence in accordance with the provisions of subsection (11), or is unable to act, the Minister may appoint a person, whether or not such person is already a member of the Board, to act temporarily in the place of the chairman.

(6) If a nominated member is granted leave of absence in accordance with the provisions of subsection (11), or is unable to act, the body by which he was nominated may nominate a suitable person for appointment by the Minister to act temporarily in the place of such member.

(7) If any member other than a nominated member is granted leave of absence in accordance with the provisions of subsection (11), or is unable to act, or has been appointed to act as chairman, the Minister may appoint a suitable person to act temporarily in place of such member.

(8) Any member of the Board, other than the chairman, may at any time resign his office by instrument in