

THE COCONUT INDUSTRY AID ACT
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THE COCONUT INDUSTRY AID ACT

[13th February, 1932.]

Cap. 61.
Acts
42 of 1969
3rd Sch.,
31 of 1987
S. 22,
41 of 1995,
6 of 2003.

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

Short title.

2. The Minister may from time to time make and when made may rescind, alter or repeal rules for carrying out the provisions of this Act and as to any matter arising under this Act and may enforce such rules by means of penalties not exceeding forty dollars to be recovered as penalties under this Act.

Rules.

Any rules made in pursuance of this section shall be published in the *Gazette* and shall be deemed to be within the powers conferred by this Act and shall be of the same force and effect as if enacted in this Act and shall be judicially noticed.

PART I. *Licensing Imports of Edible Oils*

3.—(1) References in this Part to “the Board” shall be deemed to be references to the Coconut Industry Board constituted under the Coconut Industry Control Act.

Powers and
duties of the
Board.
31/1987
S. 21.

(2) The Minister may by order set out the powers and duties of the Board for the purposes of this Act.

4.—(1) It shall not be lawful to import any coconut product or substitute into this Island except under a licence first obtained for the purpose from the Board:

Licence
necessary
for impor-
tation.
41/1995
S. 4.
6/2003
S. 3(a)(i).

Provided, however, that whenever it shall appear to the satisfaction of the Minister that it is no longer necessary in the interests of the edible oil manufacturing industry in this Island to continue such control of the importation of

6/2003
S. 3(a)(ii).

coconut products and substitutes into this Island as aforesaid it shall be lawful for the Minister from time to time by order to be published in the *Gazette* to withdraw or modify such control and by like order at any time to vary or revoke such order previously made and to reimpose such control as aforesaid.

Minister may
control export
of copra and
edible oil.
6/2003
S. 3(b).

6/2003
S. 3(b).

(2) Whenever it shall appear to the satisfaction of the Minister that it is necessary in the interests of the consumers of edible oil in this Island to control the export from this Island of coconut products or substitutes, it shall be lawful for the Minister from time to time by order to be published in the *Gazette* to prohibit the export from this Island of any coconut products or substitutes except under a licence first obtained for the purpose from the Minister and by like order at any time to vary or revoke such order previously made.

6/2003
S. 3(c).

(3) For the purposes of this section—

“coconut products” includes copra, coconut oil and any product made wholly or in part from any part of the coconut;

“substitutes” has the meaning assigned to it by the Coconut Industry Control Act.

5. *[Repealed by Act 6 of 2003.]*

Penalty on
contraven-
tion.
6/2003
S. 5(a)(b).

6. Every person who is concerned in importing any coconut product or substitute or in exporting any copra or edible oil contrary to the provisions of this Part or to any order made hereunder as aforesaid shall on conviction be liable to a penalty of twenty thousand dollars and in default of payment of the penalty imposed to imprisonment with or without hard labour for three months.

7. *[Repealed by Act 6 of 2003.]*

8. Any coconut product or substitute imported contrary to the provisions of this Part or to any order made hereunder as aforesaid may be seized as though it were prohibited goods within the meaning of section 39 of the Customs Act, or of any enactment passed in amendment thereof or substitution therefor, and shall be forfeited and may be disposed of as the Minister may direct.

Forfeiture
on contra-
vention.
6/2003
S. 6.

9. In proceedings for the forfeiture of any coconut product or substitute under this Part the onus of proof shall be upon the person claiming such coconut product or substitute and it shall not be necessary for the person prosecuting the suit to prove that the coconut product or substitute is liable to seizure or forfeiture.

Onus of
proof in
proceedings
for
forfeiture.
6/2003
S. 6.

10. The officers of Customs and any person acting with their concurrence may stop any ship or boat which they have reason to suspect has on board any coconut product or substitute of which the importation is prohibited under this Part and may detain such ship or boat until search has been made and such coconut product or substitute if found has been seized and removed under the provisions of this Part.

Powers of
Customs
Officers.
6/2003
S. 6.

6/2003
S. 6.

11. The Governor-General in Council may direct in any particular case that no suit for forfeiture under this Part shall be commenced or if any such suit has been commenced may cause the same to be stopped by directing the Attorney-General to take such step as may be necessary to stop such suit.

The
Governor-
General in
Council
may direct
no suit or
stop any suit
and return
goods or
fine.

The Governor-General in Council may if he thinks fit after the condemnation of any edible oil under this Part return the whole or any portion of such edible oil to the owner thereof.

12. Every offence under this Part or under any order made hereunder shall be tried summarily in a Resident Magistrate's Court and the offence shall be deemed to have been committed in the parish in which the offender resides.

Trial of
offences.
42/1969
3rd Sch.