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CHAPTER 32. No. 13.

COPRA PRODUCTS CONTROL.

AN ORDINANCE RELATING TO THE MANUFACTURE OF DEODORISED EDIBLE OIL, LARD SUBSTITUTE, AND OTHER PRODUCTS OBTAINED FROM THE KERNEL OF THE COCONUT. Ordinance
Ch.32. No.13
-1940

[27th February, 1932]

Commence-
ment.

1. This Ordinance may be cited as the Copra Products Control Ordinance. Short title.

2. In this Ordinance—

Interpre-
tation.

“ Comptroller ” means the Comptroller of Customs and Excise, and includes any officer of Customs and Excise, or other person deputed by the Comptroller for the purpose of carrying out any of the provisions of this Ordinance;

“ copra products ” means deodorised edible oil, lard substitute, and such other products as the Governor by proclamation shall include under such designation, which products shall be obtained by process of manufacture wholly or in part from the kernel of the coconut;

“ deodorised edible oil ” means any edible oil manufactured in the Colony from copra and which, during the process of manufacture, has been subjected to any treatment for removing the characteristic odour and flavour of the crude oil;

“ lard substitute ” means any edible fat manufactured in the Colony from copra in imitation of lard;

“ manufacturer ” means and includes any person

superintending or directing the manufacture of copra products in connection with any one manufactory, duly licensed under this Ordinance.

Power to apply Ordinance to other products.

3. The Governor may by proclamation published in the *Royal Gazette* include under the description of "copra products" for the purposes of this Ordinance, any other product derived or manufactured wholly or in part from copra or the kernel of the coconut.

Licence to manufacture copra products.

4. (1) Every person who intends to become a manufacturer of copra products under the provisions of this Ordinance, shall apply to the Governor for a licence, and it shall be lawful for the Governor to refuse to grant any such licence, without assigning any reason for such refusal, or to issue any licence subject to such conditions as he may impose.

Expiration and renewal of licences.

(2) Every licence under this Ordinance shall expire at the end of the calendar year in which it is issued. An application for the renewal of a licence shall be considered as an application for a new licence and dealt with in accordance with the last preceding section.

Licence duty.

(3) A duty of \$4.80 shall be paid for every licence and for each renewal thereof.

Duties on locally manufactured oil and lard.

5. From and after the commencement of this Ordinance there shall be raised and paid, to the Accountant General for the use of the Colony, at such times and in such manner as the Governor shall direct by notice published in the *Royal Gazette*, duties at the following rates—

(a) upon every gallon of deodorised edible oil manufactured in the Colony and delivered for consumption in the Colony, the sum of ten cents;

(b) upon every one hundred pounds weight of lard substitute manufactured in the Colony and delivered for consumption in the Colony, the sum of forty-two cents;

and proportionately for any greater or less quantity.

6. (1) The Governor may by notice published in the *Royal Gazette* prescribe standards of quality, and fix maximum wholesale and retail prices for any copra products manufactured under the provisions of this Ordinance and intended to be sold for consumption in the Colony.

Governor may fix standards of quality and prices of copra products.

(2). Any person who sells or exposes for sale any copra product which is below the prescribed standard of quality, or who sells any copra product at a higher price than that fixed by notice hereunder, shall be liable, on summary conviction, to a fine of two hundred and forty dollars, and to the forfeiture of all copra products which have been found to be below the prescribed standard of quality.

Penalty for selling below standard or above price fixed.

7. (1) The manufacturer shall pay for all copra delivered to him not less than such price as the Governor, in his absolute discretion, may from time to time fix (having regard to the current local market price and other conditions prevailing in Port-of-Spain) which price shall be published weekly in the *Royal Gazette*, and become effective from the day following the date of publication:

Price to be paid by manufacturer for copra,

Provided that if in any week the price be not published, then the last published price shall continue to be the price fixed.

(2) The manufacturer shall pay an equivalent sum for all crude coconut oil purchased by him, and for the purpose of computing the purchase price, one hundred pounds weight of copra shall be deemed to be equal to six and two-thirds gallons of crude coconut oil.

and for crude coconut oil.

(3) It shall be lawful for the Governor by notice published in the *Royal Gazette* to suspend the operation of this section if he is satisfied that supplies are being withheld from the manufacturer with a view to securing a price higher than would be secured were supplies of copra to be freely offered to the manufacturer.

Governor may suspend operation of this section.

8. (1) When the price fixed under section 7 shall be at a lower rate than \$3.00 per one hundred pounds weight, the manufacturer shall deposit with the Comptroller a sum representing the difference between the said rate of \$3.00 and the said price so fixed, in respect of each one hundred pounds of copra purchased by the manufacturer:

Deposit by manufacturer on copra or crude coconut oil purchased.

Provided that in the case of copra used in the manufacture of copra products exported such sum shall not exceed six cents for each one hundred pounds weight of such copra.

(2) In the case of the purchase of crude coconut oil, the manufacturer shall make a like deposit based upon the formula set out in subsection (2) of section 7.

Purchases
for future
delivery.

9. When a manufacturer has entered into a contract for the purchase and the future delivery of copra within a period not exceeding three months from the date of such contract then, for the purposes of sections 7 and 8, the price fixed by the Governor in accordance with subsection (1) of section 7 for the week in which the contract was entered into shall apply to such contract as if delivery of the copra so purchased had been made immediately, and section 8 shall apply accordingly.

Sums
deposited to
go to fund
for distribu-
tion among
producers.

10. (1) All such sums paid to the Comptroller as aforesaid shall be paid to the credit of a special fund and shall from time to time be distributed proportionately among all producers of copra who submit claims within the time and in the manner specified by the Comptroller by notice in the *Royal Gazette*, subject to such deduction as the Comptroller may consider necessary for and incidental to the management of such fund.

(2) For the purposes of this section "producers of copra" shall mean the persons who shall in the first instance have converted into copra the kernel of the dry coconut, whether such coconut shall have been actually grown or acquired by such persons.

(3) Every producer of copra shall, in support of any claim submitted by him, produce to the Comptroller within such time as the Comptroller may require all books of account, receipts, vouchers and other documents in his custody containing material particulars touching such claim.

(4) Any producer of copra who—

(a) fails to produce to the Comptroller all such books of account, receipts, vouchers and other documents as aforesaid, or

(b) produces any books of account, receipts, vouchers or other documents false in any material particular, or

(c) submits any claim containing any statement false or incorrect in any material particular,

shall not be entitled to participate in the distribution of the fund in respect of which the claim was submitted:

Provided that in the event of the fund for any period having been distributed to the exclusion of any claimant on the ground of the alleged falsity of his claim or of any matter in support thereof and it being made to appear thereafter that such claim or matter in support thereof was not false in fact then in every such case the claimant shall in respect of such claim be entitled to participate in the distribution of the fund for a succeeding period and to be paid such sum as he would otherwise have received.

11. Within ten days from the last day of each quarter of the year, each licensed manufacturer shall furnish the Comptroller with a return under the hand of a director or other responsible officer in the employ of the manufacturer, containing the following particulars—

Quarterly return by manufacturers.

(a) the quantities of all copra purchased during such quarter;

(b) the persons from whom the said copra has been purchased;

(c) the several dates on which the said copra has been purchased;

(d) the amount due to the Comptroller under section 8 hereof;

(e) the total quantities of each of the different copra products manufactured;

(f) the quantities exported;

(g) the quantities delivered for consumption in the Colony;

(h) the quantities remaining on hand, and

(i) such other particulars as the Comptroller may by written notice require to be furnished.

12. The Comptroller shall from time to time have power to inspect and take extracts from or copies of all books of

Comptroller may inspect and take extracts from records.

account, invoices, receipts, vouchers and other documents and papers containing material particulars of all matters touching this Ordinance, and which may be necessary for the manufacturer, and to enter at all reasonable hours and inspect the premises of the manufacturer.

Penalty for manufacturing without licence.

13. Any person who engages in the manufacture of copra products without having in force a licence for the purpose, as required by this Ordinance, shall be liable, on summary conviction, to a fine of four hundred and eighty dollars, and all machinery, implements, utensils, materials, and any copra products found upon the premises where such manufacture has been carried on shall be forfeited.

Penalty for contravention of conditions of licence or provisions of this Ordinance.

14. Any manufacturer who contravenes the conditions under which any licence is issued under this Ordinance, or any of the provisions of this Ordinance, shall be liable, on summary conviction, to a fine of four hundred and eighty dollars, and it shall be lawful for the Governor to suspend or revoke the licence of any such manufacturer.

Discharge of obligation by manufacturer.

15. The discharge by one of several manufacturers connected with one manufactory of any one obligation imposed on a manufacturer by this Ordinance, shall relieve the others of that particular obligation in respect of that manufactory.

Penalty for making false or incorrect statement.

16. Any person who knowingly makes a false or incorrect statement for any of the purposes of this Ordinance shall be liable, on summary conviction, to a fine of four hundred and eighty dollars:

Provided that nothing in this section shall prevent a prosecution under any other Ordinance or law, but so that a person shall not be punished twice for the same offence.

Sec 4 - (13/17/63)