

THE COCOA INDUSTRY BOARD ACT

REGULATIONS
(under section 8)

THE COCOA INDUSTRY REGULATIONS, 1957

*(Made by the Board with the approval of the Minister on the
30th day of September, 1957)*

L.N. 213/57
Amd:
L.N. 186/62

1. These Regulations may be cited as the Cocoa Industry Regulations, 1957.

2. Every cocoa dealer or special cocoa dealer shall keep a record of every purchase, collection or sale of any cocoa or cocoa produce in a book to be known as a Cocoa Record Book, in which shall be entered the date of every such purchase, collection or sale, the name and address of every person from whom any such sale is made, the grade, type, quality and quantity of the subject matter of each such purchase, collection or sale, and the amount paid or received in each case, and shall on demand produce such Cocoa Record Book for inspection by the secretary of the Board or by any other representative of the Board authorized in writing for the purpose.

3. It shall be lawful for the secretary of the Board or any person authorized by the Board in writing for the purpose to enter at all reasonable times during the hours of daylight upon any land on which cocoa is grown or upon any premises used or believed by the Board to be used or to be about to be used for any purpose connected with the processing of cocoa or the manufacture of any cocoa product or the storage, purchase, sale, export or distribution of any cocoa or cocoa product, and it shall be an offence against these Regulations for any person in any manner to obstruct or hinder the secretary or any such authorized person.

4.—(1) No person other than the Board shall establish, maintain or operate any cocoa works at any premises unless he is the holder of a subsisting cocoa works licence granted by the Board in respect of such premises.

(2) Every application for such licence shall be accompanied by satisfactory evidence that the cocoa works complies with or is exempt from the requirements of the Factories Act and any regulations made thereunder, and that the applicant is the holder of a certificate issued by the secretary of the Board or any person authorized in writing by the Board for the purpose, that in his opinion adequate plant, machinery, equipment, appliances and such other facilities as he may consider necessary have been provided for the fermenting, curing, drying, cleaning, processing, or preparation for sale of any cocoa beans or for the manufacture of any cocoa products.

5. Every application for a cocoa works licence shall be in such form as the Board may from time to time prescribe and shall be accompanied by a fee of twenty dollars which may be reduced by the Board in such cases as the Board thinks fit. The grant or refusal of a cocoa works licence shall be entirely in the discretion of the Board and the Board may grant such licence in such form and for such period as it thinks fit, and may renew such licences from time to time as it thinks fit, or may grant such licences subject to such conditions as it thinks fit and may refuse such licences.

6. No person other than the Board shall purchase any wet cocoa unless he is the holder of a subsisting cocoa dealer's licence or special cocoa dealer's licence.

7. A special cocoa dealer shall not, except with the permission of the Board, purchase cocoa from any person other than a cocoa dealer.

8. Every application for a cocoa dealer's licence or a special cocoa dealer's licence or any renewal thereof shall be in such form as the Board may from time to time prescribe and shall be accompanied by the licence fee of one dollar, and the Board may in its discretion grant such licence in such form and for such period as it thinks fit and may renew such licence from time to time as it thinks fit or may grant such licence subject to such conditions as it thinks fit or may refuse such licences.

9.—(1) Every appeal to the Minister under section 11 of the Act shall be commenced by a notice in writing addressed to the Permanent Secretary to the Minister. Such notice shall be lodged with the Permanent Secretary and a copy delivered to the secretary of the Board within twenty-one days from the date of the decision appealed against.

(2) Every notice of appeal shall include—

- (i) the name and address of the appellant;
- (ii) particulars of the decision of the Board against which the appeal is being made;
- (iii) the grounds of the appeal;
- (iv) copies of all relevant correspondence and documents.

(3) The appellant shall before lodging his appeal deposit with the secretary of the Board the sum of four dollars and shall lodge the receipt therefor with the Permanent Secretary to the Minister along with the notice of appeal. The amount deposited shall be refunded if the Minister so directs; otherwise it shall be paid into the Consolidated Fund.

(4) Notwithstanding anything hereinbefore contained the Minister may hear and entertain any appeal lodged after the time limit herein provided if in all the circumstances of the case he thinks it just and proper to do so.

10. Any person who commits an offence against these Regulations or contravenes any provision thereof relating to the purchase of cocoa or the manufacture of any cocoa product or to the keeping or the production of records shall be liable on summary conviction before a Resident Magistrate to a fine of two hundred dollars or to imprisonment for any term not exceeding six months, or to both such fine and imprisonment.