

# Vanuatu Commodities Marketing Board (Amendment) Act 1994

*Commencement:*

## REPUBLIC OF VANUATU

### VANUATU COMMODITIES MARKETING BOARD (AMENDMENT) ACT NO. 2 OF 1994

#### Arrangement of Sections

1. Insertion of section 7A to Chapter 133
2. Amendment of section 15
3. Amendment of section 20
4. Insertion of section 20A
5. Commencement

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REPUBLIC OF VANUATU

### VANUATU COMMODITIES MARKETING BOARD (AMENDMENT) ACT NO. 2 OF 1994

An Act to amend the Vanuatu Commodities Marketing Board Act [CAP. 133].

**BE IT ENACTED** by the President and Parliament as follows:

#### **INSERTION OF SECTION 7A TO CHAPTER 133**

1. The Vanuatu Commodities Marketing Board Act [CAP. 133] in this Act referred to as the "principal Act" is amended by adding after section 7 the following new section -

#### **"POWER OF BOARD TO REQUIRE INFORMATION**

7A. The Board may, by notice served on any person who at the date of the notice or at any subsequent time, carries on a trade or business which includes the manufacture, preparation, sale or export of any prescribed commodity, require such person to furnish to the Board, within such time as may be specified in the notice, such information or data as may be reasonably specified in respect of such prescribed commodity.

#### **AMENDMENT OF SECTION 15**

2. Section 15 of the Principal Act is amended by repealing subsection (2) and substituting the following subsections -

"(2) Notwithstanding subsection (1) -

(a) any expenses of an administrative or general nature not directly attributable to any one commodity division shall be allocated to commodity divisions in such proportion as the Board may determine;

(b) where funds in respect of any one commodity division are exhausted and there are surplus funds in accounts of any other commodity or commodity or commodities such portion of the surplus funds may be transferred to the exhausted account as the Board may determine.

(3) Where any funds are transferred under subsection (2)(b), such funds shall be repaid from the funds of the exhausted commodity when it has surplus funds".

### **AMENDMENT OF SECTION 20**

3. Section 20 of the Principal Act is amended -

(a) in subsection (1) –

(i) by deleting the words "section 2" and substituting the words "section 2 or 7A";

(ii) by deleting the figure "200,000" and substituting the figure "1,000,000";

(b) in subsection (2) by deleting the words "section 2" and substituting the words "sections 2 of 7A".

### **INSERTION OF SECTION 20A**

4. After section 20 of the Principal Act, insert the following new section -

#### **"SECRECY**

20A. (1) No members of the Board, nor any officers or employee or consultant shall disclose to any person any information relating to the affairs of the Board or of any business enterprises associated with the Board or other person which he has acquired in the performance of his duties except for the purpose of the performance of his duties or as lawfully required by a court.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding VT200,000 or to imprisonment for a term not exceeding 1 year or to both such fine and imprisonment.

### **COMMENCEMENT**

5. This Act shall come into force on the date of its publication in the Gazette.

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