

CONTROL OF TOBACCO AUCTION FLOORS (RETURNS AND LICENCES) REGULATIONS

under s. 38

G.N. 183/1971

44/1986

91/1986

1. Citation

These Regulations may be cited as the Control of Tobacco Auction Floors (Returns and Licences) Regulations.

2. Auction floor owner's licence

(1) Every auction floor licence shall be in Form I in the Schedule.

(2) Every owner of a licensed auction floor shall, on or before the 31st December in every year, render a return to the Secretary to the Commission in Form II in the Schedule, which return shall contain particulars of all tobacco purchased at his auction floor during the preceding season.

3. Auction floor buyer's licence

(1) Every application for an auction floor buyer's licence shall be in Form III in the Schedule. G.N. 91/1986

(2) Every auction floor buyer's licence shall be in Form IV in the Schedule.

(3) There shall be paid on the grant of an auction floor buyer's licence a fee of K500.

4. Return by auction floor buyer

Every holder of an auction floor buyer's licence shall render to the Secretary to the Commission, on or before the 15th January in every year, a return in Form V in the Schedule setting forth details of every purchase of tobacco by him during the preceding season together with particulars of the manner of disposal of every such purchase of tobacco.

5. Permit to export tobacco

(1) Every permit to export tobacco shall be in Form VI in the Schedule. G.N. 91/1986

(2) A fee of K10 shall be paid in respect of every permit to export tobacco.

6. Import permit

Every permit to import tobacco shall be in Form VII in the Schedule.

7. Returns by tobacco growers

(1) Every grower of tobacco shall, when required so to do by either the Minister or the Commission, submit to the Minister or the Commission, as the case may be, a return, in Form VII in the Schedule, of the estimated production of tobacco by him in the current season on every estate or area of land owned or used by him for the purpose of growing tobacco, together, with particulars of any tobacco sold by him during the current season.

(2) Every return required under subregulation (1) shall be completed and sent to the Minister or the Secretary to the Commission within 21 days of the despatch of the requisition therefor by the Minister or the Commission, as the case may be.

8.

(1) If any person fails to comply with these Regulations, the Minister may cancel his registration as a seller of tobacco under the Control of Tobacco Auction Floors (Delivery Quotas) Regulations, 1971. Sub. leg. p. 27

(2) Any person who fails to comply with these Regulations or who wilfully or recklessly makes any false statement in any return required to be made thereunder shall be liable to a fine of K100.

SCHEDULE

FORM I

CONTROL OF TOBACCO AUCTION FLOORS ACT (CAP. 65:03)

AUCTION FLOOR LICENCE No.....

Licence is hereby granted to

of to use the premises situated at as a licensed auction floor, subject generally to the Control of Tobacco Auction Floors Act and in particular to section 18, and to the following special conditions—

(1) A summary of sales shall be submitted daily and weekly in such forms as required by the Minister from time to time.

(2)

This licence expires on the 31st December, 19

FEE: K1,000

.....

Minister of Agriculture

FORM II

CONTROL OF TOBACCO AUCTION FLOORS ACT

(CAP. 65:03)

RETURN

To: The Secretary,

Tobacco Control Commission, P.O. Box 5080, Limbe.

I/We, being the Owners of the Auction Floor
submit herewith a return of purchases of tobacco by licensed buyers on the above-mentioned auction
floor during the year 19

| Name of Buyer | Amount purchased in lb. | Flue-cured | Fire-cured | Air or Sun-cured | Burley | Northern |
|---------------|-------------------------|------------|------------|------------------|--------|----------|
|---------------|-------------------------|------------|------------|------------------|--------|----------|

| | | | | | | |
|----------|----------|--|--|--|--|--|
| Division | Southern | | | | | |
|----------|----------|--|--|--|--|--|

| | | | | | | |
|--|--|--|--|--|--|-------|
| | | | | | | TOTAL |
|--|--|--|--|--|--|-------|

The average price per lb. was Flue-cured

Fire-cured N. Division

Fire-cured S. Division

Air or Sun-cured

BurleySignature

Date

FORM III

CONTROL OF TOBACCO AUCTION FLOORS ACT

(CAP. 65:03)

APPLICATION FOR AUCTION FLOOR BUYER'S LICENCE

To: The Secretary,

Tobacco Control Commission, P.O. 5080, Limbe.

I/We of
..... hereby apply for a licence to purchase
tobacco on the Auction Floor during the year ending
31st December, 19

The fee of K100 is enclosed.

The following persons will be authorized to buy tobacco under the licence—

Names of buyers

.....

.....

.....
Signature

Address

Date

FORM IV

CONTROL OF TOBACCO AUCTION FLOORS ACT

(CAP. 65:03)

AUCTION FLOOR BUYER'S LICENCE

Licence is hereby granted to

of to purchase tobacco subject to the
Control of Tobacco Auction Floors Act on licensed auction floors during the year ending 31st December,
19

The grant of this licence is subject to the following conditions—

(a) that you undertake to make arrangements for the removal of any purchase made by you
at a sale before you commence to bid on an auction floor;

(b)

(c)

(d)

The under-mentioned persons are authorized to buy tobacco under this Licence—

Names of buyers

.....

.....

FEE: K100

Date

.....

Minister of Agriculture and

Natural Resources

FORM V

CONTROL OF TOBACCO AUCTION FLOORS ACT

(CAP. 65:03)

RETURN OF TOBACCO ON HAND

To: The Secretary,

Tobacco Control Commission, P.O. Box 5080, Limbe.

PURCHASES ON HAND

I/We certify that the following quantities of tobacco remained on hand for export at 31st December of last year for which I/we shall require an export permit—

| ABGreen | StocksPacked | Weight | StocksTotal | Equivalent | Green | Weights | of | A | and | B | Flue- |
|------------|--------------|--------|-------------|-------------|-------|---------|----|---|-----|---|-------|
| cured..... | | | | Fire- | | | | | | | |
| cured..... | | | | Sun/Air | | | | | | | |
| cured..... | | | | Burley..... | | | | | | | |
| | | | | | | | | | | | |

Signature

Address

Date

This return should be submitted not later than 15th January annually.

FORM VI

CONTROL OF TOBACCO AUCTION FLOORS ACT

(CAP. 65:03)

PERMIT TO EXPORT FROM MALAWI TOBACCO PURCHASED OVER A LICENSED AUCTION FLOOR IN MALAWI

Permission is hereby granted to of to export tobacco purchased over a licensed auction floor during the year 19

This permit is issued subject to the following conditions—

(a) details of shipment giving—

(1) type of tobacco (if fire-cured, specify whether Northern or Southern Division);

- (2) whether leaf, strips, scrap or stems;
- (3) weight—(a) dry weight—(b) equivalent green weight;
- (4) f.o.r. value; and
- (5) destination

shall be supplied under confidential cover to the Secretary, Tobacco Control Commission, not later than the 15th of each month for railings during the previous month;

(b)

This permit expires on the day of, 19

FEE: 50t paid

Date

Licence No.

FORM VII

CONTROL OF TOBACCO AUCTION FLOORS ACT

(CAP. 65:03)

PERMIT TO IMPORT TOBACCO

Permission is hereby granted to of to import tobacco into Malawi for sale on licensed auction floors during the year of

This permit is subject to the holder complying with the Control of Tobacco Auction Floors Act, the Tobacco Act, the Customs and Excise Act, and any subsidiary legislation thereunder.

This Permit expires on the 31st December, 19

Date

Permit No.....

FORM VIII

CONTROL OF TOBACCO AUCTION FLOORS ACT G.N. 44/1986, 91/1986

(CAP. 65:03)

ESTIMATE

MARCH RETURN:

MAY RETURN:

To: Tobacco Control Commission

P.O. Box 5080, Limbe

I/We estimate that the following quantity(ies) of tobacco will be produced on my/our estate known as in the District during the 19 season—

Amounts in kgArea in hectaresFlue cured.....Fire cured.....

Signature

Date

Name and address

.....

JUNE RETURN:

JULY RETURN:

To: Tobacco Control Commission

P.O. Box 5080

Limbe

I/We estimate that the following quantity(ies) of tobacco will be produced on my/our estate known as in the District during the 19 season—

Amounts in kgArea in hectaresFired cured.....Air and sun cured.....Oriental.....
.....Dark fired.....

Signature

Date

Name and address

.....

.....

.....

NOTES—(1) This, return ,includes tobacco already sold during the current season.

(2) A separate return is required for each estate in respect of the March return, which must be submitted by 1st April. If any grower is in any difficulty in framing this estimate, the hectareage to be planted multiplied by the average production during past years will give a sufficiently accurate estimate.

(3) Growers are advised that a return in which the estimates for firecured and sun/air-cured are bracketed together will not be accepted by the Commission. Growers must state the quality of each type they are likely to produce and the probable hectareage; any variation in the weight of either type actually produced and the hectareage can be corrected in the June and July returns.

(4) With regard to the June and July returns, these must be submitted by the 1st June and 1st July respectively. The estimates in these cases need not be rendered for each estate separately, but the total production and hectareage should be given for each type of tobacco being produced, whether any tobacco has been sold or not.

(5) Failure by a grower to render these returns by the due date may lead to a cancellation by the Commission of the registration as a seller of tobacco of such grower until such time as the Commission may think fit.

FORM IX

CONTROL OF TOBACCO AUCTION FLOORS ACT G.N. 91/1986

(CAP. 65:03)

GRADER'S LICENCE

Licence is hereby granted to of to carry on the business of grading tobacco on the premises specified below for growers for the period commencing on the 1st January, 19..... and terminating on the 31st December, 19..... for which licence the sum of K200 has been paid.

The licence is issued subject to the observance by the licensee of the Regulations issued from time to time by the Minister under section 38 of the Control of Tobacco Auction Floors Act.

Premises:

Date

Minister of Agriculture