

# Copra Inspection Regulation 1953

## Unvalidated References:

*Copra Act 1953*

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel

Dated 25 November 2006

## INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 211.

### *Copra Inspection Regulation 1953*

#### ARRANGEMENT OF SECTIONS.

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### *Copra Inspection Regulation 1953*

MADE under the *Copra Act 1953*.

Dated                    200 .

#### 1. INTERPRETATION.

In this Regulation, unless the contrary intention appears—

“**copra from germinated nuts**” means copra the whole of the surface of which has been thinned by germination, but does not include copra that has merely been tapered towards the plumule by the natural development of haustorium;

“**desiccated coconut peelings and residue**” means by-products of the desiccated coconut

industry;

“foreign matter” means matter other than copra;

“owner” includes a servant or agent of the owner;

“purchase” includes obtain by barter.

## **2. EXPORT OF DESICCATED COCONUT, ETC.**

(1) A person must not export desiccated coconut or desiccated coconut peelings and residue as copra.

(2) Desiccated coconut or desiccated coconut peelings and residue exported must be clearly marked on the bag or other container—

(a) as desiccated coconut or desiccated coconut peelings and residue; and

(b) with the place of origin.

Penalty: A fine not exceeding K40.00.

## **3. COPRA GRADES.**

Copra intended for export shall be classified into one of the following grades—

(a) PNG Hot Air; or

(b) PNG Fair Merchantable Standard; or

(c) PNG Smoke.

## **4. REQUIREMENTS OF GRADES.**

(1) PNG Hot Air copra must be—

(a) dried by hot air, Ceylon-drying or some other method approved by the Departmental Head; and

(b) clean, of good colour and free from smoke permeation, excess mould or insect infestation, charred pieces and foreign matter; and

(c) free from an unreasonable admixture of copra from germinated nuts; and

(d) of a moisture content not exceeding approximately 6%; and

(e) of a free fatty acid content not exceeding approximately 3%.

(2) PNG Fair Merchantable Standard copra must be—

(a) dried by a method approved by the Departmental Head; and

(b) clean, not unreasonably discoloured and free from smoke permeation, excess mould or insect infestation, charred pieces and foreign matter; and

(c) free from an unreasonable admixture of copra from germinated nuts; and

(d) of a moisture content not exceeding approximately 6%; and

(e) of a free fatty acid content not exceeding approximately 3%.

(3) Copra that is not of a sufficiently high standard to be classified as PNG Hot Air copra or PNG Fair Merchantable Standard copra, but that is—

(a) free from excess mould or insect infestation, excessively charred pieces and foreign matter; and

- (b) of a moisture content not exceeding approximately 7%; and
- (c) of a free fatty acid content not exceeding approximately 3%,

is PNG Smoke copra.

## **5. DISTINGUISHING NUMBERS.**

(1) The Departmental Head shall allot to each person producing copra intended for export a distinguishing number and an index letter to distinguish copra produced in the former Territory of Papua and the former Territory of New Guinea, respectively.

(2) A person who exports or attempts to export copra that is not marked in accordance with this section is guilty of an offence.

Penalty: A fine not exceeding K40.00.

(3) Distinguishing numbers and index letters specified in Subsection (1) must be stencilled or marked on one or both sides of the bag by the owner of the copra and where the copra is graded by him as—

- (a) PNG Hot Air—in green; or
- (b) PNG Fair Merchantable Standard—in black; or
- (c) PNG Smoke—in red.

(4) A person other than an Inspector must not place a mark, other than the proper distinguishing number and index letter, on a bag of copra for export, but, where desired by the owner, the name of the estate on which the copra was produced may be marked on the bag.

Penalty: A fine not exceeding K40.00.

(5) Where copra is down-graded under this Regulation, any further mark or marks that is or are required to denote the grade to which the copra has been down-graded shall be added to the bag by the Inspector, and the previous marks shall be cancelled by him.

## **6. BAGGING OF COPRA.**

(1) Copra intended for export must be contained in sound bags standard in the copra trade.

(2) Bags containing copra for export must—

- (a) be securely sewn at the mouth; and
- (b) contain not more than 78 kg or less than 68 kg net weight of copra; and
- (c) not be rammed so tightly as to cause damage to the bag or to the copra.

(3) A bag found to be in a damaged condition or otherwise considered unserviceable by an Inspector may be condemned and the copra contained in the bag may be transferred to a sound bag, and all costs relating to the transfer and of the destruction of the condemned bag are recoverable from the owner as a debt.

(4) Unless the bags have been treated so as to eliminate insect infestation in a manner approved by the Departmental Head, copra intended for export as copra must not be contained in second-hand bags that may be insect-infested.

## **7. RE-EXAMINATION AND RECONDITIONING.**

(1) An Inspector, at any time, may inspect or re-examine copra for export and require that the copra be reconditioned in a manner to be directed by him, where he considers that such action is necessary—

- (a) to make the copra fit for export; or
- (b) to protect the storage premises and contents from any likelihood of damage.

(2) The cost of reconditioning required under Subsection (1) shall be borne by—

- (a) the owner of the copra; or
- (b) where the fault lies with the storage premises, the owner of the premises.

## **8. REMOVAL OF COPRA FOR RECONDITIONING.**

Copra that an Inspector requires to be reconditioned must, if he so requires, be removed by the owner from the storage premises where it was inspected to an area provided for the purpose by the owner, and if the owner fails to do so within a reasonable time after the requirement—

- (a) an Inspector may remove it or cause it to be removed from the storage premises; and
- (b) the expenses of the removal may be recovered by the State from the owner as a debt; and
- (c) the State is not liable for any loss or damage suffered by the owner by reason of the removal.

## **9. DOWN-GRADING.**

(1) Where copra is submitted for inspection and marked by the owner as being of a particular grade, and—

- (a) in the opinion of an Inspector, is not of the standard prescribed by this Regulation in relation to that grade; and
- (b) cannot be reconditioned to that standard,

it shall be down-graded by the Inspector to a lower grade with the standard for which it complies.

(2) Notwithstanding Subsection (1), where, in the opinion of an Inspector, copra to which that subsection applies is not of exportable standard in any of the grades specified in Section 3 it shall be returned to the owner and all costs incurred by the State relating to the return are recoverable from the owner as a debt.

(3) Copra that—

- (a) has been damaged by rain water or bilge water; or
- (b) has become surf-wet in transit from the place of manufacture to any other place; or
- (c) has deteriorated as a result of flood, storm or fire, or from age or any other cause,

shall not be received into storage until an Inspector is satisfied that it is storable without risk of damage to other copra in store or to the storage premises.

(4) Where, in the opinion of an Inspector, copra in store is in such a condition as to be a danger to other copra in the store or to the storage premises, he may—

(a) require its removal from the store; and

(b) in default of its being removed by the owner within a reasonable time after the requirement, remove it or cause it to be removed from the store,

and the State—

(c) may recover the cost of the removal from the owner as a debt; and

(d) is not liable for any loss or damage suffered by the owner by reason of the removal.

#### **10. INTERFERENCE WITH MARKS.**

A person other than an Inspector who alters, defaces or adds to the distinguishing number or index letter on a bag of copra that has been inspected by an Inspector is guilty of an offence.

Penalty: A fine not exceeding K40.00.

#### **11. PROVISION OF MATERIALS FOR RE-MARKING, ETC.**

Materials for re-marking and inspection of bags and copra shall be supplied by the Government.

#### **12. POINTS OF CONCENTRATION.**

The Minister may, by notice in the National Gazette, appoint places to be points of concentration for the export of copra, and copra must not be exported except from or through one of those places.

Penalty: A fine not exceeding K40.00.

#### **13. CONDEMNATION OF STORAGE SPACE.**

Where an Inspector considers that any premises used for the storage of copra for export are unsuitable for that purpose, he may condemn them, and after such condemnation a person who knowingly or negligently keeps or stores, or allows to be kept or stored, copra for export in those premises before an Inspector certifies that the premises are fit to store copra for export is guilty of an offence.

Penalty: A fine not exceeding K40.00.