



COPRA ACT

Act Nos. 14 of 1926, 14 of 1935, 28 of 1988 and 46 of 1988.

AN ACT TO REGULATE THE MAKING AND SALE OF COPRA

Commencement [29th July 1926]

1 Short title.

This Act may be cited as The Copra Act.

2 Interpretation.

In this Act —

“**Inspector of Agriculture**” means an inspector appointed under the Plant Quarantine Act;

“**licensed trader**” means any person or body or persons corporate or unincorporate holding a licence issued under the Licences Act, and includes any person in the employment of such licence holders;

“**copra**” means the kernel or meat of the coconut in either its green or dried condition.

3 Offences in the making of copra.

Any person who—

- (a) makes copra from nuts which have not fallen naturally from the trees or from nuts which have begun to sprout or from immature nuts, or
- (b) buys, sells or offers for sale or otherwise deals in any copra which has not been cut into pieces not larger than one-eighth of the nut, or
- (c) dries or attempts to dry or cut out or attempts to cut out any copra on the bare ground or on grass, or
- (d) permits copra in the process of drying to be exposed during rain, or
- (e) stores partly dried green or wet copra in sacks, or heaps partly dried green or wet copra in bulk in any place, or
- (f) spreads copra except at night time or during rain in or upon any drying place at a depth of more than two inches, or
- (g) mixes dry copra with wet copra or with green copra or with copra that has not been sufficiently dried, or
- (h) buys, sells, or offers for sale or otherwise deals in any bad or damaged copra, or
- (i) covers copra during the process of drying in such a way as to exclude the free circulation of air through the copra, or
- (j) pounds or rams green copra when in sacks,

commits an offence against this Act and shall be liable accordingly:

Provided that no offence shall be held to have been committed under paragraph (d) of this section if the offender proves to the satisfaction of the Court that the copra in respect of which the charge is brought was freshly cut green copra. (*Substituted by Act 14 of 1935.*)

4 Possession of bad copra.

Any licensed trader who has in his possession any bad or damaged copra commits an offence against this Act and shall be liable accordingly.

5 Penalties.

- (1) Any licensed trader convicted of an offence against this Act shall be liable to a fine not exceeding \$250 and in default of payment to imprisonment for a term not exceeding 3 months and the Court may in addition to any other punishment imposed order that the trader's licence to buy copra shall be cancelled. (*Amended by Act 28 of 1988.*)
- (2) Any person other than a licensed trader convicted of an offence against this Act shall be liable to a fine not exceeding \$100 and in default of payment to imprisonment for a term not exceeding 3 months and if any

such person is the holder of a copra buyer's licence the Court may in addition to any other punishment imposed order that such licence shall be cancelled. *(Amended by Act 28 of 1988.)*

- (3) No licence cancelled in accordance with subsections (1) and (2) shall be renewed without the consent of Cabinet. *(Substituted by Act 14 of 1935.)*

6 Appointment of officers.

There shall be appointed in the Civil Service, additional officers generally to assist the Director of Agriculture, Forests and Fisheries or other officer administering the Department of Agriculture, Forests and Fisheries. *(Amended by Acts 14 of 1935 and 28 of 1988.)*

7 Duties of inspector.

- (1) The Director of Agriculture, Forests and Fisheries and any Inspector of Agriculture may enter in the day time upon any land or into any building or upon any structure for the purpose of inspecting and taking samples of copra or of doing such other things as may be necessary for the purpose of this Act.
- (2) Any person who obstructs the Director of Agriculture, Forests and Fisheries or any Inspector of Agriculture in the execution of any duty imposed on him by this Act commits an offence against this Act and shall be liable accordingly.

8 Cabinet consent to shipment of copra stored for 6 months.

Any person who without the consent of Cabinet ships or attempts to ship any copra which has been stored in Tonga for a period exceeding 6 months shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding \$250 and in default of payment to imprisonment for a period not exceeding 3 months. *(Added by Act 14 of 1935 and Amended by Act 28 of 1988.)*

9 Provision of platforms.

- (1) No person shall be granted a copra buyer's licence under the Licences Act until the Director of Agriculture, Forests and Fisheries or other officer approved by the Prime Minister has certified that such person possesses the proper plant platform and other facilities necessary to the satisfactory drying of copra.
- (2) Any person to whom a copra buyer's licence has been issued who allows his platform or other plant to fall into disrepair commits an offence against

this Act and shall be liable on summary conviction to a fine of \$100 and the Court may in addition to any other punishment imposed order that the offender's copra buyer's licence shall be cancelled. (*Amended by Act 28 of 1988.*)

- (3) No licence cancelled in accordance with subsection (2) shall be renewed without the consent of Cabinet. (*Added by Act 14 of 1935.*)

10 Regulations.

The Minister of Agriculture, Forests and Fisheries with the consent of Privy Council may make regulations for the better carrying out of the provisions of this Act and in particular to provide for the following—

- (a) the proper storing of copra;
- (b) the erection of platforms or other plant for drying copra; and
- (c) the duties of inspectors. (*Amended by Act 46 of 1988.*)

11 Prosecution of offenders.

All offences against this Act shall be triable in the Magistrate's Court for the district in which the offence is alleged to have occurred. The Attorney-General shall prosecute the offender. (*Amended by Act 46 of 1988.*)