COPRA PRODUCTS CONTROL ACT

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Note on Adaptation

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3.03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 52/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 64:30

COPRA PRODUCTS CONTROL ACT

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CHAPTER 64:30

COPRA PRODUCTS CONTROL ACT

1950 Ed. Ch. 32 No. 13.
1 of 1932.

An Act relating to the manufacture of deodorised edible oil, lard substitute and other products obtained from the kernel of the coconut.

Commencement.

[27TH FEBRUARY 1932]

Short title.

1. This Act may be cited as the Copra Products Control Act.

Interpretation.

2. In this Act—

"Comptroller" means the Comptroller of Customs and Excise, and includes any officer of Customs and Excise or other person deputed by the Comptroller for the purpose of carrying out any of the provisions of this Act;

"copra products" means deodorised edible oil, lard substitute, and such other products as the Minister shall by Order include under such designation, which products shall be obtained by process of manufacture wholly or in part from the kernel of the coconut;

"deodorised edible oil" means any edible oil manufactured in Trinidad and Tobago from copra and which, during the process of manufacture, has been subjected to any treatment for removing the characteristic odour and flavour of the crude oil;

"lard substitute" means any edible fat manufactured in Trinidad and Tobago from copra in imitation of lard;

"manufacturer" means and includes any person superintending or directing the manufacture of copra products in connection with any one manufactory, duly licensed under this Act.

Power to apply Order to other products.

3. The Minister may by Order include under the description of "copra products" for the purposes of this Act, any other product derived or manufactured wholly or in part from copra or the kernel of the coconut.

Licence to manufacture copra products. [51/1980].

4. (1) Every person who intends to become a manufacturer of copra products under this Act, shall apply to the Minister for a licence, and the Minister may refuse to grant such licence, without assigning any reason for such refusal, or issue any licence subject to such conditions as he may impose.

Expiration and renewal of licences.

(2) Every licence under this Act shall expire at the end of the calendar year in which it is issued. An application for the renewal of a licence shall be considered as an application for a new licence and dealt with in accordance with this section.

Licence duty.

(3) A duty of twenty-five dollars shall be paid for every licence and for each renewal thereof.

5.
6. } ***(Repealed by Act No. 37 of 1989).***

Minister may fix standards of quality and prices of copra products.

7. (1) The Minister may by Notification prescribe standards of quality, and fix maximum wholesale and retail prices for any copra products manufactured under the provisions of this Act and intended to be sold for consumption in Trinidad and Tobago.

Penalty for selling below standard or above price fixed.

(2) Any person who sells or exposes for sale any copra product which is below the prescribed standard of quality, or who sells any copra product at a higher price than that fixed by Notification hereunder, is liable on summary conviction to a fine of two thousand dollars, and to the forfeiture of all copra products which have been found to be below the prescribed standard of quality.

Price to be paid by manufacturer for copra, and for crude coconut oil. [6 of 1991].

8. (1) The manufacturer shall pay for all copra delivered to him not less than such price as the Minister, in his absolute discretion, may by Notification from time to time fix (having regard to the current local market price and other conditions prevailing in Port-of-Spain) which price shall be published weekly in the *Gazette*, and become effective from the day following the date of publication, but if in any week the price is not published, then the last published price shall continue to be the price fixed.

(2) The manufacturer shall pay an equivalent sum for all crude coconut oil purchased by him, and for the purpose of computing the purchase price, forty-five kilograms of copra shall be deemed to be equal to thirty litres of crude coconut oil.

Minister may suspend operation of this section.

(3) The Minister may by Notification suspend the operation of this section if he is satisfied that supplies are being withheld from the manufacturer with a view to securing a price higher than would be secured were supplies of copra to be freely offered to the manufacturer.

Deposit by manufacturer on copra or crude coconut oil purchased.

9. (1) Where the price fixed under section 8 is at a lower rate than three dollars and thirty cents per forty-five kilograms, the manufacturer shall deposit with the Comptroller a sum representing the difference between the said rate of three dollars and thirty cents and the said price so fixed, in respect of each forty-five kilograms of copra purchased by the manufacturer. However, in the case of copra used in the manufacture of copra products exported, such sum shall not exceed six cents for each forty-five kilograms of such copra.

(2) In the case of the purchase of crude coconut oil, the manufacturer shall make a like deposit based upon the formula set out in section 8(2).

Purchases for future delivery.

10. When a manufacturer has entered into a contract for the purchase and the future delivery of copra within a period not exceeding three months from the date of such contract then, for the purposes of sections 8 and 9, the price fixed by the Minister in accordance with section 8(1) for the week in which the contract was entered into shall apply to such contract as if delivery of the copra so purchased had been made immediately, and section 9 shall apply accordingly.

Sums deposited to go to fund for distribution among producers.

11. (1) All such sums paid to the Comptroller as mentioned above shall be paid to the credit of a special fund and shall from time to time be distributed proportionately among all producers of copra who submit claims within the time and in the manner

specified by the Comptroller by Notification, subject to such deduction as the Comptroller may consider necessary for and incidental to the management of such fund.

(2) For the purposes of this section "producers of copra" means the persons who in the first instance have converted into copra the kernel of the dry coconut, whether such coconut has been actually grown or acquired by such persons.

(3) Every producer of copra shall, in support of any claim submitted by him, produce to the Comptroller within such time as the Comptroller may require all books of account, receipts, vouchers and other documents in his custody containing material particulars touching such claim.

(4) Any producer of copra who—

(a) fails to produce to the Comptroller all such books of account, receipts, vouchers and other documents as mentioned above;

(b) produces any books of account, receipts, vouchers or other documents false in any material particular; or

(c) submits any claim containing any statement false or incorrect in any material particular,

shall not be entitled to participate in the distribution of the fund in respect of which the claim was submitted.

(5) In the event of the fund for any period having been distributed to the exclusion of any claimant on the ground of the alleged falsity of his claim or of any matter in support thereof and it being made to appear thereafter that such claim or matter in support thereof was not false in fact, then in every such case the claimant shall in respect of such claim be entitled to participate in the distribution of the fund for a succeeding period and to be paid such sum as he would otherwise have received.

Quarterly return by manufacturers.

12. Within ten days from the last day of each quarter of the year, each licensed manufacturer shall furnish the Comptroller with a return under the hand of a director or other responsible

officer in the employ of the manufacturer, containing the following particulars:

(a) the quantities of all copra purchased during such quarter;

(b) the persons from whom the said copra has been purchased;

(c) the several dates on which the said copra has been purchased;

(d) the amount due to the Comptroller under section 9;

(e) the total quantities of each of the different copra products manufactured;

(f) the quantities exported;

(g) the quantities delivered for consumption in Trinidad and Tobago;

(h) the quantities remaining on hand; and

(i) such other particulars as the Comptroller may by written notice require to be furnished.

Comptroller may inspect and take extracts from records.

13. The Comptroller shall from time to time have power to inspect and take extracts from or copies of all books of account, invoices, receipts, vouchers, and other documents and papers containing material particulars of all matters touching this Act, and which may be necessary for the manufacturer, and to enter at all reasonable hours and inspect the premises of the manufacturer.

Penalty for manufacturing without licence.

14. Any person who engages in the manufacture of copra products without having in force a licence for the purpose, as required by this Act, is liable on summary conviction to a fine of four thousand dollars, and all machinery, implements, utensils, materials and any copra products found upon the premises where such manufacture has been carried on shall be forfeited.

Penalty for contravention of conditions of licence.

15. Any manufacturer who contravenes the conditions under which any licence is issued under this Act is liable on summary conviction to a fine of four thousand dollars, and the Minister may suspend or revoke the licence of any such manufacturer.

16. The discharge by one of several manufacturers connected with one manufactory of any one obligation imposed on a manufacturer by this Act, shall relieve the others of that particular obligation in respect of that manufactory.

Discharge of obligation by manufacturer.

17. Any person who knowingly makes a false or incorrect statement for any of the purposes of this Act is liable on summary conviction to a fine of four thousand dollars.

Penalty for making false or incorrect statement. [45 of 1979].

SUBSIDIARY LEGISLATION

29/1991.

PRICE OF COPRA NOTIFICATION

made under section 8(1)

IT IS HEREBY NOTIFIED in accordance with section 8(1) of the Copra Products Control Act that the price to be paid by a manufacturer for all copra delivered to the manufacturer is fixed at one hundred and twenty-one dollars per forty-five kilograms.

This Notification is deemed to have come into force on the 1st January, 1991.