Cocoa (Amendment) Act 1992

Commencement: 10 May 1993

REPUBLIC OF VANUATU

COCOA (AMENDMENT) ACT

NO. 28 OF 1992

Arrangement of Sections

COCOA (AMENDMENT) ACT NO. 28 OF 1992

Assent: 16/12/92
Commencement: 10/5/93

An Act to amend the Cocoa Act [CAP. 139].

BE IT ENACTED by the President and Parliament as follows -

AMENDMENT OF SECTION 3 OF CHAPTER 139

1. Section 3 of the Cocoa Act [CAP. 139] in this Act referred to as the 'principal Act', is amended in subsection (1) by adding after paragraph (b) the following new paragraph -

"(c) carry on business as both cocoa dealer and fermentary operator".

AMENDMENT OF SECTION 12 OF THE PRINCIPAL ACT

2. Section 12 of the principal Act is amended -

(a) in subsection (1) by deleting the word "Director" and substituting the words "Minister responsible for Vanuatu Commodities Marketing Board";
(b) by deleting subsection (2) and substituting the following subsection -
"(2) The Minister after consultation with the Minister responsible for Vanuatu Commodities Marketing Board may at any time by notice published in the Gazette revoke the appointment of a Cocoa inspector."

INSERTION OF NEW PART IVA IN THE PRINCIPAL ACT

3. The following new Part is inserted after Part IV of the principal Act:

"PART IVA

COCOA INDUSTRIES FUND

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14A. (1) There is hereby established a Fund to be known as the Cocoa Industries Fund.
(2) The Fund shall be administered by the Director of Agriculture.
(3) The Fund shall consist of -
(a) the proceeds of sale of cocoa seedlings;
(b) the proceeds of sale of rat bait;
(c) 1% of the export duty payable in respect of the export of cocoa under the Exports Duties Act [CAP. 31];
(d) any other money that may be lawfully paid into the Fund.
(4) The Fund shall be held and applied for the purpose of -
(a) training smallholders in cocoa management and cocoa processing;
(b) maintaining regional cocoa nurseries; and
(c) assisting smallholders in acquiring items which will promote and assist the development of cocoa industry.
(5) All moneys belonging to the Fund shall, pending its application in accordance with subsection (4), be paid into a commercial bank account to be called the Cocoa Industries Fund Account."

AMENDMENT OF SECTION 16 OF THE PRINCIPAL ACT

4. Section 16 of the principal Act is amended in subsection (1) as follows -

(a) by deleting the word "two" and substituting the word "three" between the words "and" and "members";
(b) by adding after subsection (1)(b) the following paragraph -
"(1)(c) a representative of the Vanuatu Commodities Marketing Board, member."

COMMENCEMENT

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