



ANALYSIS

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|----|-------------------------|-----|-------------------------------|
| 1. | Title | 7. | Packing, handling and storage |
| 2. | Short Title | 8. | Levies and fees |
| 3. | Interpretation | 9. | Registration and stencil fee |
| 4. | Inspection and weighing | 10. | Penalty for offences |
| 5. | Grading | 11. | Application of fines |
| 6. | Prohibitions | 12. | Repeal and revocation |
| | Certification | | |

1970, No. 17

An Act to provide for the inspection and grading of copra for export and the imposition of an export duty on copra

(22 January 1971

BE IT ENACTED by the Legislative Assembly of the Cook Islands in Session assembled, and by the authority of the same, as follows:

1. Short Title - This Act may be cited as the Copra Act 1970.

2. Interpretation - In this Act, unless inconsistent with the context, -

"Director" means the Director of Agriculture appointed under the provisions of the Department of Agriculture Act 1970:

"Export" means shipment beyond the Cook Islands:

"Inspector" means an officer of the Department of Agriculture so designated and appointed for the purpose of inspecting, grading, passing or rejecting copra:

"Person" includes any copra producer, partnership, company or co-operative society:

"Reject copra" means copra, in any quantity, which has not been passed for export because its condition is below the minimum standard of the lowest grade.

3. Inspection and weighing - (1) All copra for export shall be inspected and weighed within seven days before shipment from the island in which it has been produced.

(2) The inspection shall be carried out and the weighing shall be supervised by an Inspector.

4. Grading - (1) On inspection, copra for export shall be graded as follows:

(a) Copra which by appearance is white, free from bacterial stain, mould, insect penetration, dust and burnt or black pieces, and which by touch is dry and not soft or pliable, shall be graded as First Grade Hot Air (Kiln) dried:

(b) Copra which by appearance is white with only slight bacterial stain or pitting, free from mould, insect penetration, excessive dust and burnt or black pieces, which by touch is dry and which contains not more than a negligible proportion of soft pliable pieces, shall be graded as First Grade Hot Air (Sun) dried:

(c) Copra which is dry and which may show some bacterial stain and pitting, some superficial mould, some superficial insect penetration, some dust, a negligible amount of slightly scorched pieces, no black pieces and which, by touch is found to be dry but for some soft pliable pieces, shall be graded as Standard Grade.

(2) Copra which is found on inspection to contain underdried, excessively mouldy or bacterial pitted pieces, decayed, rotten, black pieces, heavily insect infested or penetrated pieces, a noticeably large number of burnt or soft pliable pieces, or which has become soaked by rain or seawater, or which contains sand, gravel, stones and any other foreign matter, or which has been contaminated by cement, flour, kerosene, diesel oil or any other foreign matter whatsoever shall be condemned prior to sale, barter or shipment as Reject Copra.

5. Prohibitions - No person shall -
- (a) Make or attempt to make copra from other than mature coconuts; or
 - (b) Pick any immature coconuts for the purpose of making copra therefrom; or
 - (c) Buy, sell, offer for sale, store or ship any copra other than copra inspected in accordance with this Act and graded as First Grade Hot Air (Kiln) dried, First Grade Hot Air (Sun) dried, or Standard Grade; or
 - (d) Offer for export any reject copra.

6. Certification - (1) No person shall ship copra from any island without having first obtained an export certificate of weights and grades from an Inspector.

(2) The certificate shall state the name of the consignor, the identification marks, the number of bags, the weights and grades and the amount of copra export duty paid in accordance with section 8 of this Act.

(3) All consignors of copra shall be registered by the Director and shall be supplied with stencil mark plates.

7. Packing, handling and storage - (1) All copra for export shall be packed in sound new standard type single weave bags (or gunnies) to the nearest whole bag.

(2) The bags shall be marked with aid of the stencil mark plate supplied by the Director.

(3) No copra shall be exported in flour bags or sugar bags or any container other than those described under subsection (1) of this section.

(4) Any copra, whether in bulk or bags, purchased or bartered, shall be stored in clean, well ventilated sheds with a raised cement or wooden floor, and shall be well protected against insect infestation and rain damage.

8. Levies and fees - (1) There shall be levied and payable on all copra exported from the Cook Islands an export duty at the rate of five percent ad valorem.

(2) For the purposes of this Act the value of any copra shall be its value free on board at the island from which it is exported.

(3) Export duty as aforesaid shall constitute a debt due to the Government of the Cook Islands by the exporter of the copra.

(4) No copra shall be laden on board any ship for export on that ship from the Cook Islands until the amount of export duty payable under this section has been paid to the Collector of Customs at Rarotonga or the Resident Agent or Clerk-in-Charge of an island other than Rarotonga.

(5) Every person loading or concerned in loading copra on which export duty has not been paid commits an offence against this Act.

9. Registration and stencil fee - The fee for registration and each stencil mark plate shall be fifty cents.

10. Penalty for offences - Any person who offends against or fails to comply with any of the provisions of this Act commits an offence and shall be liable on conviction to a fine not exceeding four hundred dollars or to imprisonment for a term not exceeding six months.

11. Application of fines - All fines inflicted and monies received under this Act shall be paid into the Cook Islands Government Account and shall form part of the public revenue of the Cook Islands.

12. Repeal and revocation - The Copra Ordinance 1947 is hereby repealed and the Cook Islands Copra Export Duty Regulations 1951 (Serial No. 1951/291) are hereby revoked.

This Act is administered in the Agriculture Department.