

# COPRA ORDINANCE 1928-1940.<sup>(1)</sup>

## An Ordinance Relating to Copra.

**B**E it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, pursuant to the powers conferred by the *New Guinea Act 1920-1926*, as follows:—

1. This Ordinance may be cited as the *Copra Ordinance 1928-1940*.<sup>(1)</sup> Short title.  
Amended by  
No. 3 of 1934,  
s. 50.
2. This Ordinance shall commence on a date to be fixed by the Administrator by notice in the *New Guinea Gazette*.<sup>(1)</sup> Commencement.
3. In this Ordinance, unless the contrary intention appears— Definitions.
  - “Person” includes a partnership or company;
  - “Inspector” means any officer authorized by the Administrator to examine or pass copra;
  - “Buyer” means any person holding a licence to trade in copra;
  - “Trader’s Licence” means a licence issued under the *Licences Ordinance 1923-1924*.<sup>(2)</sup>

(1) The *Copra Ordinance 1928-1940* comprises the *Copra Ordinance 1928*, as amended by the other Ordinance referred to in the following Table:—

TABLE.

PART I.—ORDINANCE MADE BY THE GOVERNOR-GENERAL IN COUNCIL.

Short title, number and year.	Date on which made by Governor-General in Council.	Date on which notified in <i>Commonwealth Gazette</i> .	Date on which took effect.
<i>Copra Ordinance 1928</i> (No. 9 of 1928)	23.5.1928	24.5.1928	10.1.1929 ( <i>N.G. Gaz.</i> of 9.1.1929)

PART II.—ORDINANCE OF THE LEGISLATIVE COUNCIL.

Short title, number and year.	Date of assent by Administrator.	Date notified in <i>N.G. Gaz.</i> as not disallowed by Governor-General in Council.	Date on which came into operation.
<i>Copra Ordinance 1940</i> (No. 3 of 1940)	2.4.1940	15.6.1940	2.4.1940 ( <i>Laws of T.N.G.</i> , Vol. XV., p. 89)

(2) Now the *Licences Ordinance 1923-1937*.

COPRA—

Making copra from immature coconuts, &c., an offence.

4.—(1.) No person shall—

- (a) make copra from other than matured coconuts or buy or sell or offer for sale any copra so made; or
- (b) take delivery of, buy, sell or offer for sale undried or imperfectly dried or sweated copra or rotten copra or copra mixed with pieces of shell, stone, dust or other foreign substance.

Penalty: One hundred pounds in the case of an individual or Two hundred pounds in the case of a company or other body corporate.

(2.) Upon the conviction of any person of an offence against this section, the court may, in addition to any other penalty, order that any copra in respect of which the offence is committed shall be forfeited or destroyed, and, if the person is the holder of a Trader's Licence, may order that the licence be cancelled or suspended for such time as the court thinks fit.

(3.) The presence in a copra shed of any copra made from immature coconuts or undried or imperfectly dried or sweated copra or rotten copra or copra mixed with pieces of shell, stone, dust or other foreign substance shall be *prima facie* evidence that the copra was purchased or made by the owner of the copra shed.

Place of delivery of copra.

5. No buyer shall buy or take delivery of copra except at the store or place named in his licence.

Inspection of premises, &c.

6.—(1.) Every buyer shall, whenever required so to do by an inspector, permit the inspector—

- (a) to enter any store or copra shed for the purpose of examining any copra stored therein;
- (b) to examine and take extracts from any books and other writing evidencing the purchase or delivery of copra purchased by him.

(2.) Any buyer who fails or refuses to comply with this section or hinders any inspector from entering any store or copra house or from examining any copra stored therein, or who refuses to produce any books or writing referred to in this section, or who makes any false entry in any book or record relating to the sale or delivery of copra shall be guilty of an offence.

Penalty: Twenty-five pounds.

Power of inspectors to pass or condemn copra for export.

Sub-section (1) amended by No. 3 of 1940, s. 2.

Sub-section (2) amended by No. 3 of 1940, s. 2.

7.—(1.) All copra shipped for export from the Territory shall be inspected by an inspector before shipment, and if it complies with the provisions of this Ordinance and is otherwise fit for export the inspector shall pass it for shipment.

(2.) If any such copra is found to be unfit for export, whether it has been previously passed by an inspector or not, the inspector may refuse to permit the copra to be shipped.

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(3.) If any such copra is shipped without inspection, or if any copra which an inspector has condemned as unfit for export is shipped, all persons responsible for or permitting the shipment shall be guilty of an offence.

Sub-section (3)  
amended by  
No. 3 of 1940,  
s. 2.

Penalty: One hundred pounds in the case of an individual or Two hundred pounds in the case of a company or other body corporate.

(4.) If the owner of any copra condemned under this section is dissatisfied with the decision of the inspector he may apply to the District Court for an order calling upon the inspector to show cause why the copra has been so condemned and the District Court shall hear such evidence as may be relevant to the question and make such order as to the Court seems just.

8.—(1.) Notwithstanding anything in this Ordinance a District Officer may upon application by a buyer grant the buyer a special permit to purchase undried copra upon such terms and subject to such conditions and restrictions as the District Officer specifies.

Power of  
District Officer  
to grant special  
permit.

(2.) Nothing in this Ordinance concerning the sale or purchase of undried or imperfectly dried copra shall apply to the sale or the purchase of copra by any such buyer in accordance with the provisions of the permit.

9. Any person who commits an offence against this Ordinance for which no other penalty is provided shall be liable to a fine not exceeding Ten pounds.

Penalty for  
offences.