

No. 14 of 1997.

Copra Marketing Board (Amendment) Act 1997.

Certified on : 29-10-97

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1997.

Copra Marketing Board (Amendment) Act 1997.

ARRANGEMENT OF SECTIONS.

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6. Repeal and replacement of Schedule 1.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1997.

AN ACT

entitled

Copra Marketing Board (Amendment) Act 1997,

Being an Act to amend the *Copra Marketing Board Act* (Chapter 212),

MADE by the National Parliament to come into operation in accordance with a notice in the National Gazette by the Head of State, acting with, and in accordance with, the advice of the Minister.

1. ACT DECLARED TO BE IN NATIONAL INTEREST.

For the purposes of -

- (a) Section 29 of the *Organic Law on Provincial Government*; and
- (b) Section 41 of the *Organic Law on Provincial Governments and Local-level Governments*,

it is hereby declared that this Act relates to a matter of national interest.

2. INTERPRETATION (AMENDMENT OF SECTION 2).

Section 2 of the Principal Act is amended -

- (a) by inserting after the definition of "bounty" the following new definition:-

"'coconut product' means any product of any kind processed out of copra;" and

- (b) by inserting after the definition of "copra" the following new definition:-

"'downstream processing' means any method of processing copra in any form or kind including manufacturing and trading of coconut products;

'Extension Fund' means the Papua New Guinea Coconut Extension Fund established by Section 30E;

'extension levy' means the coconut extension levy imposed under Section 30F;

'extension services' means any services to assist copra producers in the growing of coconuts and production and processing of copra;"

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3. FUNCTIONS OF THE BOARD (AMENDMENT OF SECTION 11).

Section 11 of the Principal Act is amended by inserting after Paragraph (g) the following Paragraphs:-

- "(ga) to engage in downstream processing of copra by itself or in co-operation with other persons or bodies for the benefit of the copra industry; and
- (gb) to engage in extension services and related programmes by itself or in co-operation with other persons or bodies for the benefit of the copra industry; and."

4. REPEAL AND REPLACEMENT OF SECTION 17.

Section 17 of the Principal Act is repealed and is replaced with the following:-

"17. APPLICATION OF *PUBLIC FINANCES (MANAGEMENT) ACT 1995.*

(1) Part VIII of the *Public Finances (Management) Act 1995* -

(a) applies to and in relation to the Board subject to the exceptions and modifications specified in Schedule 1; and

(b) otherwise than in relation to audit, does not apply to -

- (i) the Fund; or
- (ii) the Research Fund; or
- (iii) the Extension Fund.

(2) For the purposes of Section 62(2) of the *Public Finances (Management) Act 1995*, the Board is hereby declared to be a trading enterprise."

5. NEW DIVISION V.5.

Part V of the Principal Act is amended by adding the following new Division:-

"***Division 5. - Extension Fund.***

"30E. PAPUA NEW GUINEA COCONUT EXTENSION FUND.

(1) There is hereby established the Papua New Guinea Copra Extension Fund into which shall be paid such money as is specified by this or any other Act.

"(2) The Extension Fund shall be administered by the Board but is not an asset of the Board.

"(3) A person who pays extension levy under Section 30F is not entitled by reason only of such payment -

- (a) to any interest in the Extension Fund; or
- (b) to receive any payment or benefit from the Extension Fund, other than such benefit, if any, as derives to the copra industry pursuant to any extension services undertaken under Section 11(gb).

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"30F. IMPOSITION AND COLLECTION OF EXTENSION LEVY.

(1) There is hereby imposed on coconut products a coconut extension levy.

"(2) The amount of coconut extension levy payable on -

- (a) copra - shall be such amount, not exceeding 2% of the price per tonne of copra, or its equivalent, paid to producers before the addition to the deduction of monies from the Copra Fund as the Board, after consultation with the Minister, may determine, and
- (b) coconut oil or dessicated coconut, in respect of a registered manufacturer or person engaged in the processing of coconut oil and dessicated coconut - shall be such amount not exceeding 2% of the price per tonne of coconut oil or any other by-product or its equivalent.

"(3) Where a registered manufacturer or permitted exporter purchases or otherwise acquires copra (including copra produced by such registered manufacturer or permitted exporter) he shall -

- (a) at least once a month; and
- (b) at such other intervals as the Board requires,

remit to the Board the amount of coconut extension levy payable in respect of copra and coconut oil and its by-products at the rate applicable under Subsection (2).

"(4) A person, who fails to comply with Subsection (3) is guilty of an offence.

Penalty: A fine not exceeding K1,000.00.

"30G. PAYMENT INTO EXTENSION FUND.

All monies received from the coconut extension levy shall be paid into the Extension Fund.

"30H. PAYMENT OUT OF EXTENSION FUND.

No money shall be paid out of the Extension Fund except for purposes of extension under Section 11(*gb*)."

6. REPEAL AND REPLACEMENT OF SCHEDULE 1.

Schedule 1 to the Principle Act is repealed and is replaced with the following:-

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" SCHEDULE 1.

Sec 17. **Exceptions and Modifications to the *Public Finances (Management) Act 1995.***

<u>Provision</u>	<u>Modification</u>
Section 51	Not applicable
Section 56	Not applicable
Section 59	Not applicable."

I hereby certify that the above is a fair print of the *Copra Marketing Board (Amendment) Act 1997* which has been made by the National Parliament.

Clerk of the National Parliament.

I hereby Certify that the *Copra Marketing Board (Amendment) Act 1997* was made by the National Parliament on 1 October 1997.

Speaker of the National Parliament.