

No. 84.

Tuesday, 12th November,

1929.

[244]

THE COPRA ORDINANCE, 1929.

Western Samoa.

No. 5, 1929.



An Ordinance

made by the Administrator of the Territory of Western Samoa, with the advice and consent of the Legislative Council of that Territory and in pursuance of the Samoa Act, 1921.

- No. 7, 1948*
- 193*
- 19*
- Title 1. This Ordinance may be cited as "The Copra Ordinance 1929."
- Definition 2. In this Ordinance—
- "Apia" means an area within a radius of one mile from the Post Office, Apia.
- "copra" means the meat of the coconut when it has been extracted from the nut and either before or after being dried.
- "dry" or "open" Copra shall be deemed to be "dry" if any sample is selected from it by the Inspector and exposed to the sun for such period as the Inspector sees fit and its weight is reduced by
- (a) less than 8% of the weight of the sample when taken if the sample is taken
- i) outside Apia, or
- ii) in Apia of copra not bought outside Apia.
- (b) less than 5% of the weight of the sample when taken if the sample is taken in Apia of copra bought outside Apia.
- "good quality" copra means copra which is
- (a) of an even colour and clean appearance, and
- (b) is dry and in a condition to resist active decomposition, and
- (c) shows no penetration by rot or insects, and
- (d) is free from stones, shells, or other foreign matter, and
- (e) is free from pliable and soft pieces, and
- (f) if kiln dried has not been baked, burnt, or otherwise damaged.
- "Inspector" means the officer of any officer of the Administration authorised to examine and grade copra.
- "person" includes a partnership or company.
- "good quality" copra*
- "Inspector"*
- "person"*

Unlawful to export or buy copra without a license.

3. It shall not be lawful for any person
- (1) To export copra from Samoa unless he is the holder of a copra exporter's license, or
 - (2) To buy copra (whether as principal or as agent for another person) unless he is the holder of a buyer's license, or the husband or wife (as the case may be) of the holder of a buyer's license,
 - (3) To employ any other person to buy copra unless such other person is the holder of a buyer's license,
 - (4) To hold a buyer's license (except as hereinafter provided) unless he is also the holder of a store license, or a payer of store tax, or the holder of a license as a trader in island produce not chargeable with store tax.
4. (1) The Collector of Customs shall subject to the provisions hereinafter contained issue a copra exporter's license to any person applying therefor.
- (2) The Director of Agriculture may subject to the provisions hereinafter contained issue a buyer's license to any person applying therefor who is approved by such Director as a fit and proper person to hold such license and any application for such license shall state the locality owner and number of the stores or copra sheds or copra driers where it is proposed to exercise such license.
- (3) Licenses under this Ordinance shall be issued for a period of twelve months and shall date from the first day of January and expire with the last day of December, and a fee of five pounds shall be payable for a copra exporter's license, and of ten shillings for a buyer's license for dry copra and of seven pounds ten shillings for a buyer's license for undried copra as hereinafter provided.
5. Any person holding a buyer's license may in his absence or during his incapacity or illness, transfer such license to some other person whether or not he is the holder of a store license or a payer of store tax, approved of by the Director of Agriculture or other person authorised by him and such license at the end of any such period of absence incapacity or illness may be transferred back to its original holder without fee on notice being given to such Director or other person as aforesaid.
6. No new license shall be issued to a person whose license has been cancelled under this Ordinance except with the approval of the Administrator.
7. Any person unlawfully exporting or attempting to export copra contrary to the provisions of this Ordinance shall be liable to a fine not exceeding fifty pounds.
8. Any person unlawfully buying or attempting to buy copra or employing any other person to buy copra contrary to the provisions of this Ordinance shall be liable to a fine not exceeding one hundred pounds.
9. Any person desiring to export copra shall have the same graded and shall dispose the same conveniently for inspection as and when reasonably required by the Inspector at a shed in Apia and shall provide such labour as the Inspector may reasonably require to assist him in examining and grading such copra.
10. The Inspector shall grade all good quality copra as "Standard Samoan copra" and shall cause the bags containing such copra to be marked with an export grade mark accordingly.
11. Copra which is not good quality copra shall not be stored or exported in bags marked with any export grade mark.

Licenses.

License cancelled: no new license without approval.

Penalties for unlawfully exporting or buying copra.

grading

"Standard Samoan copra"

Copra not good quality not marked.

subject to such terms as the order that such trees be authorized the plaintiff to plant if the tree is growing. The plaintiff is entitled to such compensation in accordance with section 10 of the Ordinance, 1921, "is

Fees & Costs of High Court Ordinance.

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Inspector's decision final.

Penalty for exporting copra not graded and bearing export grade mark.

Good quality copra to be kept separate.

Documents to distinguish copra.

Mixing good quality copra and other copra.

Penalty.

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12. The decision of the Inspector as to the grading of copra shall be final.

13. Any person who exports or attempts to export copra not graded as "Standard Samoan copra" in bags bearing an export grade mark commits an offence and shall be liable to a fine not exceeding one hundred pounds or in default of imprisonment for a term not exceeding three months.

14. (1) Every person who keeps or stores in or ships from Apia in any vessel copra other than good quality copra shall keep store or ship such copra separately from the good quality copra kept or stored in Apia or shipped in such vessel.

(2) Every person who makes any delivery note, shipping document or receipt for copra shall in such note document or receipt distinguish the good quality copra from any other copra referred to therein.

(3) If any person keeps or stores in or ships from Apia good quality copra mixed with other copra the whole shall for the purpose of this section be deemed to be other than good quality copra and such person shall be liable accordingly. Provided that if good quality copra is clearly indicated by a distinguishing mark on the bags in which it is stored or shipped it shall not be deemed to be mixed with other copra.

(4) Any person who keeps stores or ships copra contrary to the provisions of this section or does any other act in breach of this section shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

15. If any person shall wish to export copra in bulk or otherwise than in bags the Inspector shall make such provision for indicating the grade of the copra as the circumstances shall in his opinion require.

Any person who

(1) makes or begins to make copra from nuts which are immature or which have not fallen naturally from the trees,

(2) buys or weighs with a view to buying or sells or offers for sale or gives or takes delivery of or keeps in baskets sacks or bags or heaped in bulk or puts or receives into any place used for the buying or storing of copra or loads into any vessel or mixes with dried copra any copra not dry or any copra which is sweating or fermenting or rotting,

(3) offers for sale any copra mixed with sand stone shell or other foreign substance

is guilty of an offence and liable to a fine not exceeding fifty pounds provided that nothing in this clause shall operate to impose a penalty on any person who receives in Apia copra not dry from any vessel and who deposits or dumps such copra in his shed while awaiting inspection.

17. Any person who

(1) buys or weighs with a view to buying or sells or offers for sale or gives or takes delivery of copra except at a store or copra shed or copra drier in respect of which a buyer's license is held by the person by whom such copra is bought,

(2) buys or sells or gives or takes delivery of copra except on the days and during the hours following:—

(a) at stores or sheds in Apia on Saturdays between the hours of 7 a.m. and 12 noon and on other week days between the hours of 7 a.m. and 12 noon and 1 p.m. and 5 p.m.

- (b) at stores or copra sheds elsewhere on week days between the hours of 6 a. m. and 6 p. m.
 (c) at any place on any day or at any time which the Administrator by notice in the Western Samoa Gazette shall prohibit the sale or purchase of copra,
- is, guilty of an offence and liable to a fine not exceeding £10.
18. ~~The Director of Agriculture may from time to time approve in writing of any sun drier for copra or copra drier operated by artificial heat and notwithstanding anything in this Ordinance the owner or lessee of such drier may purchase undried copra in order to dry the same in such drier and any person may sell undried copra to such owner or lessee.~~
19. (1) It shall be lawful for the Inspector or any person authorised by him at all reasonable hours
 - to enter upon any land or into any building for the purpose of inspecting and taking samples of copra or doing such other things as may be necessary for the purposes of this Ordinance,
 - to examine and take extracts from any books or writings evidencing any transactions with copra.
- (2) Any person who obstructs the Inspector or such person in the execution of his duty or refuses to produce any such book or writing commits an offence and is liable to a fine not exceeding ten pounds.
20. On the conviction of any person for any offence under this Ordinance the Court in addition or as an alternative to any other penalty herebefore provided may order any license held by such person under this Ordinance to be suspended for any period not exceeding twelve months or to be cancelled.
21. The Administrator may by proclamation to be published in the Western Samoa Gazette make regulations prescribing rules for the following purposes:
 - (1) The form, terms and conditions of licenses and the transfer thereof
 - (2) Appointment, powers and duties of Inspectors,
 - (3) Storage, grading, shipping and export of copra,
 - (4) Form and substance of export grade marks or other marks or brands,
 - (5) All matters deemed necessary for the due administration of and for giving full effect to the provisions of this Ordinance,
 - (6) Penalties for breaches of such regulations.
22. This Ordinance shall come into force on the first day of January one thousand nine hundred and thirty, and the Copra Ordinance 1923 shall stand repealed from that date.

Assented to this twelfth day of November, 1929.

(L.S.)

S. S. ALLEN,
Administrator.

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