

## **Unvalidated References:**

*Cocoa Act 1981*

*Banks and Financial Institutions Act 2000*

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel  
Dated 25 November 2006

**INDEPENDENT STATE OF PAPUA NEW GUINEA.**

Chapter 388.

***Cocoa Regulation 1982***



## ARRANGEMENT OF SECTIONS.

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  - “defective bean”
  - “double bean”
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### **SCHEDULE 1**

### **SCHEDULE 2 – Sampling.**

### ***Cocoa Regulation 1982***

MADE under the *Cocoa Act 1981*.

Dated 200 .

1. **INTERPRETATION.**

(1) In this Regulation, unless the contrary intention appears—

“**broken bean**” means a cocoa bean of which a fragment is missing;

“**defective bean**” means a cocoa bean that is affected by internal mould or internal insect infestation;

“**double bean**” means two or more cocoa beans strongly adhering to each other;

“**flat bean**” means a cocoa bean of which the cotyledons are too thin to cut to give the surface of a cotyledon;

“**foreign matter**” includes—

(a) any matter extraneous to cocoa beans; and

(b) any part of cocoa (other than cocoa beans) including broken beans, double beans, germinated beans, fragments and pieces of pod and placenta;

“**foul or foreign odour**” means a smoky odour or an odour that is foreign to good quality cocoa;

“**fragment**” means a piece of cocoa bean equal to or less than 50% of the original bean;

“**germinated bean**” means a cocoa bean, the shell of which has been pierced, slit or broken by the growth of the seed germ;

“**identification mark**” means the mark denoting—

(a) the grower; or

(b) the registered fermentary in which the cocoa beans were processed; or

(c) the registered exporter by whom the cocoa beans are being exported;

“**inspection mark**” means the mark on a bag of cocoa beans denoting that the contents have been examined and conform to Papua New Guinea export cocoa;

“**licensed bank**” means a bank licensed under the *Banks and Financial Institutions Act 2000*;

“**the management levy**” means the management levy imposed under Section 17 of the Act;

“**slaty bean**” means a cocoa bean that shows a slate colour on 50% or more of its surface exposed by a cut lengthwise through its centre;

**“the stabilization levy”** means the stabilization levy imposed under Section 21 of the Act;

**“threshold price”** means the threshold price calculated under Section 12.

## **2. SUPPLY OF INFORMATION TO BOARD.**

(1) A person engaged in the cocoa industry shall promptly supply to the Board, when required by it, information verified by statutory declaration in respect of—

- (a) the number of cocoa trees planted or intended to be planted by him; and
- (b) details of contracts relating to the purchase or sale of cacao beans, cocoa beans or cocoa products to which he is a party including any contracts that, at the time of receipt of the requisition he proposes or intends to become a party, specifying the places at which delivery of the cocoa is to be effected; and
- (c) details of all cacao beans, cocoa beans or cocoa products acquired, purchased, sold or exported by him during the period specified in the requisition not exceeding two years before the receipt of the requisition; and
- (d) details of prices paid or to be paid by him for cacao beans, cocoa beans or cocoa products during the period specified under Paragraph (c); and
- (e) estimates of the destination of cacao beans, cocoa beans or cocoa products that are held in store or are likely to be exported by him during a specified period not exceeding two years.

(2) A person who fails to supply information under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K500.00 and in addition a fine not exceeding K50.00 for every day that the offence continues.

## **3. CARRIAGE OF CACAO BEANS, ETC.**

(1) Where, under Section 35 of the Act, a restricted area has been declared, a person who is registered under Section 26(1)(a) of the Act or a grower of cacao beans may apply to the Board for the allocation of distinguishing letters, marks, figures or symbols to the vehicle he operates for the purpose of carriage of cacao beans or partly processed cocoa within the restricted area.

(2) The distinguishing letters, marks, figures or symbols referred to in Subsection (1) shall—

- (a) be on a plate provided by the Board or in such other form as approved by the Board; and
- (b) be preceded by the words “Cocoa Dealer”; and
- (c) be clearly and prominently displayed on the front of the vehicle in such manner as approved by the Board.