

N.L.C.D. 356 FRUIT INDUSTRY ACT, 1969

ARRANGEMENT OF SECTIONS

1. Standard, packing and shipping.
2. Powers of entry and inspection.
3. Duty of inspectors.
4. Marking of packages and issue of certificate.
5. Evidence.
6. Offences.
7. Regulations.
8. Interpretation.
9. Repeals.

N.L.C.D. 356 FRUIT INDUSTRY ACT, 1969⁽¹⁾

AN ACT to provide for standards for packing and supply of fruits and for related matters.

1. Standard, packing and shipping

Fruit intended for export shall be of the standard of quality prescribed by the Regulations and shall be packed and shipped in accordance with this Act and the Regulations.

2. Powers of entry and inspection

For the purposes of this Act, an inspector may at a reasonable time enter any premises in which fruit is kept or suspected of being kept for export and may examine a fruit or a part of the premises or a part of or receptacle in the premises.

3. Duty of inspectors

An inspector shall be satisfied that fruit intended for export conforms to the standard of quality and is packed as prescribed by the Regulations.

4. Marking of packages and issue of certificate

On being satisfied that the requirements of section 1 have been complied with, the inspector shall mark each package of fruit intended for export with a stamp or seal showing that the fruit in the package has been inspected and passed as fit for export by an inspector and at the same time shall issue a certificate in the form prescribed by the Regulations.

5. Evidence

A certificate issued under section 4 is conclusive evidence that the requirements of this Act and of the Regulations have been complied with.

6. Offences

A person who

- (a) exports or attempts to export fruit without first complying with the requirements of this Act and of the Regulations, other than the Regulations providing for the cleansing, maintenance or control of premises where fruit is stored or kept,
- (b) wilfully tampers with a package of fruit after the package has been certified fit for export,
- (c) obstructs, resists or hinders an inspector in the lawful performance of functions under this Act, or
- (d) contravenes a provision of this Act or of the Regulations, or who makes default in complying with a provision with which that person has a duty to comply,

commits an offence and is liable on conviction to a fine not exceeding two hundred penalty units and in default of payment to a term of imprisonment not exceeding six months.

7. Regulations

The Minister may, by legislative instrument, make Regulations in respect of

- (a) the cleansing, maintenance and control of premises where fruit intended for export is to be stored or kept, and for the imposition of penalties for failure to clean or maintain the premises;
- (b) the methods of packing and standards of quality for the export of fruit;
- (c) the inspection, stamping or sealing and grant of certificates for export of fruit and generally controlling the export of fruit;
- (d) the appointment of inspectors and any other persons subject to article 195 of the Constitution, to carry out this Act and the Regulations and investing them with powers necessary for the due execution of their duties and for giving effect to the purposes of this Act;
- (e) the form of an inspector's certificate to be issued under section 4;
- (f) the fees to be paid for a matter or thing done under the Regulations; or
- (g) any other matters for carrying out the principles and provisions of this Act.

8. Interpretation

In this Act, unless the context otherwise requires,

“**export**” applies only to fruit exported for use or marketing outside the Republic;

“**fruit**” includes a fruit, nut or vegetable product, other than cocoa beans, to which this Act applies by virtue of the Regulations;

“**inspector**” means a person appointed by the President to exercise the powers of inspection of fruit under this Act;

“**Minister**” means the Minister responsible for Agriculture; “**Regulations**” means Regulations made under this Act.

9. Repeals

Spent.2(2)

Endnotes

1 (Popup - Footnote)

1. This Act was issued as the Fruit Industry Decree, 1969 ([N.L.C.D. 356](#)), made on the 17th day of May, 1969 and published in the *Gazette* on 23rd May, 1969. **2 (Popup - Footnote)**

2. The section provided for the repeal of

- “(a) the Coconut Industry Regulation Ordinance (Cap. 197);
- (b) the Palm-Kernels Adulteration Ordinance (Cap. 198);
- (c) the Bananas (Control of Exportation) Ordinance (Cap. 200);
- (d) the Fruit Industry Regulation Ordinance (Cap. 201);
- (e) the Fruit Industry (Regulation) Act, 1958 (No. 13).”