

AGRICULTURAL COMMODITIES EXPORT ACT of 2001

SECTION 4 - THE AGRICULTURAL COMMODITIES EXPORT (GENERAL) REGULATIONS 2001.

In exercise of the powers contained in Section 4 of the Agricultural Commodities Export Act 2001, the Minister of Agriculture and Forestry, with the consent of the Privy Council, makes the following Regulations:

CITATION

1. These Regulations may be cited as the Agricultural Commodities Export (General) Regulations 2001.

PART I - INTERPRETATION

INTERPRETATION

2. (1) In these Regulations unless the context otherwise requires:

“Act” means the Agricultural Commodities Export Act 2001.

(2) The terms and phrases defined in the Agricultural Commodities Export Act 2001 shall be given the same meaning in these Regulations, unless the context otherwise requires.

(3) A reference in these Regulations to -

(a) a Form, is a reference to a Form of that number in the First Schedule, and

(b) a Schedule, is a reference to a Schedule to these Regulations.

FORMS AND FEES

3. (1) The forms set out in the First Schedule are hereby prescribed for the purposes of the Act and these Regulations.

(2) The fees set out in the Second Schedule are hereby prescribed for the purposes of the Act and these Regulations.

DOCUMENTATION

4. The notice of intention to export required under section 6 of the Act shall be on Form 1.

SAMPLING, TESTING, ETC.

5. An Inspector may take any sample, make any test, fumigate, disinfect, or in any way treat agricultural commodities the subject of the Act or any regulations made under it in order to ensure that such agricultural commodities conform with any requirement imposed by the Act or regulation made under it or in order to ensure that such agricultural commodities conform with any condition of importation imposed by the importing country, or he may order that such action is taken.

EXPORTS BY GOVERNMENT

6. Official exports of agricultural commodities are subject to the prohibitions and restrictions in these Regulations.

POWERS OF THE DIRECTOR

7. In addition to any powers under the Act or Regulations:
 - (a) the Director may in writing delegate specific powers designated in the Act and these Regulations to nominated persons within the Ministry of Agriculture and Forestry and these delegations will remain effective until revoked in writing;
 - (b) the Director cannot delegate his power of delegation;
 - (c) the Director shall determine appropriate conditions for the export of agricultural commodities.

INSPECTION OF EXPORTS

8. (1) The Director may require that any agricultural commodities submitted for export be inspected by an Inspector prior to export.
 - (2) (a) On receipt of written advice in the prescribed form of agricultural commodities intended for export an Inspector shall, as soon as practicable thereafter, inspect such agricultural commodities intended for export; and
 - (b) where such commodities conform with all requirements of the Act and all requirements and conditions of import imposed by the importing country he shall take all reasonable steps to allow such commodities to immediately be exported.
 - (3) Any agricultural commodities being exported may be detained until such time as the Inspector is satisfied that -
 - (a) such agricultural commodities meet with all requirements of the Act and any regulations made under it; and
 - (b) such agricultural commodities meet with all requirements, terms and conditions of the importing country and in the case of agricultural commodities intended for consumption, are of sufficient quality and wholesomeness.

FEES AND EXPENSES FOR EXPORT OPERATIONS

9. (1) Any inspection, treatment, transport, destruction or disposal of agricultural commodities shall be carried out at the expense of the intending exporter or his agent.

(2) If any agricultural commodities are required by these Regulations to be inspected, examined, treated or held in quarantine prior to export, the exporter or his agent, shall pay the fees set out in the Second Schedule.

FIRST SCHEDULE - FORMS

Form 1 - Notice of Intention to Export Agricultural Commodities

SECOND SCHEDULE - FEES

Performance of a service for which a fee is not specified elsewhere in this schedule or in other Regulations made under the Agricultural Commodities Export Act, 2001

\$4.00 per half hour or part thereof for each officer performing the service

Exporter	FORM 1		No.											
Exporter's Address	GOVERNMENT OF TONGA [COAT OF ARMS] Agricultural Commodities Export Act 2001 Agricultural Commodities Export (General) Regulations 2001, Regulation 6 MINISTRY OF AGRICULTURE & FORESTRY NOTICE OF INTENTION TO EXPORT AGRICULTURAL COMMODITIES													
Address of inspection site	Requested inspection date / / Country of destination													
Details of commodities to be inspected			Quantity (kg)											
Declaration I hereby declare that the commodities detailed above are intended for export and are submitted for inspection for compliance with the Agricultural Commodities Exports Act, 2001, the regulations made under that Act, any other regulations or conditions with which the commodity is required to conform and with requirements of the importing country listed above."														
Signature of Exporter		Date / /												
MAF USE ONLY														
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th data-bbox="97 1516 587 1621" style="width: 30%;">Type of Commodity</th> <th data-bbox="592 1516 778 1621" style="width: 10%;">Quantity (kg)</th> <th data-bbox="783 1516 879 1621" style="width: 5%;">Units</th> <th data-bbox="884 1516 1390 1621" style="width: 45%;">Comment</th> <th data-bbox="1394 1516 1540 1621" style="width: 10%;">Result P=pass F=Fail</th> </tr> </thead> <tbody> <tr> <td style="height: 50px;"> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>					Type of Commodity	Quantity (kg)	Units	Comment	Result P=pass F=Fail					
Type of Commodity	Quantity (kg)	Units	Comment	Result P=pass F=Fail										
Signature of Inspector				Official stamp										
Printed Name		Date												
Ministry of Agriculture and Forestry														

