

[Legal Notice No. 18]

**COMMODITIES EXPORT MARKETING AUTHORITY**  
**(Cap. 36)**

**THE COCOA EXPORT (AMENDMENT) REGULATIONS 2004**

IN exercise of the powers conferred by section 34, and with the recommendation of the Commodities Export Marketing Authority, I, WALTON NAEZON, Minister for the Department of Commerce, Industries and Employment do hereby make the following Regulations -

1. These Regulations may be cited as the Cocoa Export (Amendment) Regulations 2004.
2. Regulation 3(1) is hereby amended by deleting the words "by a fee of one hundred dollars" and substituting therefor the words "non refundable administration fee of one hundred and fifty dollars".
3. Regulation 3(2) is hereby amended by adding after the word "products", the words "upon payment of appropriate fees set out in Regulation 21".
4. Regulation 21(1) is hereby amended by deleting the figure "\$500.00" and substituting therefor the figure "5,000.00" respectively.
5. The First Schedule to the Cocoa Regulations is hereby amended by deleted and the following new Schedule is substituted thereof.

FIRST SCHEDULE

Form 1

SOLOMON ISLANDS  
COMMODITIES EXPORT MARKETING AUTHORITY  
APPLICATION FOR LICENCE TO EXPORT COCOA

Application No:.....

Name of Applicant: .....

Address: .....

.....

Registered Office .....

.....

Location of business premises: .....

.....

Country to which export is made: .....

Estimated number of cocoa shipment: .....

Signed .....

(Applicant)

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CEMA Official Use

Application fee: \$..... Paid Receipt No:.....

CEMA Official ..... (Signature) Date: .....

Forward to:

Chairman

Commodities Export Marketing Authority

6. The Principal Regulation is hereby amended by inserting immediately after the third schedule two new schedules as "Schedule four" and "Schedule five".

#### SCHEDULE FOUR

Section 12

Reg. 3 and 4

#### QUALIFYING CONDITIONS OF NEW AND RENEWAL OF COCOA EXPORT LICENCE

For the purpose of Regulations 3 and 4, the following are minimum qualifying Conditions of compliance before an export licence is issued or renewed.

1. Export must be a registered legal entity.
2. Company must be a registered in Solomon Islands with majority shareholding by nationals. In the case of foreign joint venture or partnership, all relevant conditions of the Foreign Investment Board Act must be satisfied.
3. Proof of financial capability to carry out the prescribed activities.
4. Comply with all Sales Contracts and other accepted international trade practices that will not bring Solomon Islands name into disrepute.
5. Possess or access to adequate appropriate storage facilities at the point of export.
6. Possess valid business licence from the provinces where prescribed activities occur.
7. Provide annual audited report on the company done by recognized auditing firm.
8. Comply with other related laws and regulations of Customs & Excise, CBSI and other Solomon Island laws.
9. Publicly display domestic purchase prices for the prescribed commodities and inform the Authority when such prices change.
10. Comply with the provision of the prescribed statistical and other socio-economic information as required by the Authority on timely basis.
11. Comply with all other provisions of this regulation as well as other related Regulations and the provisions of the Act.
12. Be bound to contribute to any scheme that may be established to promote.
13. That all the proceeds from sales must be remitted in the country.

Chairman  
Commodities Export Marketing Authority

## SCHEDULE FIVE

Reg. 7

## SUPPLY OF INFORMATION

For the purpose of Regulation 7, the following are minimum requirements and manner in which the required information be provided to the Authority.

1. Copy of the certificate of registration and Articles of association of the company.
2. A copy of the Sales Contract with details consistent with acceptable international trading contracts. This to be supplied to the Authority at least 14 working days prior to shipment.
3. Copy of the completed "Shipping Bill for Goods for Exportion" (Customs Form 25) authorized by Customs. This must be given before the ship leaves.
4. Copy of the certificate or Out Turn Report as an assessment of the performance of the contract shipment carried out by independent international body at destination. The assessment report shall be as acceptable by the trade and shall include quantity, quality parameters. Copy of this report must be submitted to CEMA not later than 30 days after the shipment.
5. Compile and forward to the Authority on a quarterly basis, a monthly summary or purchase statistics by Provincial Wards and Provincial of the prescribed product with the following details;
  - (a) Weight (Tonnes or Kilogram)
  - (b) Number of bags
  - (c) Quality Grade
  - (d) Purchase prices
  - (e) Type of producers (Small holder, Co-operative, Trader, Mission, Plantation)
  - (f) Mode of transport that the product is brought to the buyer (ship, canoe/paddle, canoe/OBM, vehicle, carry)
6. Other socio-economic information requested by the Authority from time to time.

The Authority shall store and protect such information obtained under this Regulation in safe, secure and in confidence manner in accordance to Section 29 of the Act.

Chairman  
Commodities Export Marketing Authority

Dated at Honiara this tenth day of January, 2005.

WALTON NAEZON  
Minister for the Department of Commerce, Industry, Employment

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