

S. I. 58 of 2019**COCO-DE-MER (MANAGEMENT) DECREE***(Cap 37)***Coco-de-Mer (Restriction on the Processing, Trade and Export of unprocessed Kernel of Mature Nut) Regulations, 2019**

In exercise of the powers conferred by section 48 of the Coco-de-Mer (Management) Decree, the Minister of Environment, Energy and Climate Change hereby makes the following regulations —

1. These regulations may be cited as the Coco-de-Mer (Restriction on the Processing, Trade and Export of unprocessed Kernel of Mature Nut) Regulations, 2019.

Citation

2. In these regulations, unless the context otherwise requires—

Interpretation

“mature nut” shall have the meaning assigned to it in the Coco-De-Mer (Management) Decree (Cap 37);

“kernel” means the whole or part of the white meat (endosperm) found inside the Mature Nut;

“Minister” means the Minister responsible for environment;

“processed” means any or a combination of mechanical, chemical or physical alteration of the kernel from its natural state, into a commercial product”;

“trade” means to buy, sell or exchange processed kernel of a Mature Nut;

“unprocessed” means the state of not being processed.

Restriction
on exportation
of Mature Nut

3. The exportation of any form of unprocessed kernel of a Mature Nut is hereby restricted.

Process, trade
and export of
coco-de-mer
kernel without
permit

4.(1) No person shall process, trade and export the kernel of a Mature Nut without a valid permit issued by the Minister.

(2) A permit to process, trade and export the kernel of a Mature Nut under subregulation (1) shall be as set out in the First Schedule.

(3) The procedure to obtain a permit to process, trade and export of kernel of a Mature Nut under subregulation (1) shall be such as set out in the Second Schedule.

(4) Notwithstanding subregulation (3) and subregulation (2) a permit may be issued for the exportation of unprocessed kernel for scientific, diplomatic and any other justified purpose.

(5) A permit under subregulation (4) shall be as set out in the First Schedule.

Selection
Committee

5.(1) The Minister shall set up a Selection Committee and appoint members to assess all request for permits received under regulation 4 and the Selection Committee shall have the power to decide whether a permit shall be issued or not under regulation 4.

(2) The Selection Committee shall consist of —

- (a) a representative of the Ministry responsible for environment;
- (b) a representative of the Ministry responsible for Trade;

- (c) a representative of the Civil Society;
- (d) a representative of the National Institute of Science Technology and Innovation; and
- (e) an expert in the field of conservation.

(3) The decision of the Selection Committee shall be communicated to the applicant in writing within 7 days and a copy thereof shall be sent to the Minister for information.

6.(1) Any person aggrieved by the decision of the Selection Committee may, within 14 days upon receipt of the decision, submit a written appeal to the Minister. Appeal

(2) The Minister may constitute an ad-hoc Appeals Committee to assist the Minister in hearing or taking a decision on the appeal.

- (3) The Appeals Committee shall consist of —
- (a) a representative of the Department of Legal Affairs who shall be the chairperson;
 - (b) a representative of the Ministry responsible for environment; and
 - (c) an expert relevant to the subject matter appealed against.

(4) The Appeals Committee shall assess the merit of the appeal and within 30 days convey its recommendation to the Minister, on whether to confirm, vary or quash the decision of the Selection Committee.

7. The Minister may, on receipt of the recommendation of the Appeals Committee, decide, confirm or vary or quash the decision of the Selection Committee and Communication of decision to aggrieved person

communicate the decision, in writing, to the aggrieved person within 7 days of receipt of the decision.

Offence and penalty

8. Any person who contravenes these regulations shall be guilty of an offence and on conviction shall be liable to a fine not exceeding SCR 20,000 or to imprisonment for 2 years or to both such fine and imprisonment.

FIRST SCHEDULE

FORM OF PERMIT

PERMIT TO *PROCESS/TRADE/EXPORT KERNEL/EXPORT UNPROCESSED KERNEL OF A MATURE NUT.

(Regulation 4)

Business

Address:

District:

*Business Name/Owner:

Permission is hereby issued to *Process/Trade/Export/Export Unprocessed Kernel of a Mature Nut.

(Specify here further details, if any

This permit is valid for 2 years (24 months)

From:

To:

Date Issued:.....

Authorised Officer:

Specific Terms and Conditions

This permit is subject to such specific terms and conditions which may be imposed during the validity of the permit on the basis of policies and legislations made from time to time.

* ~~strike off whichever is not applicable~~

SECOND SCHEDULE**PROCEDURE TO OBTAIN PERMIT TO PROCESS, TRADE AND EXPORT KERNEL OF A MATURE NUT**

(Regulation 4)

1. The Ministry shall launch a request for expression of interest for interested individuals who wish to obtain a permit to process, trade and export kernel of a Mature Nut.
2. The request for expression of interest shall be published in a local newspaper for 3 consecutive weeks.
3. Suitable candidates shall be selected by the Selection Committee set up under regulation 5.
4. All successful candidates shall be notified via written notice within 30 days after closure of the request for expression of interest.
5. A request for expression of interest stipulated in paragraph 1 shall be launched every two years.

MADE this 1st day of October, 2019.

**WALLACE GROSGROW
MINISTER OF ENVIRONMENT,
ENERGY AND CLIMATE CHANGE**
