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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

RULES AND REGULATIONS

**Stipulated by the Coconut Development Authority for the Compliance of BOI
Approved /Other Companies-Joint Ventures/or any other Institutions engaged in the Manufacture
and/or Export of Activated Carbon/Value Added Activated Carbon**

THESE regulations shall apply to BOI approved/other companies/Joint Ventures/or any other Institutions are engaged in Manufacturing and/or Exporting Value Added Activated Carbon. These rules and regulations shall come in to operate from 01st August, 2006. After such date no Company/Joint Venture/any other Institution shall engage in manufacturing and/or exporting Value Added Activated Carbon except under the authority of a permit issued by the Coconut Development Authority.

These rules and regulations have been formulated by the Coconut Development Authority in keeping with the provisions of the Coconut Development Act No. 46 of 1971 including its subsequent amendments.

1. Annual registration has to be obtained from Coconut Development Authority and should be renewed annually.

- (i) The BOI approved/other companies/Joint ventures/or any other Institutions referred to above should have a valid business registration to conduct business in Sri Lanka.
- (ii) Should possess a valid registration obtained from Coconut Development Authority after having perfected the form and having paid the required fees.
- (iii) Coconut Development Authority will inspect every factory and premises immediately before registration and before the renewal of such registration and from time to time, to ensure that required standards are maintained.

2. Every officer authorized by the Coconut Development Authority shall be permitted to inspect the Mill/Factory, at any time whenever necessary.

- (i) An authorized officer means, an officer either Inspector, Technical Officer or any other Executive Officer authorized in writing by the Chairman/Director General of the Coconut Development Authority.
- (ii) Such officer may visit all operating factories regularly and if possible daily, in order to ascertain whether the standards expected by the Authority are being observed. In the event of a violation of the regulations, such officer shall immediately note this in the log book provided for the purpose at the factory, and shall notify the Chairman/Director General of this entry.
- (iii) The Chairman/Director General may from time to time whenever necessary inform the industry of any changes or instructions in this regard.

3. Monthly production data should be referred to the Coconut Development Authority.

- (i) Keep at the place of business, records of production details produced monthly in the form approved by the Authority.
- (ii) Monthly return of raw material requirement should be provided.
- (iii) Monthly production details should be submitted.
- (iv) Maintain at his factory a log book in which the comments of the Coconut Development Authority officer visiting the factory is entered.
- (v) An officer authorized by Chairman/Director General of the Coconut Development Authority as 2(i) above should be allowed to carry out inspections as and when required.

4. Records have to be maintained for Imports and Exports and should be referred to the Coconut Development Authority at the end of every month/Year.

- (i) Annual Audited Accounts of the company should be submitted.
- (ii) Customs declaration and records for total Imports of Raw Materials and Exports of Production also should be submitted, monthly and whenever necessary.

5. Conditions applicable to the import of raw material required for the industry.

- (A) (i) Manufacturer's certification with an authentication of an independent Authority shall be produced for Charcoal. This certification should be in conformity with SLS 571 of 1982.

In the event of considering Import of Raw Materials other than Charcoal (Import of Shell is prohibited under Plant Quarantine regulations) shall be only carried out in accordance with Quarantine Regulations/Law.

In the event of necessity for an inspection, such consignment of coconut product arrived at the port of entry or at the container yard will be carried out by Coconut Development Authority together with the National Plant Quarantine Service of the Department of Agriculture.

- (ii) If hazardous agents are detected during the inspection, such raw materials will be confiscated by the relevant Authority and the Coconut Development Authority would institute appropriate action that would deem required.

(B) Raw materials for BOI approved Companies :

All BOI Companies shall obtain a license from the Coconut Development Authority for the purchase of its raw materials of charcoal including Coconut Shell, either locally or to import.

The Coconut Development Authority will consider such license for local purchase based on the availability of Coconut Shell in Sri Lanka and permission will be granted for local purchase only on such availability.

6. Imports and Exports

All Importers and Exporters including BOI approved Companies of Coconut Shell Products, Activated Carbon, value Added Activated Carbon, shall register with Coconut Development Authority and shall obtain written permission before commencing such activity.

GENERAL

1. Suspension or Cancellation

- (i) The Authority may suspend the production or suspend or cancel the registration of any factory upon such recommendation or if in the findings of the Authority, the conditions of manufacture do not conform to expected standards of the Coconut Development Authority.
- (ii) Such suspension or cancellation shall not be withdrawn until upon subsequent inspection, the Authority is satisfied that the factory and the process of manufacture of Activated Carbon therein are in conformity with such expected standards of the Coconut Development Authority.
- (iii) Any manufacturer dissatisfied with any decision of the Authority to cancel or suspend the registration of such manufacturer may appeal to the Minister in charge of the subject of Coconut Development, in accordance with provisions of these regulations against such decision.

2. Appeals

- (i) Every appeal to the Minister in charge of the subject of Coconut Development, under these regulations shall be sent to the Secretary within seven days of the date on which the decision appealed against is communicated to the appellant by the Authority.
- (ii) Every appeal shall be presently in the form of a written statement signed by the appellant and containing a summary of the relevant facts, the decision of the Authority and the arguments which the appellant intends to adduce in support of the appeal.
- (iii) The fee for each appeal shall be Rs. 5,000, and shall be payable along with the statement of approval.
- (iv) The Minister may during the hearing of any appeal call for such evidence, whether oral or documentary as to him may seem necessary for the proper adjudication of the matter or matter at issue.

The Minister shall have the power to summon any witness to give evidence at such inquiry and shall also have such power to administer an oath or affirmation on such witness.

- (v) Where the Minister decides any appeal under these regulations, the decision of the Minister shall be reduced to writing and shall be communicated to the Authority and to the appellant by the Secretary.
- (vi) The Authority shall, upon receipt of such communication give effect the decision of the Minister.

SALINDA DISSANAYAKE,
Minister of Coconut Development.

28th April, 2006.

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