|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|

|  |
| --- |
|  |
|  |  |
| http://www.lawnet.com.my/libraryImages/image.aspx?imageID=29 |  |
|  | **FEDERAL SUBSIDIARY LEGISLATION** |  |
|  |   |  |
|  |  |  |
| **P.U.(A) 65/90** |
| **Federal Agricultural Marketing Authority (Licensing Of Exportation Of Fruit) Regulations 1990** |
|  |
|   |
|   |
|  |   |  |
|  |
|  |
|   |

|  |  |
| --- | --- |
| Date of coming into operation | 23th March, 1990 |

 |   |
|  |   |  |
|  |
|  |  |  |
|  |   |  |
|  |
|  |

 |  |
|

|  |
| --- |
|  |
| [Premable](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=409399)Regulation 1. [Citation and application.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=421030)Regulation 2. [Interpretation.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=431845)Regulation 3. [Licensing.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=418622)Regulation 4. [Application for a licence or renewal thereof.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=419320)Regulation 5. [Grading packing and export of fruit.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=411971)Regulation 6. [Cancellation of licence.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=410412)Regulation 7. [Offence.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=436398)Regulation 8. [Amendment to Schedule.](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=414898)[FIRST SCHEDULE (Regulation 2)](http://www.lawnet.com.my/LawNet/Public/LawLibrary/SubDocumentDetails.aspx?SubDocumentID=431591)  |
|   |

  |  |

**Preamble**

IN exercise of the powers conferred by section 3 and 12 of the Federal Agricultural Marketing Authority Act 1965 [Act 141], the Authority, with the approval of the Minister, makes the following regulations:

|  |
| --- |
| **Regulation 1. Citation and application.** |
| (1) These Regulations may be cited as the **Federal Agricultural Marketing Authority (Licensing of Exportation of Fruits) Regulations 1990.**(2) These Regulations shall apply throughout Malaysia.(3) The Authority, with the approval of the Minister, may be notification in the *Gazette* exempt any state or such part of a state from the application of any or all the provisions of these Regulations. |

|  |
| --- |
| **Regulation 2. Interpretation.** |
| In these Regulations, unless the context otherwise requires-"Authority" means the Federal Agricultural Marketing Authority;"export" means to take or cause to be taken out of Malaysia any fruit by land, sea or air, in a conveyance, vessel aircraft, for the purposes of trade;"fruit" means any fresh fruits as specified in the First Schedule and shall include chilled fruit;"licence" means licence issued under these Regulations;"person" includes an individual, any corporation, statutory body, cooperative society, partnership, association and any other group of persons, whether corporate or incorporate.  |
|  |

|  |
| --- |
| **Regulation 3. Licensing.** |
| No person shall export any fruit unless he is licensed in that behalf by the Authority under these Regulations. |

|  |
| --- |
| **Regulation 4. Application for a licence or renewal thereof.** |
| (1) Every aplication for a licence under regulation 3 or the renewal thereof shall be made in such form as the Authority may require.(2) The Authority may grant or renew a licence in the form as prescribed in the Second Schedule.(3) Any such licence issued or renewed under subregulation (1) may be subject to such terms, conditions and rectrictions as may be imposed by the Authority.(4) Without prejudice to the provisions of subregulation (3), the following provisions shall apply with respect to every licence issued or renewed as aferosaid-*(a)* each licence shall expire one year from the date on which such licence is issued or renewed;*(b)* the fee payable for the grant or renewal of a licence shall be ten ringgit.(5) A licence issued under these Regulations is not transferable. |

|  |
| --- |
| **Regulation 5. Grading packing and export of fruit.** |
| (1) No fruit shall be exported unless it has been graded, packed, labelled and sealed in such manner as the Authority may determine and the Authority shall, with respect to any respect to any fruit graded, packed, labelled and sealed as aferosaid, issue a certificate or certificates certifying such fact.(2) The certificate or certificates to be issued by the Authority shall be in the form as specified by the Authority from time to time.(3) The Authority may, from time to time, speciffy the manner of purchase, sale, handling, treatment, storage and transportation of fruit for export and may refuse to issue a certificate or certificates for such fruit that has not been purchased, sold, handled, treated, stored or transported in the manner specified.(4) The Authority may specify the place, time and manner of inspection required prior to the issue of any certificate or certificates pertaining to any fruit for export, and such fruit shall be submitted for inspection at the place and time and in the manner so specified.(5) Where the Authority finds that any fruit submitted to it for the purpose of the issue of a certificate under subregulation (1) is unsuitable for export, it may require the person who submitted such fruit to remove the fruit from such place within such time as the Authority may specified, the Authority may destroy the said fruit, and all expenses so incurred shall be borne by the said person. |

|  |
| --- |
| **Regulation 6. Cancellation of licence.** |
| (1) It is appears to the Authority that any person duly licensed under these Regulations has contravened or failed to comply with any regulation or any of the terms and conditions or restrictions imposed with respect to a licence issued to him thereunder, the Authority may call upon such a person to show cause why such licence held by him should not be cancelled.(2) Any person called upon to show cause under subregulation (1)-*(a)* shall be supplied by the Authority with the particulars in writing of the contravention or non-compliance complained of; and*(b)* may, if he so desire, appear in person or be represented by any person authorised by him in writing, at a hearing before the Authority.(3) If, after such hearing, the Authority considers that the person called upon to show cause has contravened or failed to comply with any of the provisions of these Regulations or contravened any of the terms, conditions and restrictions of the licence issued to him, the Authority may suspend or cancel the licence.(4) The Authority, upon calling a licensee to show cause pursuant to subregulation (1) or at any time thereafter, and pending its decision with respect to the cancellation or otherwise of the licence, may order a suspension of the licence. |

|  |
| --- |
|  |
| **Regulation 7. Offence.** |
| Any person who contravenes any of the provisions of these Regulations shall be quilty of an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit or to imprisonment for a term not exceeding six months or to both. |

|  |
| --- |
| **Regulation 8. Amendment to Schedule.** |
| The Authority, with the approval of the Minister, may by order, amend, vary, delete from, or add to, the First Schedule. |

|  |  |
| --- | --- |
|  |  |

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|

|  |
| --- |
| **FIRST SCHEDULE** **(Regulation 2)** |
|

|  |  |
| --- | --- |
| *Common Name*Starfruit (Belimbing Besi) Papaya (Betik Eksotika) | *Botanical Name*Averhoa Carambola Carica Papaya L. Var. Eksotika |
|  |  |

**SECOND SCHEDULE**FEDERAL AGRICULTURAL MARKETING AUTHORITYACT 1965FEDERAL AGRICULTURAL MARKETING AUTHORITY(LICENSING OF EXPORTATION OF FRUIT)REGULATIONS 1990(Regulation 4(2))**LICENCE TO EXPORT FRUITS**LICENCE NO. ..................................................THIS LICENCE PERMITS:...............................................................................................................................(State name of person).............................................................................................NRIC No./Business Registration No. ..............................................................Residential address ............................................................................Business address .....................................................................................to export ............................................................................ (State name of fruits)subject to the terms and conditions stipulated in the Regulations.Licence Expiry Date ....................................................................................................................*Federal Agricultural Marketing**Authority*Dated the ......................................1990[Ref. No. ......................................................]Made the 3rd January 1990HASHIM BIN SAFIN,*Chairman,**Federal Agricultural Marketing**Authority*Approved the 23rd January 1990.[KP/LA/243/2/1; PN. (PU2) 145/IV.]DATUK SERI SANUSI JUNID*Minister of Agriculture* |
|   |
|  |

 |   |