

SECOND SUPPLEMENT
TO THE
FEDERATED MALAY STATES
GOVERNMENT GAZETTE

OF FRIDAY, THE 20TH OF OCTOBER, 1922.

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SATURDAY, 21ST OCTOBER, 1922.

The following Notification is, by direction of the Chief Secretary to Government,
Published for general information.

C. W. H. COCHRANE,
Acting Under Secretary, F.M.S.

No. 6638.—The following draft of the proposed rules to be made under the Export
of Rubber (Restriction) Enactment is published for general information:

DRAFT.

“THE EXPORT OF RUBBER (RESTRICTION)
ENACTMENT, 1922.”

IN exercise of the powers vested in him by section 3 of
“The Export of Rubber (Restriction) Enactment, 1922,” the
Chief Secretary to Government makes the following rules, with
effect from the first day of November, 1922:

1. These rules may be cited as “The Export of Rubber
(Restriction) Rules, 1922.”

2. In these rules—

“Coupon” means a document in the prescribed form authorizing
the export of rubber.

“Holding” means and includes all lands on which rubber trees
are growing belonging to any one person or persons and situate within
any one State.

“District Officer” includes an Assistant District Officer and a
Collector of Land Revenue.

“Licence” and “quarterly licence” means a quarterly licence in
the prescribed form authorizing the export of rubber.

“Standard Production” means the quantity of dry rubber
produced from any holding between the 1st day of November, 1919,
and the 31st day of October, 1920, or such other quantity as may be
certified by a Committee appointed under these rules or by a District
Officer to be the standard production of any holding.

“Proper Officer of Customs” has the meaning assigned to that
expression by “The Customs Enactment, 1920.”

3. During the continuance in force of these rules no person shall
export rubber except under and in accordance with—

(a) a certificate of standard production and quarterly licences,
or

(b) a coupon, or

(c) a provisional licence.

4. (i) Applications for certificates of standard production and
quarterly licences in respect of holdings exceeding 200 acres in extent
shall be made to the Chairman of the local Committee.

(ii) Applications for certificates of standard production and
quarterly licences in respect of holdings not exceeding 200 acres
in extent and all applications for coupons and provisional licences
shall be made to the District Officer.

5. The Resident of a State may appoint a local Committee or Committees, consisting in each case of not less than five members of whom two at least shall be members of the planting industry, and may appoint one member to be Chairman.

6. (i) The duties of a local Committee shall be—

(a) to issue certificates of standard production and quarterly licences;

(b) to hear and decide appeals as provided by rule 16.

(ii) Except as provided in rule 16 the owner or proprietor of a holding or his agent may appeal to the Central Committee against the decision of a local Committee.

7. The Chief Secretary to Government may appoint a Central Committee for the Federated Malay States, consisting of not less than five members of whom at least two shall be members of the planting industry, and may appoint one member to be Chairman.

8. (i) The duties of the Central Committee shall be—

(a) to hear and decide appeals against the decisions of local Committees;

(b) to advise generally as to any matter arising in connection with the carrying out of these rules.

(ii) The decision of the Central Committee upon any matter shall be final and there shall be no appeal therefrom.

9. (i) Certificates of standard production and quarterly licences shall be in duplicate in the forms in schedules A and B.

(ii) The authorized percentage shall be declared quarterly by the Chief Secretary to Government by notification in the *Gazette*.

(iii) The authorized percentage for the quarter November 1st, 1922, to January 31st, 1923, shall be at the rate of 60 per cent. per annum.

10. The Chairman of the local Committee or the District Officer as the case may be shall deliver the original certificate of standard production and the original of each quarterly licence to the owner or proprietor of the holding, or his agent, and shall forward the duplicate licences to the Commissioner of Trade and Customs, retaining in his own custody the duplicate certificate of standard production.

11. Every person exporting rubber under and in accordance with a certificate of standard production and licence shall before shipment of such rubber produce the licence for the current quarter issued in respect of the holding from which such rubber was produced to the Proper Officer of Customs at the place of exportation.

12. The Proper Officer of Customs shall endorse upon such licence a memorandum of the quantity of rubber exported and of the date of export, and shall send a return to the Commissioner of Trade and Customs specifying the number of the licence, the date of export, and the quantity of rubber exported.

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13. An export duty is hereby imposed in accordance with the scale set forth hereunder, and such duty shall be collected by the Proper Officer of Customs.

RATES OF DUTY.

- | | | |
|---|--------|--|
| (i) Upon all rubber exported under coupon or provisional licence | | cents per lb. |
| (ii) Upon rubber exported under certificate of standard production and quarterly licence | | |
| (a) Not exceeding the quantity authorized by such licence to be exported at the minimum rate of duty | | cents per lb. |
| (b) Exceeding such quantity | | |
| (1) If the excess is not greater than 5 per cent. of the quantity specified in the certificate of standard production | | 14 cents per lb. over all |
| (2) If the excess is greater than 5 per cent. of the quantity specified in the certificate of standard production but not greater than 10 per cent. thereof | ... | 17½ cents per lb. over all |
| (3) Similarly in respect of each additional 5 per cent. of the quantity specified in the certificate of standard production | | 3½ cents per lb. over all up to a maximum of 42 cents per lb. over all |

Explanation.—"Over all" means that the duty is to be charged upon the total quantity of rubber exported by the holder of the certificate of standard production, and not only upon the excess of the quantity exported over the quantity authorized by the quarterly licence.

For the purposes of this rule one gallon of latex shall be taken as the equivalent of one lb. of rubber, and bark shavings from rubber trees shall be taken to contain 20 per cent. by weight of rubber.

14. Upon the application of the owner or proprietor of any holding not exceeding 200 acres in extent or his agent the District Officer may issue to him coupons in the prescribed form for the export of rubber in lieu of a certificate of standard production and licence.

15. The total quantity of rubber covered by such coupons shall not exceed in any three months one-fourth of the authorized percentage of the standard production of such holding as determined by the District Officer.

16. (i) Where the area of any holding does not exceed 25 acres there shall be no appeal against the decision of the District Officer.

(ii) When the area of the holding exceeds 25 acres the owner or proprietor or his agent may appeal to the local Committee against the decision of the District Officer.

(iii) The decision of the local Committee upon such appeal shall be final and there shall be no further appeal therefrom.

17. Every person exporting rubber under coupon shall before shipment of such rubber deliver the coupon or coupons covering such rubber to the Proper Officer of Customs at the place of exportation, and the Proper Officer of Customs shall retain the coupon or coupons and after cancelling the same forward them to the District Officer by whom they were issued.

18. (i) The holder of a certificate of standard production may at any time apply to a District Officer to issue to him coupons for the export of any quantity of rubber not exceeding in any three months together with previous shipments under such certificate and quarterly licence, one-fourth of the authorized percentage of the quantity specified in such certificate, and the District Officer shall issue coupons accordingly.

(ii) The applicant shall surrender his licence and shall produce his certificate of standard production for a memorandum of the issue of such coupons and of the total quantity of rubber covered by the same to be endorsed thereon.

(iii) The District Officer shall make a report to the Commissioner of Trade and Customs of all coupons issued in accordance with this rule, and shall forward to him the surrendered licences.

19. (i) The export of rubber may pending the issue of a certificate of standard production or of coupons be made under provisional licence in the form in schedule C.

(ii) Such provisional licences may be issued by the District Officer to persons entitled to obtain certificates of standard production or coupons.

(iii) The District Officer shall upon the issue of a quarterly licence endorse upon the same the quantity of rubber permitted to be exported under provisional licence from the holding to which such certificate relates.

(iv) The District Officer shall make a report of all provisional licences issued in respect of holdings exceeding 200 acres in extent to the Chairman of the local Committee, and the Chairman shall upon the issue of a quarterly licence make a similar endorsement thereon.

(v) The District Officer shall deduct from the coupons issued by him to any person the quantity of rubber permitted to be exported by such person under provisional licence.

20. Every person exporting rubber under provisional licence shall before shipment of such rubber produce the provisional licence to the Proper Officer of Customs at the place of exportation, and the Proper Officer of Customs shall endorse upon the provisional licence the date of exportation and the quantity of rubber exported, and return it to the licensee. When the total quantity of rubber permitted to be exported under a provisional licence has been exported the Proper Officer of Customs shall retain the licence and after cancelling the same shall return it to the District Officer by whom it was issued.

21. (i) The following fees shall be payable on an appeal:

(a) Appeal from District Officer to local Committee ... \$ 25

(b) Appeal from local Committee to Central Committee 100

(ii) Such fees shall be paid in stamps which shall be affixed to the petition of appeal and cancelled by the appellant.

SCHEDULE A.

FEDERATED MALAY STATES.

CERTIFICATE OF STANDARD PRODUCTION.

STATE OF.....

No.....

.....ESTATE.

I hereby certify that the quantity of rubber authorized as standard production in respect of the lands specified hereunder is.....^{lbs.}_{katis.}

.....,

*Chairman of Committee or
District Officer.*

1. This certificate remains in force until the 31st day of October, 1923.

2. The holder of this certificate is entitled to obtain quarterly licences for the export of the authorized percentage of rubber at the minimum rate of duty.

3. This certificate must be produced at the end of each quarter to the officer issuing it upon application for a licence for the ensuing quarter.

TITLES OF LANDS.

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SCHEDULE B (i).

FIRST QUARTER.

Rule 9.

FEDERATED MALAY STATES.

"THE EXPORT OF RUBBER (RESTRICTION) RULES, 1922."

QUARTERLY LICENCE TO EXPORT RUBBER.

First quarter (November 1st, 1922, to January 31st, 1923).

CERTIFICATE OF STANDARD PRODUCTION NO.

STATE OF.....

No.

This licence authorizes.....of.....to export the quantity of rubber specified hereunder at the minimum rate of duty.

Quantity authorized as standard production ...

Authorized percentage for the quarter at the rate of 60 per cent. per annum=15 per cent. ...

Quantity permitted to be exported ...

Less quantity permitted to be exported under provisional licence ...

Total ...

N.B.—This licence must be produced to the Proper Officer of Customs upon the exportation of any rubber.

SCHEDULE B (ii).

SECOND AND SUBSEQUENT QUARTERS.

Rule 9.

FEDERATED MALAY STATES.

"THE EXPORT OF RUBBER (RESTRICTION) RULES, 1922."

QUARTERLY LICENCE TO EXPORT RUBBER.

.....quarter (.....).

CERTIFICATE OF STANDARD PRODUCTION NO.

STATE OF.....

No.

This licence authorizes.....of.....to export the quantity of rubber specified hereunder at the minimum rate of duty.

Quantity authorized as standard production ...

Authorized percentage for the quarter at the rate ofper annum= ...

Quantity permitted to be exported ...

Plus balance not exported in preceding quarter ...

Total ...

N.B.—This licence must be produced to the Proper Officer of Customs upon the exportation of any rubber.

SCHEDULE C.

FEDERATED MALAY STATES EXPORT OF RUBBER
(RESTRICTION) ENACTMENT, 1922.

PROVISIONAL LICENCE TO EXPORT RUBBER.

Pending the issue of a certificate of standard production and licence under "The Export of Rubber (Restriction) Enactment, 1922," this provisional licence is issued to.....of.....to export.....pounds of dry rubber or.....pounds of latex from.....

This provisional licence is valid for one month only.

Upon the issue of a certificate of standard production and licence under these rules, the quantity of dry rubber or latex exported under this provisional licence will be deducted from the quantity exportable at the minimum rate under the licence.

.....
District Officer.

LIST OF TITLES IN RESPECT OF WHICH THIS LICENCE IS ISSUED.

N.B.—The quantity mentioned in this provisional licence should represent 60 per cent. of the standard production of this estate for one month.