

**LAWS OF DOMINICA**

**TOBACCO (EXAMINATION AND CURING) ACT**

**CHAPTER 86:03**

**Act  
14 of 1925**

**Current Authorised Pages**

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
1-6	1/1991

*L.R.O. 1/1991*

**Note  
on  
Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

**CHAPTER 86:03**

**TOBACCO (EXAMINATION AND CURING) ACT**

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title.
2. Interpretation.
3. Appointment of tobacco examiner or examiners.
4. Designation of depots.
5. Examination of tobacco before export.
6. Refusal of unsuitable tobacco.
7. Acceptance of suitable tobacco.
8. Examination and classification of tobacco after curing.
9. Issue of certificates.  
Penalty for false representation concerning certificate.
10. Restrictions on exportation of tobacco.  
Black tobacco.
11. Exporter to produce certificate of tobacco examiner before shipment.
12. Illegal exporting.  
Penalty.
13. Laws relating to imported tobacco not affected.
14. Authority of the Minister to make Rules.

**SCHEDULE.**

---

## CHAPTER 86:03

## TOBACCO (EXAMINATION AND CURING) ACT

1961 Ed.  
Cap. 86.  
14 of 1925.

**AN ACT to regulate the examination, curing and exportation of tobacco.**

Commencement.

[18th September 1925]

Short title.

1. This Act may be cited as the –  
TOBACCO (EXAMINATION AND CURING) ACT.

Interpretation.

2. In this Act –

“Financial Secretary” includes any person deputed by the Financial Secretary;

“tobacco” includes every variety of tobacco plant and leaf and every preparation and derivative of the same.

Appointment of tobacco examiner or examiners.

3. The Minister may appoint a fit and proper person or persons to be tobacco examiner or examiners under this Act. The appointment shall be notified by publication in the *Gazette*.

Designation of depots.

4. The Minister may designate a building or buildings to be a tobacco depot or depots under this Act. The designation shall be notified by publication in the *Gazette*.

Examination of tobacco before export.

5. All tobacco grown in the State shall before being either exported or sold within the State be brought to a tobacco depot designated under section 4 and submitted for examination to a tobacco examiner appointed under section 3.

Refusal of unsuitable tobacco.

6. The tobacco examiner may, if in his expert opinion tobacco so submitted is unsuitable for curing in a Government depot, refuse to accept the tobacco into the depot, and no tobacco so rejected shall in any circumstances be exported from the State; but nothing herein contained shall prevent the owner of the tobacco from selling the same within the State if he can find a market for it.

Acceptance of suitable tobacco.

7. The tobacco examiner shall, if in his expert opinion tobacco so submitted is suitable for curing in a Government depot, accept the

tobacco into the depot and the same shall thereupon undergo a process of curing under the supervision of the staff of the depot.

8. After undergoing a process of curing the tobacco shall be again examined by a tobacco examiner who, on being satisfied that the process of curing is complete, shall classify the tobacco under whichever of the following heads it is in his expert opinion entitled to rank, that is to say either –

Examination and classification of tobacco after curing.

- (a) fit for export; or
- (b) fit for local sale.

9. The tobacco examiner shall issue to the owner of each parcel of tobacco examined by him a certificate in the form contained in the Schedule completed with the various particulars required by the form. Any person who falsely represents for any purpose whatever that any such certificate refers to any tobacco other than that for which it was actually given is liable on summary conviction to a fine of one thousand five hundred dollars.

Issue of certificates.

Schedule.

Penalty for false representation concerning certificate.

10. No tobacco except that which is certified as "Fit for Export" shall be exported to any place outside the State; but it shall be lawful also to export to any State of the Leeward Islands the prepared form of tobacco which is commonly called and well known by the trade description of "black tobacco," if made from either of the two classes cured in a Government depot or certified by a tobacco examiner.

Restrictions on exportation of tobacco.

Black tobacco.

11. Every exporter of tobacco shall produce to the Financial Secretary before any tobacco is shipped the prescribed certificate of a tobacco examiner and the Financial Secretary is hereby authorised to refuse to permit the exportation of any tobacco except in accordance with the terms of this Act. The exporter shall at the same time produce to the Financial Secretary his seller's licence and purchaser's licence, as the case may be, and the Financial Secretary shall make a note of the shipment upon the indorsement of the appropriate licence and certify it by his signature.

Exporter to produce certificate of tobacco examiner before shipment.

12. Any person who exports, or attempts to export, any tobacco from the State in contravention of the terms of this Act is liable on summary conviction to a fine of one thousand five hundred dollars.

Illegal exporting.

Penalty.

*L.R.O. 1/1991*

Laws relating to  
imported tobacco  
not affected.

13. Nothing in this Act contained shall be deemed to alter or affect any written law at present in force with regard to imported tobacco or any written law affecting revenue.

Authority of the  
Minister to make  
Rules.

14. The Minister may make from time to time such Rules as he may think fit in respect of any Government depot or depots, of the general conduct of business thereat and the hours therefor, of the remuneration of the tobacco examiner or examiners and of the staff of such depot or depots and generally with regard to all details concerned with the practical working of this Act. The Rules shall come into force on a date to be fixed by publication in the *Gazette*.

---

## SCHEDULE

### TOBACCO CERTIFICATE

I CERTIFY THAT I HAVE this day delivered to *(name of owner)* from the Tobacco Depot at \_\_\_\_\_ a parcel of tobacco containing *(weight)* being the produce of *(place where grown, or, if the property of a licensed purchaser who has purchased it green, "Purchased green from Licensed Sellers")* and that I classify the same as *(according to section 8 of the Act)*.

(a) }  
or } *(as the case may be.)*  
(b) }

*Tobacco Examiner.*

---