

SPICES BOARD (REGISTRATION OF EXPORTERS) REGULATIONS, 1989

Spices Board (Registration of Exporters) , 1989 Regulations - 1989 (19.10.93 (As amended upto 19.10.93) NDI Spices Board (Ministry of Commerce, Govt. of India) i. 2277 P. B. No. 2277 — 682 025 Cochin - 682 025 5 1989 1986 39 8. 1. 19891-2. 2. 1) v) vii) viii) ' 1986 (1986 10) 1987 t; Spice Board NOTIFICATION Cochin, 5th October 1989 The Spices Board (Registration of Exporters) Regulations 1989 F. No. AdrWReg/01/j9 - In exercise of the powers conferred' by section 39 of the Spices Board Act 1986, the Spices Board hereby makes the following Regulations, with the previous approval of the Central Government, namely :- 1. Short title and commencement: These Regulations may be called the Spices Board (Registration of Exporters) Regulations, 1989. They shall come into force on the date of their publication in 2. the Official Gazette. 2. Definitions: In these Regulations, unless the context otherwise requires: i) iii) iv) v) vii) "Act" means the Spices Board Act, 1986 (IO of 1986). "Board" the Spices Board constitute under section 3 of the Act. "Year" means the year commencing on the first day of April. "Chairman" mean' the Chairman of the Board, "Secretary" means the Secretary of the Board appointed under section 4. "Section" means a section of the Act. "Rules" means the Spices Board Rules, 1987. viii) Words and expressions used herein and not defined but defined in the Act and the Rules shall have the same meanings respectively assigned to them.

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3. Conditions for grant of fresh certificate as Exporter: b) c) d) e) f) g) An application for grant of certificate under section 12 shall be made to the Secretary of the Board in '



Form 1' mentioned in the Rules. Every application shall be accompanied by a fee of Rupees two thousand and by a crossed demand draft. The fees once remitted to the Board shall not be refunded unless an application for grant of certificate shall be accompanied by a Bank Reference Certificate in respect of the financial status. The certificate issuing authority may, if he is satisfied as to the suitability of the applicant, issue a certificate to export spices to the applicant in 'Form A' in respect of the commodities for which the certificate is sought in 'Form 1' indicated in the Rules. Every certificate shall be deemed to have been granted personally to the certificate holder and no certificate shall be sold or otherwise transferred. Where a certificate holder sells or otherwise transfers his business to another person, the purchaser or as the case may be, shall obtain a fresh certificate in accordance with the provisions of these Regulations and Rules. Where there is any change in the ownership, constitution, name or address of any certificate holding exporter, he shall intimate the change to the Certificate issuing authority within a period of 30 days from the date of the change. The certificate issuing authority may for sufficient reasons condone any delay in this regard up to a period of three months. In case where the delay is not condoned by the certificate issuing authority or requisite intimation about the change is not sent within the time as laid down/as may be permitted, the exporter shall apply for fresh registration. In the case of manufacturer-exporters the certificate issuing authority shall also verify whether the permission of the sponsoring authority in regard to the change has been obtained. As amended by Notification No. MD/L&R/01/92.93 dated 19.10.93 q. q. z. a. z. QIZ, Rré i fiqf« I 10 1, 2. 41; 19/10/93 grq After due verification, the certificate issuing authority may issue a fresh registration certificate to the new or reconstituted concern, which shall be valid from the date of change in name, ownership, or constitution as the case may be. h) i) k) l) m) n) Where there is a change in the constitution of a certificate holding exporter firm by admission or retirement or death of a partner (or by a change of Karta in the case of Hindu undivided family concern,) and the reconstituted firm takes over the business as a whole without any change in its name and address such change will not require any fresh registration with the certificate issuing authority as laid down. Similarly, in the event of change from Private Limited Company to Public Limited Company or vice-versa, only an intimation should be sent to the certificate issuing authority, and such change shall not require any fresh registration. If a Certificate holder enters into a partnership in respect to the business covered by his certificate, he shall report the fact to the certificate issuing authority within a period of thirty days of entering into such partnership and get the certificate suitably amended. If a partnership holding a certificate is dissolved every person who was a partner immediately before such dissolution shall send a report, on the dissolution to the certificate issuing authority within thirty days thereof. If the application is not in the prescribed form or does not contain any of the required particulars, the application may be summarily rejected. A Certificate in 'Form A' shall not be granted to a person unless the issuing authority is satisfied with the facilities available in the spices processing plant/unit of the exporter of the spices. The exporter shall maintain a register in 'Form B'. The exporter of spices shall send to the Board a quarterly statement in 'Form B' so as to reach the Secretary, Spices Board on or before the tenth day of every succeeding (quarter.) 2 As amended by No. MD/L & R/01/92.93 dated 19.10.93. 2 Amended by Notification No. MD/L & VO 1/92.93 dated 19.10.93 3. 4. 30 "qq 1 " fittqa fiqfa I •ft , fi•qfa •m gra t, fiqfii grq t , fizâfq I o) Every exporter of spices shall produce on demand for inspection by any officer of the Board authorised in this behalf by the Chairman, all accounts, register and other records kept by him in connection with his business as spices exporter

2. Renewal of Certificate as Exporter: a) b) 3) 4) Any person desiring to renew the certificate as exporter shall submit an application in '



Form 1' mentioned in the Rules to the certificate issuing authority accompanied with the fees in the manner specified in sub-regulation on or before 30th June of the year in which the validity of the certificate expires: Provided that the certificate issuing authority may entertain an application for renewal upto the date of expiry of the existing certificate on payment of additional fee at the rate of Rs.25 for the delay of each month or part thereof. If the exporter does not carry on any export business during the period in which he holds a valid certificate, the renewal of certificate as exporter for the next three years may not be considered. However, if the exporter enters into export contract, he may apply to the Board for a fresh sponsor certificate in the manner prescribed in these Regulations. Every registered exporter shall register his contract of exports with the Spices Board prior to the export in respect of such spices as specified by the Spices Board from time to time. Every registered exporter shall register his brand names in respect of such spices as notified by the Spices Board from time to time, if they propose to export in consumer packs under brand names. T. Nandakumar, Chairman, Spices Board. 1986 - 11) 1989 FORM A Certificate of Registration as Exporter (Not Transferable) (Section 11 of Spices Board Act, 1986) Certificate No: Shri/Smt/Messrs Ware hereby authorised to do business as EXPORTER of Spices India subject to the conditions specified in the Spices Board (Registration of Exporters) Regulations, 1989 and instructions issued by the Spices Board. The Certificate is valid upto the 31st day of August..... Place: Cochin Date: Signature of Secretary (Seal) gal : (RML.) (FIRM'.) 2. 10 24 1989 28 FORM B Spices Exporters Quarterly Return [See Regulation) Export for the quarter ending: Name of exporter: Spices Board Registration No: Postal Address: Name of Spice/ spice product exported Telephone: Fax: Country to which pack/ exported size (Weight) FOB value No. Date/ Month Of Shipment Indian of Shipment FOB Unit Value (Rs/Kg.) Spices Board Paid Declaration: I declare that the information given above are true to the best of my/our knowledge and belief. Place: Date: Note:- (Signature of the Exporter) 1 . Report for a quarter should be sent before the 10th day of the succeeding month of every quarter

2. Principal regulations were published on 24th October 1989.No. 28