

## CHAPTER 46

### PROTECTION OF PRODUCE

Ordinances Nos. 38 of 1917,  
12 of 1945.

AN ORDINANCE TO PROVIDE FOR THE PROTECTION OF PRODUCE.

17th November. 1917.]

Shorttitle. **1.** This Ordinance may be cited as the Protection of Produce Ordinance.

Interpretation. **2.** For the purposes of this Ordinance the following terms shall have the meanings hereby assigned to them :—

" labourer " shall include all persons, except superintendents and assistant : superintendents, temporarily or permanently employed on any plantation in any capacity, whether agricultural or menial or otherwise howsoever ;

" plantation " shall include any land of not less than ten acres in extent on which coffee, tea, cacao, cardamoms, rubber, or coconuts are growing ;

" produce " shall include any plant or tree of any of the descriptions referred to in the last preceding definition and the fruit, leaf, bark, root, stem, latex, or other portion of any such plant or tree, whether in a natural or manufactured state.

Loitering or lurking in plantation to be an offence. **3.** Every person found loitering or lurking about in a plantation, unless he can give a satisfactory reason to the Magistrate before whom he is tried for such loitering or lurking, shall be guilty of an offence, and shall be liable on conviction before such Magistrate to imprisonment of either description for any term not exceeding six weeks, or to a fine not exceeding twenty-five rupees.

Possessor of certain descriptions of produce to be deemed guilty of offence till contrary be shown. **4.** Whenever anyone is found in possession of any of the following descriptions of produce, that is to say ;—

- (a) any tea plant, tea stump, tea seed, or tea leaf (whether in a natural or manufactured state) ;
- (b) any rubber plant, rubber stump, or rubber seed ;
- (c) the fruit of the coffee plant;

(d) the fruit of the cardamom plant, under such circumstances that there is reason to suspect that the same is not honestly in his possession, and he is unable to give to the court before whom he is tried a satisfactory account of his possession thereof, such person shall be guilty of an offence, and shall be liable, on summary conviction before a Magistrate, to imprisonment of either description for a period not exceeding six months, or to a fine not exceeding two hundred rupees, or to both ; and in the event of a second or subsequent offence shall be liable on conviction to imprisonment of either description for a period not exceeding one year, or to a fine not exceeding five hundred rupees, or to both.

**5.** (1) It shall not be lawful for anyone to purchase or take in barter or exchange or receive any produce from. any labourer employed on any plantation, except under the written authority of the owner or other person for the time being in charge of the plantation.

Restriction on purchase of produce.

(2) Any person committing a breach of the provisions of this section shall be guilty of an offence, and shall be liable on conviction before a Magistrate to rigorous or simple imprisonment for a period not exceeding six months, or to a fine not exceeding one hundred rupees.

**6.** In any district of Sri Lanka the Minister in charge of the subject of Justice, by Order notified in the Gazette, may direct that a Magistrate's Court shall have jurisdiction to try, or inquire into, any case in which the accused is charged with the theft of any produce, or of any particular description of produce, and which would otherwise be triable by a Primary Court, and thereupon the said Magistrate's Court shall have exclusive jurisdiction to try, or inquire into, all such cases.

Magistrates' Courts to have exclusive jurisdiction in respect of thefts of produce in certain proclaimed districts.