

THE STATUTES OF THE REPUBLIC OF SINGAPORE

RUBBER DEALERS ACT

(CHAPTER 279)

1970 Ed. Cap. 226
Ordinance
27 of 1921

Amended by
17 of 1924
30 of 1936
41 of 1936
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17 of 1952
37 of 1952
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Rubber Dealers Act

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An Act to control dealings in rubber.

[28th November 1921]

1. This Act may be cited as the Rubber Dealers Act. Short title.
2. In this Act, unless the context otherwise requires — Inter-pretation. 20/87. Cap. 278.
 - “Association” means the Rubber Association of Singapore constituted under section 3 of the Rubber Association of Singapore (Incorporation) Act;
 - “deal” means to purchase and sell specific rubber pursuant to any agreement providing for completion by delivery of the rubber but does not include purchase and sale of unascertained rubber by description by means of a forward contract;

“licence” means a licence issued under this Act, and
 “licensee” means the person to whom a licence is
 issued;

“licensed dealer” means a licensee holding a licence to
 deal in rubber;

“rubber” includes marketable rubber prepared from
 the leaves, bark or latex of any rubber plant, and
 the latex of any such plant, whether fluid or
 coagulated, in any stage of the treatment to which
 it is subjected during the process of conversion
 into marketable rubber, but does not include any
 manufactured article wholly or partly made of
 rubber;

“rubber plant” includes any of the following plants:

- (a) *Hevea brasiliensis* (Para rubber);
- (b) *Manihot glaziovii* (Ceara rubber);
- (c) *Castillos elastica*;
- (d) *Ficus elastica* (Rambong); and
- (e) any other plant which the Minister by notifi-
 cation in the *Gazette* declares to be a
 rubber plant for the purposes of this Act;

“treat”, with its grammatical variations and cognate
 expressions, means to subject to any process what-
 soever.

No person
 shall deal in,
 treat or store
 rubber with-
 out a licence.
 20/87.

3. No person shall deal in, treat or store rubber
 unless he is the holder of a licence issued by the Association.

Licence fee.
 20/87.

4.—(1) The fee payable for a licence shall be \$600.

(2) The Association may, with the approval of the
 Minister, revise the licence fee from time to time.

Duration
 of licence.

5.—(1) Every licence shall expire on 31st December of
 the year in respect of which it is issued and shall be valid
 only for the place or places and purpose specified therein.

(2) No licence shall be assignable, or shall confer any rights upon any person by reason of his being the executor or administrator of the person to whom the licence was issued. [7]

6.—(1) The Association may in its discretion —

- (a) refuse to issue or renew a licence;
- (b) suspend a licence for such period as the Association thinks fit; and
- (c) revoke a licence.

Association may refuse to issue or renew licence or may suspend or revoke licence. 20/87.

(2) Any person aggrieved by any decision of the Association under subsection (1) may appeal to the Minister whose decision shall be final.

(3) Where an appeal is made to the Minister pursuant to subsection (2), the Association shall furnish the Minister with such information as he may require for the purposes of considering the appeal. [8]

7.—(1) Two or more persons carrying on business in partnership shall not be obliged to obtain more than one licence appropriate to the circumstances in respect of which the licence is issued, and a licence to two or more persons shall not be determined by the death or retirement from business of any one or more of the partners.

Provisions with regard to partners.

(2) When a licence is issued to two or more persons carrying on business in partnership, every such person shall be liable for the acts and omissions of the other or others of them, unless the person charged with liability for the acts or omissions of his partner proves to the satisfaction of the court that he acted bona fide and in no way, directly or indirectly, contributed to the breach of the provisions of the Act with which his partner is charged. [9]

Responsibility of partners.

8. Every licensee shall display the licence in a conspicuous place on the licensed premises. [10]

Display of licence. 20/87.

9.—(1) Every licensee shall allow at all times the inspection of his licensed premises by any person authorised in writing in that behalf by the Association.

Duties of licensee. 20/87.

(2) No licensee shall take delivery of any rubber at any place other than his licensed premises.

(3) Every licensee shall on demand produce for the inspection of any person authorised under subsection (1) all rubber on his premises.

(4) Any such authorised person may enter any licensed premises and search such premises if he has reason to believe that all the rubber on the premises has not been produced for inspection, in breach of subsection (3). [11

Books of
account.

10.—(1) Every licensee shall keep books of account in which shall be entered day by day the following particulars concerning all purchases, deliveries, sales, shipments and other consignments of rubber:

- (a) the date of purchase, delivery, sale or consignment;
- (b) the name and address of the seller, consignor, purchaser or consignee;
- (c) the weight and description of the rubber purchased, delivered, sold or consigned;
- (d) the price, in cases of purchase or sale; and
- (e) in the case of rubber grown or produced on land in Singapore, the mukim number or name and lot number of the land on which the rubber was grown or produced:

Provided that the particulars mentioned in paragraph (e) shall not be required to be so entered in respect of deliveries, sales, shipments or other consignments by a licensed dealer.

(2) Every licensee shall on demand produce for the inspection of any person authorised under section 9 (1) all books kept by him under this section and allow copies to be made thereof.

(3) Every such book shall be preserved by the licensee for one year from the date of its last being used for the making of an entry therein. [12

Written
authority for
sale or
consignment.

11.—(1) No licensed dealer shall purchase any rubber except upon delivery to him by the vendor of a written authority for the sale thereof.

(2) No forwarding agent shall receive any rubber except upon delivery to him by the consignor of a written authority for the despatch thereof.

(3) No person shall receive rubber for treatment or for storage or for sale on commission except upon delivery to him of a written authority for the receipt thereof.

(4) Such written authority shall contain —

- (a) the signature and chop, if any, of a licensed dealer and the number of his licence; or
- (b) the signature and chop, if any, of the person in lawful occupation of the land on which the rubber was grown or produced, or of his duly authorised agent, together with the mukim number or name and lot number of that land. 20/87.

(5) Every person who receives a written authority as prescribed by this section shall preserve it and shall on demand produce it for the inspection of any person authorised under section 9 (1). [13

12.—(1) Every licensed dealer shall deliver to every person from whom he purchases any rubber a written memorandum bearing his signature or chop and the number of his licence and setting forth — Written memorandum from purchaser to vendor.

- (a) the date of the purchase;
- (b) the name of the vendor; and
- (c) the weight and description of the rubber purchased.

(2) Such memorandum shall be preserved by the vendor and shall be produced by him on demand for the inspection of any person authorised under section 9 (1). [14

13. Any person who fails to comply with any of the provisions of this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000. Penalty. 20/87.

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14.—(1) The Association may, with the approval of the Minister, make rules for — Rules. 20/87.

- (a) the purpose of further securing the effectual control of the sale, purchase, storage and disposal of rubber and the prevention of fraud in connection therewith;
- (b) prescribing the forms of books of account to be kept; and
- (c) generally carrying out the provisions of this Act.

Penalty for
breach of
rules.
20/87.

(2) Any person who commits any breach of any such rule shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 and, in the case of a continuing offence, to a further fine not exceeding \$100 for every day during which the offence continues after conviction. [18

Exemption.

15. The Minister may grant to any person or class of persons total or partial exemption from all or any of the provisions of this Act or of any rules made thereunder subject to such conditions and restrictions as he thinks fit, and may likewise declare, subject to any like conditions or restrictions, that any provisions of this Act or of any rules made thereunder shall not apply to any part of Singapore:

Provided that any such grant by the Minister shall be presented to Parliament at the next meeting thereof, and shall not come into force until it has been approved by Parliament either at that or at a subsequent meeting.

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