



THE TEA ORDINANCE, 1959



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THE TEA ORDINANCE, 1959
ORDINANCE NO. XLVI OF 1959

[8th August, 1959]

An Ordinance to provide measures for the expansion of export of tea, for the setting up of bodies to establish new tea gardens and rehabilitate derelict tea gardens, and generally for the promotion of the tea industry, and for levying a cess on tea produced in Pakistan.

WHEREAS it is expedient to provide measures for the expansion of export of tea, for the setting up of bodies to establish new tea gardens and rehabilitate derelict tea gardens, and generally for the promotion of the tea industry, and for levying a cess on tea produced in Pakistan;

NOW, THEREFORE, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:—

CHAPTER I.—PRELIMINARY

1. Short title, extent and commencement.—(1) This Ordinance may be called the Tea Ordinance, 1959.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions. In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) “Board” means the Pakistan Tea Board constituted under section 3;

¹[(aa) “Collector” means a Collector of Customs appointed under section 3 of the Customs Act, 1969 (IV OF 1969);]

(b) “Committee” means the ²[Tea Development Committee] constituted under section 9;

(c) “estate” means a tea estate and includes a tea garden or a part of tea estate or garden;

(d) “export” means to take out of Pakistan by land, sea or air to any place outside Pakistan;

(e) “owner” includes any agent of an owner;

(f) “prescribed” means prescribed by rules, made under this Ordinance;

(g) “tea” means the commodity known as tea made from the leaves of the plant *Camellia Thea* ³[or *Camellia Sinnensis*] including adjacent tender stalks or green tea but excluding tea waste; and

(h) “tea seed” includes seeds, roots, stumps, cuttings, buds and any living portion of the plant *Camellia Thea* ³[or *Camellia Sinnensis*] which may be used to propagate that plant.

¹ Cl. (aa) was ins. by the Tea (Amdt.) Ordinance, 1960 (1 of 1960), s. 2. has been subs. by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and Sch. II.

² Subs. by Ord. 1 of 1960, s. 2, for “Development Committee”.

³ Ins. *ibid*.

3. Constitution of Pakistan Tea Board.—(1) As soon as may be, the ¹[Federal Government] shall constitute a body to be called the Pakistan Tea Board consisting of the following members, that is to say :—

²[(a) A Chairman to be appointed by the ¹[Federal Government] ;]

³[(aa)] ⁴[three] members elected by the Pakistan Tea Association ⁵* * * ;

(b) two members elected by the Tea Traders Association of Pakistan of whom one shall represent the tea brokers and shippers ⁶[and the other the tea traders];

(c) one member to be nominated by the ¹[Federal Government] ⁷[to represent the estates under proprietary management];

⁸* * * * *

⁹[(e) two persons possessing special knowledge of tea or tea cultivation, or agriculture, ¹⁰[to be nominated by the Federal Government] ;]

(f) one person to be elected by the recognized labour unions of tea gardens;

¹¹[(g) one officer serving under the ¹[Federal Government] in the Ministry of Commerce to be nominated by the ¹[Federal Government].]

¹ Subs. by F.A.O., 1975, Art. 2 and Table, for "Central Government".

² Cl. (a) was ins. by the Tea (Amdt.) Ordinance, 1962 (66 of 1962), s. 2.

³ The original cl. (a) was renumbered as cl. (aa), *ibid*.

⁴ Subs. by the Tea (Amdt.) Ordinance, 1960 (1 of 1960), s. 3, for "four".

⁵ Omitted by P.O. 4 of 1975, Art. 2 and Sch.

⁶ Added by Ord. 1 of 1960, s. 3.

⁷ Subs. *ibid* for certain words.

⁸ Omitted by P.O., 4 of 1975, Art. 2 and Sch.

⁹ The original cl. (e) was subs. by Ord. 1 of 1960, s. 3.

¹⁰ Subs. by P.O. 4 of 1975, Art. 2 and Sch.

¹¹ The original cl. (g) as amended by Ord. 66 of 1962, has been subs. by the Tea (Amdt.) Ordinance, 1965 (14 of 1965), s. 2.