

CHAPTER 50.

PLANT DISEASE REGULATION.

AN ORDINANCE TO ENABLE THE GOVERNOR IN COUNCIL TO MAKE REGULATIONS WITH REGARD TO THE IMPORTATION OF PLANTS WITH A VIEW TO THE PREVENTION OF THE INTRODUCTION AND SPREAD OF PESTS AND DISEASES AFFECTING VEGETATION AND FOR PURPOSES CONNECTED THEREWITH. 6 of 1944.

[23rd December, 1944.]

1. This Ordinance may be cited as the Plant Disease Regulation Ordinance. Short title.

2. In this Ordinance unless the context otherwise requires: Definitions.

“Plant” includes everything in the nature of a plant, and the flowers, fruits, leaves, cuttings, bark, timber, and any part thereof whatsoever, whether living or dead, severed or attached, but does not include seed, unless specifically mentioned, nor manufactured products of plants, nor anything mentioned in this definition which has been cooked.

“Pest” means any insect or other invertebrate animal which may be injurious to agricultural or horticultural crops.

“Plant disease” means any disease caused by fungus, bacterium, virus, or other organism which may be injurious to agricultural or horticultural crops.

“Container” means any box, basket, pot, package, barrel, parcel, case or other receptacle or covering.

“Covering” means covering of a plant or of a container.

3. (1) The Governor in Council may make regulations for all or any of the following purposes: Power of Governor in Council to make regulations.

[*Note.* This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.).]

- (a) prohibiting, restricting or regulating the importation into the Colony of plants, vegetables, seeds, soils, manure, containers, straw, or other packing material or any other similar goods or things;
- (b) prescribing or designating the authority which may prescribe the conditions on which any such goods or things referred to in the preceding paragraph, may be imported into the Colony, including conditions to become operative after importation;
- (c) prescribing the places at which any such goods or things may be imported into the Colony when not imported by post;
- (d) providing for the detention and examination of any such goods or things on their importation into the Colony;
- (e) providing for the destruction of any such goods or things which on importation are found to be infected with any plant disease or pest, or for their treatment by the Department of Agriculture or otherwise, and for the similar treatment of any such goods or things, as a precautionary measure, whether found to be infected or not;
- (f) eradicating pests or plant diseases, preventing or controlling their attacks, or preventing their spread or distribution within the Colony;
- (g) prescribing the fees and charges to be paid in respect of any act or thing done under any regulation;
- (h) generally for giving effect to the objects of this Ordinance.

(2) Any regulation made under this section may be limited in its application to goods or things coming from particular countries and such countries may either be specified in the regulation or in a notice by the Governor relating to the regulation and published in the *Gazette*.

Prohibition
on the in-
troduction of
pests, etc.

4. No person shall introduce, or cause to be introduced, into the Colony any living pests in any stage of development, or living cultures of fungi or bacteria that are parasitic on plants, or dried specimens of plant diseases, without the written permission of the Governor previously obtained.

5. In addition to any fine or term of imprisonment which ^{Penalties.} may be imposed for a contravention of any regulation made under this Ordinance the Court may order that the goods or things in respect of which the offence has been committed be forfeited and disposed of as the Court may direct.