

- (a) "pay" includes any allowance which the Governor in Council may think fit to include;
- (b) regulation 13 may be disregarded, but directions may be given by the Governor in Council, either generally or in any particular case, for disregarding periods of service prior to breaks of three years or more, to dismissal for misconduct or to voluntary resignation, or periods during which an officer has served less than a number of days prescribed in the directions, and such directions shall have effect as if they were contained in this regulation;
- (c) an officer who, having held a non-pensionable office, is serving on probation in a pensionable office, shall be deemed to hold a non-pensionable office and his pay shall be deemed to be the pensionable emoluments of the pensionable office or the pay last received by him in respect of his service in a non-pensionable office, whichever shall be the greater.

SCHEDULE.

Regulation 8.

Aden	Kenya
Bahamas	Kenya and Uganda Railways and Harbour Administration
Barbados	Leeward Islands
Basutoland	Malayan Establishment
Bechuanaland Protectorate	Malta
Bermuda	Mauritius
British Guiana	Nigeria
British Honduras	Northern Rhodesia
British Solomon Islands Protectorate	Nyasaland
Cayman Islands	Palestine
Ceylon	St. Helena
Colonial Audit Department (Home Establishment)	St. Lucia
Crown Agents for the Colonies	St. Vincent
Cyprus	Seychelles
Dominica	Sierra Leone
Federated Malay States	Somaliland
Fiji	Straits Settlements
Gambia	Tanganyika Territory
Gibraltar	Trinidad
Gilbert and Ellice Islands Colony	Turks and Caicos Islands
Gold Coast	Uganda
Grenada	United Kingdom of Great Britain and Northern Ireland
Hong Kong	Zanzibar
Jamaica	

Replaced.

3/55.

CHAPTER 50.

PLANT DISEASE.

REGULATIONS.

No. 4 of 1947.

Short title.

Section 3.

1. These regulations may be cited as the Plant Importation Regulations.

2. The Agricultural Officer shall be the prescribing authority.

Prescribing authority.

3. The Governor may appoint duly qualified persons who shall be termed Plant Inspectors to enforce the provisions of the Plant Disease Regulation Ordinance and of the regulations made under it. The Agricultural Officer shall be Chief Plant Inspector and all Customs Officers shall be Plant Inspectors.

Inspectors.

4. An inspector shall inspect all plants set out in the First Schedule and Third Schedule on their arrival in the Colony, and may inspect any other plant, seed, container, or covering imported into the Colony.

Duty to inspect on arrival.

5. For the purpose of these regulations, Plant Inspectors may board and inspect any ship on arrival in the Colony if there is reason to believe that such a ship has on board any plants, seed, soil, containers or coverings intended for importation into the Colony, and Plant Inspectors may enter land, enclosures or buildings (but not dwelling houses), and if any person impedes or obstructs or refuses such boarding of a ship or such entry to a Plant Inspector who states his business it shall be an offence.

Powers of Inspectors.

6. An inspector may—

(a) detain any plant, seed, soil, container, or covering which, if permitted to enter, would, in his opinion, bring about the introduction of pests or plant disease such as would endanger the healthy growth of plants customarily grown in the Colony or intended to be grown therein;

(b) with the approval of the Agricultural Officer, order any plant to be planted for a period not exceeding twenty-four calendar months in a specified place set apart and used for the time being as a plant quarantine station;

Quarantine.

Treatment
or destruction
by fire.

- (c) order or apply any treatment that may be necessary to destroy any pest or disease which he identifies or believes to be present on or in any plant, seed, soil, container, or covering, and if no such treatment exists, or if there is danger that a pest or plant disease may escape into the Colony before such treatment can be applied, he shall order the complete destruction by fire of such plant, seed, soil, packing material, container, or covering and shall ensure the complete destruction of the pest or plant disease.

Free imports.
Second
Schedule.

7. With the exception of the plants and seeds specified in the Second Schedule no plant, seed or soil may be imported without a permit from the prescribing authority.

Permit
necessary to
import plants.

8. Applications for permits shall be made in writing and shall state—

- (a) the full name and address of the applicant;
- (b) name and address of the person from whom it is proposed to obtain the plants, seeds or soil and the source of them, including locality and nursery if known;
- (c) the botanical or the generally accepted popular names of plants, and the number of each variety it is desired to import.
- (d) the locality in which it is proposed to grow the plants or seeds or use the soil, etc.
- (e) any other information which may be specifically required by the prescribing authority.

Health
certificate
required.

9. Plants and tubers specified in the Third Schedule may not be imported unless—

Third
Schedule.

- (a) they are accompanied by a certificate issued by or on behalf of the Government of the country of origin and stating that the plants were free from pests and diseases including virus disease when examined not more than fourteen days before shipment and that reasonable precautions were taken to prevent the plants becoming infected after the examination; and unless—

- (b) there is in the Colony an officer competent to identify pests and diseases when the plants or tubers arrive:

Provided that plants or tubers accompanied by certificates issued by or on behalf of a British or United States of America Government Authority may be imported in the absence of such an officer.

10. All reasonable costs incurred in the examination, treatment, or destruction of plants, seeds or soil shall be borne by the importer notwithstanding that the plants, seeds or soil may have been destroyed, and the costs may be recovered as a civil debt in a Court of Summary Jurisdiction;

Costs of
examination
and treatment
recoverable
from
importer.

Provided that the Governor may, if he sees fit, direct that no charge be made.

11. No claim for compensation shall lie for any loss incurred through the action of any inspector acting in good faith under the authority of the Plant Disease Regulation Ordinance.

No
compensation.

12. Plants, seeds or soil shall normally be imported into the Colony at Stanley, but may be imported at any other place under such conditions as the Agricultural Officer may impose.

Port of entry.

13. Any person importing any plant, seed or soil contrary to these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding £50.

Penalty.

SCHEDULE I.

1. Seedlings and plants of forest trees.
2. Plant stocks and cuttings of fruit trees.
3. Plants and cuttings of small fruits (for example, currants, strawberries, raspberries and gooseberries).
4. Potatoes and other tubers.

Regulation 4.

SCHEDULE II.

1. Vegetable seeds.
2. Flower seeds.
3. Agricultural seeds (pasture and crop).
4. Seeds of small fruits.

Regulation 7.

SCHEDULE III.

1. Potatoes.
2. Jerusalem artichokes.
3. Strawberry plants.
4. Raspberry plants.
5. Currant plants.

Regulation 9.