

ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER F75

FUMIGATION OF PLANTS ACT

Showing the Law as at 15 December 2000

Published by Authority

Printed in
The Attorney General's Chambers
ANGUILLA

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FUMIGATION OF PLANTS ACT

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FUMIGATION OF PLANTS ACT

Interpretation

1. In this Act—

"agricultural authority" means the Director of Agriculture and includes any person acting in his aid or under his direction;

"imported" means brought into Anguilla by any channel whatsoever, including by "parcel post";

"importer" includes the owner and his agents and servants;

"packages" include boxes, coverings, wrappers or anything whatever in which plants are imported;

"plants" includes growing plants, cuttings, buds, and grafts, bulbs, roots and seeds, and also fruit and vegetables intended for propagation and not for consumption as food;

"port of entry" means any port or place in Anguilla appointed by the Governor for the importation of plants.

Ports of entry

2. The Governor may by regulation appoint one or more places as ports of entry for the importation of plants.

All imported plants to be fumigated by agricultural authority

3. (1) All plants imported into Anguilla, together with the packages in which they are contained shall, subject to the direction of the agricultural authority, be fumigated.

(2) All plants so imported shall be delivered up by the importer to the Comptroller of Customs who shall cause them to be conveyed to the place of fumigation there to be dealt with by the agricultural authority.

Place of landing

4. No imported plants shall be landed elsewhere than at a port of entry.

Fumigating apparatus

5. Suitable apparatus for the fumigation of plants shall be provided by the Government at such places and ports of entry as may be appointed by the Governor for the importation of plants; and such apparatus shall be under the care, control and management of the agricultural authority.

Process of fumigation

6. The process of fumigation shall be carried out in such manner and under such conditions as the agricultural authority may consider adequate for the destruction of any vegetable or insect pests which may possibly be on such plants, subject to any regulations made by the Governor in that behalf.

Removal of plants after fumigation

7. All plants shall be removed by the owner from the fumigation place after disinfection immediately upon his being required to do so by the agricultural authority.

Disposal of plants after fumigation

8. The agricultural authority may require the importer to keep him informed as to the disposal of any plants after fumigation, and may visit and examine them at any time, if necessary.

Expenses of removal

9. The expenses of removal to the place of fumigation (except it be in large quantities) and of the fumigation of plants shall be at the expense of the Government, but the Government shall incur no liability in respect of any risk attending fumigation.

Forfeitures

10. Any plants imported contrary to the provisions of this Act shall be forfeited.

Regulations

11. The Governor in Council shall have power to make regulations for more effectually carrying out the provisions and intentions of this Act.

Procedure

12. Nothing in this Act contained shall prejudice or in any wise affect any civil or criminal proceedings which but for the passing of this Act might be taken or instituted against any person, but no person is liable to be punished twice for the same offence.

Penalty

13. Any person found guilty of an offence against any of the provisions of this Act is liable on summary conviction to a penalty of $9,600.

Citation

14. This Act may be cited as the Fumigation of Plants Act, Revised Statutes of Anguilla, Chapter F75.

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