

6 OF 1893.

TO PREVENT THE INTRODUCTION AND SPREADING OF DISEASES OF
TREES AND PLANTS.

WALTER J. SENDALL.]

[June 22, 1893.

1. In this Law, "Plant" means and includes every tree, plant, herb or grass of which the fruit or any other part is used for the food of man or beast, or for any purpose in connection with arts or manufactures; "Plant Disease" means any deterioration or destruction of any plant or parts of a plant which is capable of being communicated to any other plant or parts of a plant, whether such deterioration or destruction is due to disease, insects, blight, fungus or any other cause.

Definitions.

2. The High Commissioner shall have power from time to time, when it shall seem to him to be necessary, to declare any district or area within the Island, or place within any such area, to be a place infected or suspected of being infected with a plant disease.

Declaration
of infected
areas.

3.—(1.) The High Commissioner may, from time to time, make any general or special orders for the following purposes or any of them:—

Power of
High Com-
missioner
to make
orders.

- (a.) For prescribing and regulating the destruction, removal, uprooting, disposal or treatment of plants and products of a vegetable nature within an infected district, area or place;
- (b.) For prescribing and regulating the cleansing and disinfecting of infected places and areas, or parts thereof;
- (c.) For prescribing the period within which it shall not be lawful to plant or re-plant with any plant whatsoever, or with any particular kind of plant, the whole or any portion of an infected district, area or place;
- (d.) For prohibiting or regulating the movement of persons, animals, earth, soil, dung, vegetable products or other things into or out of a district, area or place declared to be a place infected or suspected of being infected with a plant disease;
- (e.) Generally for the purpose of in any manner preventing the introduction into this Island or the spreading therein of a plant disease;
- (f.) For the appointment, pay and regulation of the duties of persons to be charged with the execution of any provisions or orders made by virtue of this Law.

And all such orders for the time being in force shall be considered to be part of this Law.

Power to carry order into effect.

Recovery of costs.

17. 1921, 2.

(2) In the event of the failure or neglect of the owner of any trees or plants on any area or place to comply with any general or special order made by the High Commissioner, the Director of Agriculture may by himself or by such officials of the agricultural department as he shall by writing under his hand authorize in that behalf do all such things as may be necessary for carrying out the said order; and upon the Director of Agriculture certifying to the District Court the costs which have been properly incurred in carrying out such order, such Court shall summon the person on account of whose failure or neglect such costs were incurred to appear before it on a certain day then and there to make payment of the costs which shall appear to the Court to have been properly incurred in that behalf; and if such person shall refuse or fail to make such payment forthwith, or within such time as the Court shall appoint, the Court shall proceed to recover such payment in the same manner as it would proceed to recover any fine incurred under a sentence of the Court.

Declaration of freedom from infection.

4. The High Commissioner may from time to time declare, subject to such conditions as he may think fit, any district, area or place within any area, as being no longer suspected of being infected with a plant disease; and thereupon, save as otherwise by such declaration provided, any general or special order that may have been made under the provisions of this Law shall, so far as it affects any such district, area, or place, cease to have effect.

Power to enter upon lands and search for causes of disease.

5. Any person authorized by the High Commissioner may, with or without any animals or beasts of burthen, carts, tools, implements or other things enter upon any land and there examine any plants or products of a vegetable nature, and dig up the ground, and do all such other acts and things as may be expedient in order the more effectually to search for and destroy the causes of any plant disease.

Compensation for plants and vegetable products destroyed.

6. When any plants or vegetable products shall have been destroyed under the authority of this Law, the Commissioner of the District shall thereupon pay out of the district treasury to the owner of the plants or products compensation for such destruction, the compensation to be assessed on the value of the plants or products at the time of destruction by valuers, one to be appointed by the Commissioner and one by the Commission of the village for that purpose. In the event of any disagreement as to the compensation to be paid, the matter shall be referred to the Mejlis Idaré of the district, whose decision shall be final.

