

CHAPTER 94.

SOIL CONSERVATION.

ARRANGEMENT OF SECTIONS.

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A LAW TO PROVIDE FOR THE CONSTITUTION OF SOIL CONSERVATION DIVISIONS AND FOR THE PREPARATION AND ENFORCEMENT OF SOIL CONSERVATION SCHEMES AND OTHER MATTERS CONNECTED THEREWITH.

[28th April, 1952.]

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16 of 56.

1. This Law may be cited as the Soil Conservation Law. Short title.

2. In this Law, unless the context otherwise requires— Interpretation.

“ Board ” means a Board constituted as in section 7 provided ;

“ Commissioner. ” means the Commissioner of the district within which a Soil Conservation Division has been constituted or within which an area proposed to be constituted as a Soil Conservation Division, is situate :

Provided that where a Soil Conservation Division comprises areas situated in more than one district under different Commissioners, it shall mean such Commissioner as may be nominated by the Administrative Secretary to act in respect of such Division for the purposes of this Law ;

“ mukhtar ” means the mukhtar of the town, village or quarter within which a Soil Conservation Division, constituted under the provisions of this Law, is situate :

Provided that, where such Division comprises areas situated in more than one town, village or quarter with different mukhtars, it shall mean such mukhtar as may be nominated by the Commissioner to act in respect of such Division for the purposes of this Law ;

“ property ” means land, trees, vines, springs, wells, boreholes, water and water rights whether held together with, or independently of, any land and an undivided share in any property as hereinbefore set out :

Provided that, for the purposes of sections 14, 15 and 16 and of the Schedule to this Law, it shall include buildings and other erections, structures or fixtures affixed to any land or to any building or other erection or structure ;

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“ proprietor ” means any person who owns, within a Soil Conservation Division or an area proposed to be constituted as a Soil Conservation Division, immovable property of an aggregate value, as registered or recorded in the books of the District Lands Office, of not less than one thousand mils and includes—

- (a) any person who occupies any such immovable property under a written hire-purchase agreement;
- (b) any person who occupies any such immovable property under a written lease and the owner has consented, in writing, to such person being regarded as a proprietor for the purposes of this Law:

Provided that the heirs of a deceased proprietor whose immovable property is still registered or recorded in his name shall be deemed to be a single proprietor and may, for all purposes of this Law, be represented by one heir duly authorized in that behalf by the heirs owning the major interest in the immovable property registered or recorded in the name of the deceased proprietor ;

“ Soil Conservation Division ” means a Soil Conservation Division constituted under the provisions of this Law ;

“ soil conservation measure ” means any measure applied to land for the purpose of—

- (a) the prevention of soil erosion or the reclamation of land affected thereby ;
- (b) the prevention of sand drift or the reclamation of land affected thereby ;
- (c) the protection, conservation or improvement of the land, the vegetation, the surface of the land and the soil ;
- (d) the protection, conservation or stabilization of any water source or water supply ; or
- (e) the betterment of any stream, river, water course or water course lands ;

“ soil conservation works ” means any works constructed on land for any of the purposes mentioned in the definition of the words “ soil conservation measure ”

PROVISIONAL COMMITTEE AND PREPARATION OF
SCHEME FOR SOIL CONSERVATION.

3. (1) It shall be lawful for the Commissioner, if it appears to him desirable that soil conservation measures should be applied to any area, to call a preliminary meeting of such persons as may, prima facie, appear to him to be proprietors within the area likely to be affected by such measures (hereinafter referred to as "the area affected"), and such persons, if they so decide, shall proceed to nominate from among themselves a provisional committee of not less than three and not more than five persons (hereinafter referred to as "the Provisional Committee"), which shall proceed in the manner hereinafter provided in connection with soil conservation measures within the area affected.

Preliminary
meeting and
provisional
committee.

(2) The Director of Agriculture shall be the Chairman of the Provisional Committee.

4. (1) The Provisional Committee shall, as soon as possible, after its formation, proceed to prepare a scheme for soil conservation in respect of the area affected with full particulars with regard to such scheme including—

Preparation
of Soil Con-
servation
Scheme.

- (a) the general measures which it is proposed to apply in connection therewith, together with an estimate of the approximate cost thereof ;
- (b) the area which may be affected by the scheme ;
- (c) the possible restrictions or regulation of grazing and of other rights or of the use of land for the prevention of soil erosion, the conservation, protection and improvement of the soil, the surface of the land, the vegetation and of the water supplies of the land.

(2) For the preparation of the scheme as in subsection (1) provided, the Provisional Committee may seek the assistance of any other person and all costs and expenses involved in the preparation of the scheme may, subject to the Administrative Secretary's consent, be defrayed from public revenue.

**FIRST MEETING OF PROPRIETORS AND APPROVAL OF
SOIL CONSERVATION SCHEME.**

First
meeting of
proprietors.

5. (1) When the scheme for soil conservation as provided in section 4 is completed, the Commissioner shall call a meeting of the proprietors (hereinafter referred to as "the first meeting" which expression shall include any adjournment or adjournments thereof), by causing a written notice to be posted on his office notice board and at a conspicuous place in the town, village or quarter in which the area affected is situated not less than fifteen days before the meeting, stating the day, time and place of the meeting and calling upon such proprietors to attend thereat either in person or by proxy appointed by an instrument certified by the mukhtar of the town, village or quarter in which they reside for the purpose of deciding whether the scheme for soil conservation shall be approved and a Soil Conservation Division constituted in connection therewith.

(2) The Commissioner shall preside at the first meeting and, if any question is raised as to the right of any person to attend thereat or to vote or as to the number of his votes the Commissioner may, there and then, make such enquiry as he may deem requisite, and his decision thereon shall be final; and an entry shall be made in the minutes of the meeting of any such question and of the decision.

(3) The Commissioner shall lay before the proprietors the scheme for soil conservation prepared by the Provisional Committee.

(4) No business shall be transacted at the first meeting and no decision shall be taken thereat, unless the number of votes which the proprietors or proxies present thereat may cast as in subsection (8) provided, exceeds half the number of the votes which could be cast if all proprietors had been present.

(5) All questions or resolutions proposed at the first meeting shall be determined by a majority of not less than two-thirds of the votes cast as in subsection (8) provided by persons present and entitled to vote.

(6) The Commissioner shall keep or cause to be kept minutes of the proceedings of the first meeting and shall enter or cause to be entered therein the questions or resolutions proposed thereat and the number of votes

given for or against them and shall, at the close of the meeting, sign the minutes and publicly declare the result of votes given.

(7) If, at the first meeting, no business can be transacted by reason of the provisions of subsection (4), the Commissioner may, at his discretion, adjourn the meeting to a day and place to be publicly declared by him at the meeting and no further notice thereof shall be necessary :

Provided that no subject which was not contained in the notice convening the first meeting shall be discussed or considered at any adjourned meeting, unless due notice of the subject is given as provided in subsection (1) of this section.

(8) A proprietor whose immovable property is of an aggregate value as registered or recorded in the books of the District Lands Office of—

- (i) not less than 1,000 mils and not more than 5,000 mils, one vote ;
- (ii) more than 5,000 mils and not more than 15,000 mils, two votes ;
- (iii) more than 15,000 mils and not more than 30,000 mils, three votes ;
- (iv) more than 30,000 mils and not more than 50,000 mils, four votes ;
- (v) more than 50,000 mils from five to ten votes, as the Commissioner may, having regard to the aggregate value of the property and all the circumstances of each particular case, from time to time, by order, direct.

6. A scheme for soil conservation may be approved as proposed or may be altered in such manner as may be decided at the first meeting and such scheme as may be finally approved at such meeting by the appropriate majority as in section 5 provided, shall, subject to the provisions of sections 8 and 9, constitute a scheme (hereinafter referred to as " the Soil Conservation Scheme ") with regard to the area affected thereby.

Soil Conservation Scheme.

7. (1) Upon the approval of the Soil Conservation Scheme as in section 6 provided, the proprietors shall proceed at the first meeting to elect by open vote, to be taken by the Commissioner as to him shall, in all circum-

Election of Board.

stances, appear convenient, a Board consisting of four persons from among the proprietors and the provisions of subsection (8) of section 5 as to voting shall apply to the election of the Board :

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Provided that where all the proprietors are not the inhabitants of the same village the Commissioner may, in his discretion, increase the membership of the Board by any number not exceeding three and may allocate such increased membership to the village or villages the inhabitants of which are in the minority amongst the proprietors ; and in any such case only proprietors who are inhabitants of the village in respect of which such increased membership has been allocated shall be entitled to be nominated for that membership.

(2) At the conclusion of the voting, the Commissioner shall count the votes and the person who have received the greatest number of votes shall be declared to be elected as the Board.

(3) In case a person elected as a member of the Board does not accept his election, the persons who received the greatest number of votes next to such person shall be deemed to be elected as a member of the Board in the place of the person who has not accepted his election.

(4) The persons elected as members of the Board shall hold office for three years and shall be eligible for re-election and, if any vacancy occurs in a Board, it shall be filled by the co-option of a proprietor by the remaining members of the Board, to hold office during the unexpired period as aforesaid.

(5) The Director of Agriculture shall be the Chairman of the Board with a right to vote on all questions and, in case of equality of votes, he shall have a casting vote in addition to his own vote.

(6) Upon the election of the Board, the Provisional Committee shall cease to exist and shall be dissolved and all documents in its possession shall be handed over to the Chairman of the Board.

8. The Board, upon its election, shall forthwith transmit to the Governor a copy of the Soil Conservation Scheme and shall inform him that a Soil Conservation Division has been constituted in connection therewith and the Governor may either approve or disapprove the scheme and the

Soil Conservation Scheme to be forwarded to the Governor.

constitution of the Division and, in the latter case, the scheme shall be deemed to be abandoned and the Division dissolved and no further steps shall be taken in connection therewith :

Provided that the Governor may, before approving or disapproving a scheme, refer the same back to the Board for further consideration and withhold his approval or disapproval until the scheme is transmitted back again to him.

9. Upon the receipt of the Governor's approval as in section 8 provided, the Chairman of the Board shall cause a notice to be published in the Gazette stating that with the Governor's approval a Soil Conservation Division has been formed specifying the boundaries of the area comprised in the Division and containing a copy of the Soil Conservation Scheme which will be in operation within such area and such notice shall be conclusive evidence of all that is stated or specified therein and of all that is set out in the copy of the scheme contained therein and such scheme shall be binding on all proprietors and all other owners of property within the Soil Conservation Division and on all persons deriving title or claiming through such proprietors or owners and shall be enforced under the provisions of this Law.

Publication
in the
Gazette.

10. A Soil Conservation Scheme may be amended by the decision of the proprietors taken at a meeting convened by the Chairman of the Board at which he shall preside ; but subject to this the provisions of sections 5 and 6 shall apply *mutatis mutandis* to the meeting convened as hereinbefore provided and the provisions of sections 8 and 9 shall also apply *mutatis mutandis* in all other consequential matters regarding such amendment.

Amendment
of Soil
Conserva-
tion Scheme.

RULES, REGULATIONS AND GENERAL POWERS OF BOARDS.

11. Upon publication of the notice in the Gazette as in section 9 provided, the Board shall, at a meeting specially convened by the Chairman, proceed with all expedition to draw up rules (hereinafter referred to as " the Rules ")—

Rules.

- (a) prescribing the procedure to be followed and the practice to be observed at the meetings of the

Board, including the number of persons required to form a quorum;

- (b) providing for the calling of meetings of proprietors (other than the first meeting) and for the election of future Boards;
- (c) providing for the preparation, by the Chairman or by his direction, of annual estimates and the date by which they shall be presented and approved by the Board;
- (d) subject to any special provision in this Law prescribing the manner in which publicity shall be given to notifications and decisions of the Board.

Regulations.

12. (1) Every Board may, in connection with the Soil Conservation Scheme, make regulations—

- (a) for the construction and maintenance of any soil conservation works;
- (b) as to the manner in which any land shall be prepared for planting, including provisions relating to the rotation of crops or strip cropping or tree planting;
- (c) for the withdrawal from cultivation or grazing of any defined portion of land for specified periods;
- (d) for the restriction of the number or kinds of livestock which may, for any specified period, be grazed on any defined portion of land;
- (e) prescribing the maximum rate or charge that may be levied upon any one of the persons bound by the Soil Conservation Scheme as in section 9 provided and empowering the Board within such maximum to levy upon each such person such rate or charge as it may deem appropriate having regard to the benefit accruing to such person from the soil conservation works; and prescribing the manner in which, and the date or dates upon which, such rate or charge shall be levied and paid;
- (f) prescribing the manner in which dissolution of the Soil Conservation Division may be decided upon, the procedure to be followed therefor and providing for the payment and discharge of

5 of 16/56.

any debts or liabilities of the Board and for the disposal, subject to the approval of the Commissioner, of any moneys held by or on behalf of the Board at the time of such dissolution ;

(g) generally for giving effect to, and the proper carrying out of, the Soil Conservation Scheme.

(2) The regulations when made shall be signed by the Chairman and shall be posted in a conspicuous place in the town, village or quarter within which the Soil Conservation Division is situate.

(3) Within one month from the date of the posting of the regulations, any person who objects to any of the regulations may apply to the Commissioner for the amendment and rectification of the same.

(4) The Commissioner shall consider such application and his decision thereon shall be final and conclusive.

(5) If, as a result of a decision by the Commissioner, it becomes necessary to amend and rectify the regulations, the Commissioner shall amend and rectify the same accordingly and shall make such adjustments in all or any of the regulations as such amendment and rectification may necessitate.

(6) After all objections, if any, have been considered and determined, the regulations shall be published in the Gazette and, thereupon, shall be binding and conclusive in respect of all matters therein.

(7) The regulations may be amended from time to time by the Board and the procedure provided in this section for the making of, and the objections to, the principal regulations shall be observed in all respects in case of any such amendment.

(8) Any person, who acts in contravention or fails to observe any regulations made under this section, shall be guilty of an offence and shall be liable to imprisonment not exceeding one month or to a fine not exceeding twenty-five pounds or to both.

13. (1) The Board shall be charged with the carrying out of the Soil Conservation Scheme, it shall have the general control and supervision of any work in connection

Board to have general supervision of soil conservation works.

therewith and, in particular but without prejudice to the generality of the foregoing powers, may—

- (a) with the consent of the Administrative Secretary and subject to such terms as he may think fit to impose, contract a loan in connection with the Soil Conservation Scheme ;
- (b) with the consent of the Commissioner appoint fit persons to be the Secretary and Treasurer and such other officers as may be required to perform such duties as the Board may direct at such salary as may be fixed by the Board ;
- (c) employ at the current rates of wages any servants or labourers required in connection with the Soil Conservation Scheme.

(2) For the purposes of securing the payment of the principal and interest of any loan, a Board shall have power to mortgage to the lender any rates or charges leviable under the provisions of this Law or any regulations made thereunder.

ACQUISITION OF PROPERTY AND ENTRY UPON LAND.

Acquisition
by agree-
ment.

14. Whenever any property is required for any soil conservation measures or the reclamation of land affected thereby, or for the protection of catchment areas or the conservation of water sources, such land may be acquired by the Board by agreement with the owner.

Compulsory
acquisition
of property
and deter-
mination of
compensa-
tion.

15. (1) If any property required for any soil conservation measures cannot be acquired by agreement, the Board may decide that the property be acquired for any of the said measures as may be specified therein. A copy of such resolution and of the minutes relating thereto, together with a plan of such property and particulars as regards its owner, estimated value, description and any other matter as may be necessary for the purpose, shall be forwarded to the Commissioner for transmission to the Governor for his consideration, as hereinafter provided.

Schedule.

(2) The Commissioner, before transmitting for the consideration of the Governor the documents mentioned in subsection (1) of this section, shall cause a notice in the form set out in the Schedule to this Law to be published in the Gazette and also to be posted at a convenient place on or near the property to be acquired.

(3) At the expiration of the period set out in the notice, the Commissioner shall forward to the Governor the documents mentioned in subsection (1) of this section, together with any objection or statement made against the proposed acquisition.

(4) If the Governor approves the plan submitted and considers it expedient, having regard to all the circumstances that the Board should be permitted to acquire the property in question, he may, by notification published in the Gazette, sanction the acquisition of such property; and, thereupon, if the owner of the immovable property does not agree with the Board as to the sum to be paid as compensation for it, the same shall be determined in accordance with the provisions of any law in force for the time being, providing for the acquisition of immovable property for public purposes.

(5) On payment of the sum determined to the party entitled to receive as compensation for the acquisition of the land, such land shall vest in the Board by which the sum has been paid free from all encumbrances and the Director of Lands and Surveys shall cause registration of such land to be made in the name of such Board in accordance with the plan approved by the Governor :

Provided that the sum determined shall be paid to the party entitled to receive it, or deposited to his account in the District Treasury, within three months from the date of such determination and, if it is not so paid or deposited, the sanction of the Governor for the acquisition of such immovable property as aforesaid shall be deemed to be evoked.

16. Where any land has been acquired under the provisions of this Law and adequate soil conservation or reclamation works or measures have been carried out, the Board may utilize, or with the approval of the Governor dispose of, the land or any part thereof in such a manner as may deem fit.

Disposal of
land
acquired.

17. (1) The Board may appoint any person for the purpose of carrying out any work under the provisions of this Law or any regulations made thereunder and such person may, by himself, his agents, or contractors, enter upon any land situated within the Soil Conservation Division for the purpose of carrying out the work and, for this

Power to
enter upon
land.

purpose and subject to the provisions of section 29, cut down or remove all such trees, hedges, walls, stones, land or other things as it may be necessary to cut down or remove for the purpose of carrying out the work :

Provided always that, before entering any land, the person appointed shall give not less than three days' notice therefor to the owner of the land and to the mukhtar of the town, village or quarter within which the land is situated.

(2) Any person who wilfully obstructs any person lawfully performing any duties or exercising any powers under subsection (1), shall be guilty of an offence and shall be liable to a fine of ten pounds.

MISCELLANEOUS.

Name of
Soil Con-
servation
Division.

18. A Soil Conservation Division shall bear the name "Soil Conservation Division of _____" (inserting the name by which the particular Division will be known).

Legal pro-
ceedings.

19. All actions or other legal proceedings brought by or against a Board shall be brought by or against the Treasurer of the Soil Conservation Division as representing the Board.

Contracts.

20. Contracts by the Board shall be signed by the Chairman and the Treasurer of the Board as representing the Board.

Infants, etc.,
and persons
abroad.

21. (1) Infants, mental patients or persons who are prohibited from the management of their affairs shall, in all matters concerning them, under the provisions of this Law, be represented by their guardian or, in the absence of a guardian, by such person as may be authorized by the President of the District Court of the district in which the infant, mental patient or person ordinarily resides.

(2) A person absent from the Colony shall be represented by his duly appointed agent or, in the absence of such agent, by such person as may be authorized by the President of the District Court of the district in which such absent person ordinarily resides.

Recovery of
rates or
charges.

22. (1) If any rates or charges payable under the regulations are not paid on the date or dates in the regulations prescribed, the amount thereof shall be increased by

ten per centum and the original rates or charges, together with such increase, shall be due and recoverable as hereinafter provided.

(2) The Comptroller of Inland Revenue shall, upon receipt of a certificate under the hand of the Chairman of the Board that any rates or charges specified in such a certificate payable under any regulations in force for the time being though properly due by the persons named in such certificate are still unpaid, issue a warrant authorizing the collection of such rates or charges, together with any increase due under subsection (1) provided.

(3) Every such warrant shall be in the like form, with the necessary modification, as a warrant issued under the Tax Collection Law, and shall be enforced and the like proceedings may be had thereon as if it were a warrant issued under the said Law.

Cap. 929.

23. (1) Any person aggrieved by the levying or assessment by the Board of any sum exceeding two pounds may, within fourteen days from the date of notification of the decision of the Board to him, appeal to the Commissioner, whose decision shall be final and conclusive.

Appeals to
Com-
missioner.
6 of 16/36.

(2) Every such appeal shall be in writing and signed by the appellant and it shall set out the grounds upon which it is founded.

24. The Board shall, as soon as possible after its formation and annually thereafter, submit to the Commissioner for his approval estimates of the expenditure which it is proposed to incur on behalf of the Soil Conservation Division during the ensuing year, together with a statement of the Division's estimated receipts and of the rates or charges which it is proposed to levy upon the proprietors in respect of the same period.

Estimates.
6 of 16/36.

25. (1) The accounts of every Soil Conservation Division shall be audited at such time as the Commissioner may, from time to time, require and by such person as the Commissioner may appoint and the Treasurer of the Board shall be bound to produce to such person all the books and accounts of the Soil Conservation Division.

Audit.

(2) There shall be paid by the Board such fee in connection with the audit as the Commissioner may, from time to time, direct.

(3) The report of the person appointed to audit the accounts of a Soil Conservation Division under subsection (1) shall be forwarded to the Commissioner who shall cause a copy of the same to be forwarded to the Chairman of the Board and such copy shall be kept by the Board and shall be open to inspection by any proprietor at all reasonable hours.

Irregular or improper expenditure.

26. (1) If, after the receipt of the auditor's report, it appears to the Commissioner that any sum forming part of the funds of the Soil Conservation Division has been irregularly or improperly expended, he may surcharge the person responsible for such expenditure with the repayment of such sum to the funds of the Soil Conservation Division and shall, by notification in writing, call upon the person so surcharged to make good the sum within such period of time as may be specified in the notification.

(2) If the person so surcharged does not make good the sum within the period of time specified in the notification or if he does not exculpate himself to the satisfaction of the Commissioner, such sum shall be recoverable from the defaulter as a civil debt due and owing at the suit of the Commissioner.

Deposit of money.

27. All moneys in the hands of the Treasurer shall be deposited in such place as the Board may direct.

Power of Board to require persons to construct, etc., certain works.

28. Notwithstanding anything in this Law or any regulations contained, but subject always to the provisions of section 29, the Board may, by notice in writing, require any person bound by the Soil Conservation Scheme as in section 9 provided within such time as may be specified in the notice—

(a) to construct or to maintain any soil conservation works which he is required to construct or to maintain in accordance with the Soil Conservation Scheme ; or

(b) to construct or to maintain any soil conservation works in the manner prescribed by the Soil Conservation Scheme,

and, if such person fails to comply with any of the requirements of such notice within the time specified therein, the Board may appoint any person to take the appropriate action in the matter and, thereupon, such person may enter the property affected by the notice and there do whatever

may be necessary for giving effect to the requirements of such notice and any expenses incurred by the Board in that connection shall be recoverable from the defaulter as a civil debt due and owing at the suit of the Board :

Provided that any person affected by the notice may, within seven days from the receipt thereof, appeal to the Commissioner and, in every such case, the notice shall be suspended until the appeal has been determined and the Commissioner confirms such notice, without prejudice to the right of the person affected to claim compensation as in section 29 provided.

29. (1) Any person who claims to have suffered any damage by anything directed to be done in connection with any of the matters set out in paragraphs (c) or (d) of section 12 (1) or by any notice given under section 28, or whose property is destroyed or damaged by the exercise of any powers conferred by section 17, shall be entitled to receive compensation from the Board as in this section provided.

Compensation in cases other than by compulsory acquisition.

(2) Any person claiming compensation under this section shall, within fourteen days of the date of the direction or of the giving of the notice or of the destruction or damage, as the case may be, give notice thereof to the Board and, unless the matter is settled by agreement, it shall be referred to two persons, one to be nominated by each party (hereinafter referred to as "the referees"), to settle the nature and amount of the compensation to be made in connection therewith and, if the referees cannot agree, the matter shall be referred by them to the Commissioner as umpire.

(3) The decision of the referees or of the umpire, as the case may be, shall be reduced into writing in duplicate and each copy thereof signed by the referees or umpire, as the case may be, shall be given to the Board and to the person claiming compensation and every such decision shall, subject to the provisions of subsection (4), be binding and conclusive on the Board and the person affected.

(4) Any party dissatisfied with the decision of the referees or of the umpire, as the case may be, may, within seven days from the delivery to him of such decision, appeal to the District Court of the district in which the property is situated against such decision, and the decision of such District Court shall be final and conclusive on both parties :

Provided that no such appeal shall lie, unless the amount

of compensation awarded by the referee of such party exceeds twenty-five pounds.

(5) Any compensation payable under this section shall be levied upon and paid by the proprietors in addition to, and in the same proportion as, any rates or charges payable by them under the regulations and shall be levied and paid as the rates or charges under the regulations are levied and paid :

Provided that, when there are funds at the disposal of the Board sufficient to meet any amount payable, compensation shall be paid out of such funds.

Application of Soil Conservation Scheme to property outside the Soil Conservation Division.

30. Any proprietor of any property situated outside a Soil Conservation Division may apply to the Board that the Soil Conservation Scheme operating in such Division be applied to such land and the Board may, by a notice to be published in the Gazette declare that, subject to such conditions as the Board may impose, the Scheme shall apply to such land and, thereupon, such property and the proprietor thereof shall, subject to such conditions, be deemed to be affected by the Scheme.

Super-session of Board.

31. (1) Where it is made to appear to the Governor that any Board is not discharging its duties properly, he may, by order published in the Gazette, dissolve the Board and appoint a suitable person or persons to manage the affairs of the Soil Conservation Division for any period not exceeding the unexpired period of office of such Board as may be specified in the order.

(2) Any person or persons appointed under this section shall be invested with all powers and shall have the same rights and duties as possessed by the Board, under this Law or any rules or regulations made thereunder.

(3) The Commissioner shall, at the expiry of the period of office of any person or persons appointed under subsection (1) of this section, arrange for the election of a Board as in this Law provided.

Dissolution by Governor.

32. Notwithstanding anything contained in any regulations, the Governor may order the dissolution of any Soil Conservation Division and may give such directions as he may think fit with regard to the procedure to be followed consequent upon such order and for the disposal of any moneys held by or on behalf of the Board at the time of such dissolution.

33. Upon the dissolution of a Soil Conservation Division, the whole of any loan or advance and every instalment thereof then due and owing by the Board or on behalf of such Soil Conservation Division shall become due and payable to the lender.

Loans to become due and payable on dissolution.

34. The Commissioner and the Director of Agriculture may, at any time by writing under their hand, depute to any person all or any of the duties, powers and authorities vested in them by the provisions of this Law.

Delegation of powers.

35. Any person who destroys or damages any soil conservation works shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding fifty pounds or to both.

Damage to soil conservation works.

36. All penalties imposed in respect of any contravention of the provisions of this Law or any regulations made thereunder shall be paid to the Treasurer of the Soil Conservation Division concerned.

Disposal of penalties.

SCHEDULE.

(Section 15 (2).)

THE SOIL CONSERVATION LAW, CAP. 94.

Notice is hereby given that the following property (describe property, giving measurements and showing boundaries whenever practicable) is required by the Board of the Soil Conservation Division of _____ for the _____ (set out the public purpose).

Any person claiming to have any right or interest in the said property, who objects to the acquisition of such property, is required within six weeks from the date of the posting of this notice to send to me a statement of his right and interest and of the evidence thereof, and of any claim made by him in respect of such right or interest.

The Board of the aforesaid Soil Conservation Division is willing to treat for the acquisition of the said property.

A plan showing the land described above is available for inspection at _____

Dated this _____ day of _____, 19 _____

Posted this _____ day of _____, 19 _____

 (Sgd.)

This Law came into operation on the 1st January, 1953. (52, Vol. II, 561.)