

CHAPTER 8

AGRICULTURAL INDUSTRIES PROTECTION ACT

ARRANGEMENT OF SECTIONS

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An Act to enable the Minister by Order to prohibit temporarily the export of plants necessary for the establishment or extension of any agricultural industry in Grenada.

[15th April, 1925.]

1. Short title

This Act may be cited as the Agricultural Industries Protection Act.

2. Interpretation

In this Act, the word “plant” means any plant, sucker, cutting, bud, graft, bulb, root, seed or berry capable of propagation.

3. Power to prohibit temporarily the export of plants

The Minister may, by Order, prohibit for any specified period the export of any plant if in his opinion such prohibition is expedient for the purpose of establishing or extending any agricultural industry in Grenada:

Provided that every such Order shall be laid before Parliament as soon as may be after the making thereof, and if Parliament by resolution expresses the opinion that such prohibition is not desirable the Order shall be annulled and thenceforth void.

4. Power to grant licence to export plants

The Minister may, in particular cases, grant a licence authorising the export of any plant the exportation of which would but for such licence be contrary to the provisions of an Order made under section 3, and any such licence may be granted subject to conditions which the Minister may consider it expedient to impose.

5. Power to search

(1) Any customs officer or police officer acting under the orders of a customs officer may search any baggage or package on any ship, boat, jetty or landing place, which he has reason to believe is about to be taken from Grenada, for the purpose of ascertaining whether the same contains any plant the export of which would be a contravention of an Order made under section 3.

(2) The power of search shall be deemed to include the power to take possession of such plant.

(3) Whenever the power to take possession is exercised, the owner or person in possession of such baggage or package shall forthwith be charged before the magistrate of the district.

6. Penalties

A person who exports or attempts to export any plant in contravention of an Order made under section 3 shall be guilty of an offence and liable, on summary conviction, to imprisonment for three months and to a fine of one thousand five hundred dollars, and the court may (in addition to any other sentence which may be imposed) order that the plant in respect of which the offence has been committed shall be forfeited.

7. Disposal of forfeited plants

A plant ordered to be forfeited under section 6 may, subject to the result of any appeal against the conviction, be destroyed or otherwise disposed of as the Minister may direct.