

Plant Protection Act 2029

1. Short title, Extension and Beginning –

- 1] This act may be called the Plant Protection Act, 2029.
- 2] It extends to the whole of Nepal.
- 3] This act will come into force from the date notified in the Gazette of Nepal.

2. Definition: In this act unless there is anything repugnant in the subject or context:

- a] 'Plant' means all living or dead plant or part thereof and it includes stem, branch, corm, bulb, tubers, bark, root, leaf, fruit and seed.
- b] 'Plant product' means piece or dust of plant material not ready for use.
- c] 'Plant Protection Officer/Plant Quarantine Officer' means Plant Protection Officer appointed by His Majesty's Government for the execution of this act.
- d] 'Specified or according to Specification' means specified or according to specification in the rules made under this act.

3. Powers of His Majesty's Government: His Majesty's Government, by notification in the Gazette of Nepal may impose throughout Nepal any or all of the following prohibitions/restrictions in the import of plant or plant product-

- a] Prohibit the importation of any plant or plant product from any country.
- b] Allow importation of certain plant or plant product only by obtaining permit on some particular condition and to specify fee on such permit.
- c] Specify necessary prohibition or restriction regarding the transport from one district to another district of any plant or plant product.
- d] Specify necessary means and conditions regarding means of transport or package or godown for the import of any plant or plant product.
- e] Establish quarantine station, check point, and laboratory for the inspection and treatment of plant or plant product and to specify their work, duty and power.
- f] Prohibit the importation of soil attached to plant or plant product or soil only or any other medium on which plant can grow or to make treatment of such medium necessary before import and to specify such treatment.
- g] Specify entry points for the import or export of plant or plant product, and
- h] Prohibit the entry of diseases, insects, spiders and snails and prohibit planting or keeping of plant or plant product in certain place to check their spread.

4. Application for permission for the import of plant or plant product:

A person who desires to import plant or plant product should submit prescribed application to the Plant Protection Officer after filling it up in a prescribed form along with specified documents.

But His Majesty's Government may, by notification in the Gazette of Nepal make such documents and application unnecessary for the import of some particular plant or plant product.

5. Facility for the import of plant or plant product for research work:

The Plant Quarantine Officer may, if he thinks proper provide specified facility for the import of plant or plant product done by Government or Non-government organizations for study, research or any other scientific work.

6. Certificate for the export of plant or plant product:

- 1] A person who desires to export any plant or plant product should submit an application to the Plant Protection Officer.
- 2] Specified documents and description should be submitted along with the application.
- 3] The Plant Quarantine Officer may, after the application and documents and description mentioned above are submitted issue certificate provided there is no abstacle in in issuing it.

7. Powers of Plant Quarantine Officer:

The Plant Quarantine Officer will have the following powers:

- a] Seize plant or plant product if anybody gives wrong description of plant or plant product in application submitted under section 4.
- b] Seize plant or plant product if anybody acts against the prohibition or restriction imposed under section 3.
- c] Seize plant or plant product infested with distructive insect or disease, &
- d] Sell out the seized plant or plant product or destroy them if necessary.

8. Appeal:

- 1] If anybody is unsatisfied with the decision of the Plant Quarantine Officer, he may appeal to the Director General, Department of Agriculture, HMG within thirty five days of the decision.
- 2] If anybody is unsatisfied with the decision of the Director General, he may appeal to His Majesty's Government or any other officer specified by HMG within thirty-five days of the decision of the Director General.

9. Powers to make rules:

His Majesty's Government may make rules to execute the objectives of this act.

Dated: 2029/6/5/5 (Bikram Sambat)
21 September 1972.

By Order
Secretary,
His Majesty's Government
NEPAL.