

W.N.L.N. 8 of 1964

*The Agriculture Law (Cap. 3)*THE TOBACCO (CLOSE SEASON FROM CULTIVATION)
REGULATIONS, 1964

DATE OF COMMENCEMENT: 9TH JANUARY, 1964

In exercise of the powers conferred by section 7 of the Agriculture Law, the following Regulations are hereby made by the Governor acting in accordance with the advice of the Executive Council:—

- Title. 1. *These Regulations may be cited as the Tobacco (Close Season for Cultivation) Regulations, 1964.*
- Definitions. 2. In these Regulations, unless the context otherwise requires—
 “close season” means the close season for the cultivation of tobacco as specified in regulation 3;
 “inspecting officer” means any officer of the Ministry of Agriculture and Natural Resources not below the rank of Agricultural Assistant;
 “the Minister” means the Regional Minister for the time being charged with responsibility for agriculture and natural resources;
 “the Permanent Secretary” means the Permanent Secretary having supervision of matters and departments with responsibility for which the Minister is charged;
 “tobacco” means the plants known botanically as members of the *Genus Nicotiana*;
 “tobacco nursery” means any plot of land in which young tobacco plants are reared for transplantation.
- Close season for tobacco cultivation. 3. (1) The period between the 24th day of December of each year and the 14th day of March of the subsequent year shall be known as the close season for the cultivation of tobacco.
 (2) Every person holding, occupying or using land shall take all reasonable steps to ensure that no tobacco seed shall be planted and that no growth from the roots of the previous tobacco crop or from tobacco seed dropped on the land shall become established during a close season:
 Provided that, subject to the provisions of paragraph (3) of this regulation, a tobacco nursery may be established or maintained during a close season.
 (3) Every person establishing or maintaining a tobacco nursery during a close season shall carry out such routine phytosanitary measures as are prescribed by the Minister. Details of such measures shall be obtainable on application from the Permanent Secretary.
- Removal and burning of old tobacco plants. 4. Every person holding, occupying or using land shall take all reasonable steps not later than the date immediately preceding the date prescribed by these Regulations for the beginning of a close season, to remove and burn all tobacco plants of the previous year's tobacco crop on the land held, occupied or used by him together with all parts of tobacco plants and tobacco seeds lying on the land.
- Inspecting officers' right of access. 5. (1) An inspecting officer shall have power to enter any land for the purpose of ascertaining whether any tobacco plant, parts of such plant or tobacco seed of the previous year are present thereon, and of taking all reasonable steps to eradicate them.

(2) An inspecting officer shall have power to enter any tobacco nursery for the purpose of ascertaining whether the provisions of paragraph (3) of regulation 3 of these Regulations are being complied with.

6. (1) An inspecting officer may order the holder, occupier or user of any land to remove and burn within seven days all tobacco plants, parts of such plants and tobacco seed, of the previous year found thereon. Compulsory removal and burning.

(2) An inspecting officer may order any person establishing or maintaining a tobacco nursery without complying with the provisions of paragraph (3) of regulation 3 of these Regulations to remove and burn all tobacco plants, parts of such plants and tobacco seed found thereon.

(3) If the holder, occupier or user of the land on which tobacco plants, parts of such plant or tobacco seed are found, or the person establishing or maintaining a tobacco nursery without complying with the provisions of paragraph (3) of regulation 3 of these Regulations, is not immediately available at the time of inspection, the inspecting officer may, without prejudice to his powers under regulation 5 (1) or (2) take all reasonable steps for removing and burning such tobacco plants or parts of such plants and tobacco seed aforementioned, and may employ paid labour for this purpose, and require such holder, occupier or user of land or such person establishing or maintaining a tobacco nursery, to repay to the Government of the Region as a civil debt the reasonable cost of the work so carried out.

7. Any person who fails to comply with the provisions of any of these Regulations shall be guilty of an offence and shall be liable on conviction to a fine of twenty-five pounds or to imprisonment for a period not exceeding three months, or to both such fine and imprisonment. Penalties.

MADE at Ibadan this 10th day of December, 1963.

T. O. EJIWUNMI,
*Secretary to the Premier and
Executive Council*