

ACT

Act No.9 of 1967

Amended by

SRO 32 of 1995

ARRANGEMENT OF SECTIONS

1. Short title.
2. Damage to agricultural crops.
3. Disagreement as to amount of compensation.
4. Power to amend Schedule.

Schedule

CHAPTER 5

AGRICULTURAL CROPS (COMPENSATION) ACT

An Act to make provision for the amount of compensation payable for damage to agricultural crops and other trees.

[Act No. 9 of 1967 amended by SRO 32 of 1995.]

[11th March, 1967.]

1. Short title

This Act may be cited as the Agricultural Crops (Compensation) Act.

2. Damage to agricultural crops

The amount of compensation payable for damage to agricultural crops and other trees shall be as follows—

(a)

where the damage amounts to total destruction, the compensation shall be calculated at the rates set out in the Schedule;

(b)

where the damage does not amount to total destruction, the compensation shall be calculated on that proportion of the amount for total destruction directly attributable to the damage as may be determined by assessors appointed by the parties within four days of the occurrence of the damage.

3. Disagreement as to amount of compensation

Where the parties or their assessors disagree as to the amount of compensation payable, either party may make application in writing to the Director of Lands and Surveys within seven days of the occurrence of the damage to determine the compensation payable by arbitration, and thereafter the provisions of the Agricultural Small Tenancies Act, Chapter 10, shall apply, *mutatis mutandis*.

4. Power to amend Schedule

The Minister, if he or she considers it expedient to do so, may by Order amend the Schedule.

Schedule AGRICULTURAL CROPS (COMPENSATION) ACT

Note that the values quoted are the maximum recommended to be charged. Persons doing the valuation should use their discretion based on the situation as seen.

All values are quoted in E.C. dollars.

<i>Nutmeg</i>	<i>Bearing or mature (15 years +)</i>	<i>Immature (5 – 15 years)</i>	<i>Plants</i>
Nutmeg (Marcott)	\$160.00	\$50.00	\$9.00
Nutmeg (Seedling)	\$300.00	\$100.00	\$6.00
COCOA	(10 years +)	(1 – 9 years)	(< 1 year)
Cocoa (Clones)	\$200.00	\$100.00	\$5.00
Cocoa (Seedling)	\$200.00	\$100.00	\$5.00

FRUITS AND OTHER TREE CROPS

<i>Name</i>	<i>Bearing or mature (over 5 years)</i>	<i>Immature (1 – 5 years)</i>	<i>Plants (under 1 year)</i>
Ackee	\$50.00	\$15.00 – \$50.00	\$15.00
Atemoya	\$75.00	\$15.00 – \$50.00	\$15.00
Avocado	\$200.00	\$15.00 – \$75.00*	\$15.00
Breadfruit	\$200.00	\$15.00 – \$75.00	\$15.00
Breadnut	\$150.00	\$15.00 – \$75.00	\$15.00
Cashew Nut	\$150.00	\$15.00 – \$75.00	\$15.00
Chenip	\$350.00	\$15.00 –	\$15.00

		\$75.00	
Coconut	\$100.00	\$15.00 – \$75.00	\$15.00
Coffee	\$30.00	\$10.00 – \$30.00*	\$5.00
Condicion	\$50.00	\$10.00 – \$30.00	\$15.00
Custard Apple	\$60.00	\$15.00 – \$50.00	\$15.00
Damson	\$50.00	\$10.00 – \$30.00	\$15.00
French Cashew	\$50.00	\$10.00 – \$30.00	\$15.00
Golden Apple	\$350.00	\$15.00 – \$75.00	\$15.00
Governor Plum	\$50.00	\$10.00 – \$30.00	\$15.00
Grape (Vines)	\$20.00	\$10.00	\$3.50
Guava	\$40.00	\$10.00 – \$20.00	\$10.00
Mammie Apple	\$150.00	\$15.00 – \$75.00	\$15.00
Mango (Seedling)	\$250.00	\$15.00 – \$75.00	\$15.00
Mango (Grafted)	\$250.00	\$15.00 – \$75.00	\$15.00
Mauby	\$100.00	\$15.00 – \$75.00	\$15.00
Passion Fruit	\$20.00	\$10.00	\$3.50
Pawpaw (Table)	\$40.00	\$10.00	\$3.00
Plum (Red & Yellow)	\$75.00	\$10.00 – \$50.00*	\$10.00
Sapodilla	\$250.00	\$15.00 – \$75.00	\$15.00
Star Apple	\$125.00	\$15.00 – \$75.00	\$15.00
Sugar Apple	\$50.00	\$15.00 – \$50.00*	\$15.00
Tamarind	\$200.00	\$15.00 – \$75.00	\$15.00
West Indian Cherry	\$50.00	\$10.00 – \$30.00	\$10.00
Miscellaneous	\$50.00	\$10.00 – \$30.00	\$15.00

*Note.—The following guidelines should be followed in determining value of fruit trees between 1 – 5 years—

<i>Range</i>	<i>Year 1</i>	<i>Year 2</i>	<i>Year 3</i>	<i>Year 4</i>	<i>Year 5</i>
\$15.00 – \$50.00	\$15.00	\$23.75	\$32.50	\$41.25	\$50.00
\$15.00 – \$75.00	\$15.00	\$30.00	\$45.00	\$60.00	\$75.00
\$10.00 – \$30.00	\$10.00	\$15.00	\$20.00	\$25.00	\$30.00
\$10.00 – \$50.00	\$10.00	\$20.00	\$30.00	\$40.00	\$50.00

SPICES, CITRUS AND BANANAS

<i>Spices</i>	<i>Bearing (over 5 years)</i>	<i>Immature (1 – 5 years)</i>	<i>Plants (under 1 year)</i>
Bay Leaf	\$40.00	\$15.00	\$4.00
Cinnamon	\$40.00	\$15.00	\$4.00
Cloves	\$150.00	\$30.00	\$8.00
Mountain Spice	\$40.00	\$15.00	\$4.00
Pimento	\$150.00	\$30.00	\$8.00
Sapot	\$40.00	\$15.00	\$4.00
Tonka Bean	\$40.00	\$15.00	\$4.00
CITRUS – ALL TYPES	\$150.00	\$15.00 – \$75.00	\$15.00
BANANA FAMILY (Price per plant)	(7 months to harvest)	(3 – 7 months)	(1 – 3 months)
Banana	\$12.00	\$6.50	\$4.00
Bluggoes	\$10.50	\$5.75	\$1.80
Greendie	\$8.00	\$4.00	\$2.00
Gros Michel	\$20.00	\$10.00	\$3.00
Pelipita	\$6.00	\$3.00	\$1.00
Plantain	\$30.00	\$12.00	\$5.00
Rock Fig	\$8.00	\$4.00	\$2.00

Note.—Limit to a maximum of three mature plants per stool when determining values.

ORNAMENTALS

<i>Name</i>	<i>Bearing (over 5 years)</i>	<i>Immature (1 – 5 years)</i>	<i>Plants (under 1 year)</i>
Cassia	\$25.00	\$22.00	\$1.65
Casurina	\$45.00	\$30.00	\$3.15
Flamboyant	\$40.00	\$30.00	\$3.15
Immotell	\$75.00	\$25.00	\$1.65
Wild Tamarind	\$45.00	\$25.00	\$1.65
Black Tulip	\$140.00	\$40.00	\$10.00
Costos	\$100.00	\$45.00	\$4.00
<i>Name</i>	<i>Bearing (over 5 years)</i>	<i>Immature (1 – 5 years)</i>	<i>Plants (under 1 year)</i>

	<i>years)</i>	<i>years)</i>	<i>year)</i>
H. Sexy Pink	\$140.00	\$40.00	\$10.00
H. Golden Opal	\$60.00	\$20.00	\$4.00
H. Collisina	\$140.00	\$40.00	\$10.00
H. Rostrata	\$140.00	\$40.00	\$10.00
H. Wagneriana	\$140.00	\$40.00	\$10.00
H. Golden Torch	\$50.00	\$15.00	\$2.00
H. Richmond Red	\$140.00	\$40.00	\$10.00
H. Flame Red	\$140.00	\$40.00	\$10.00
Heliconia Caribea	\$140.00	\$40.00	\$10.00
Musa Coccina	\$150.00	\$70.00	\$5.00
Musa Onatto	\$150.00	\$70.00	\$5.00
Musa Veluctina	\$150.00	\$70.00	\$5.00
Perfume Ginger	\$140.00	\$40.00	\$10.00
Pineapple Ginger	\$140.00	\$40.00	\$10.00
Pink Ginger Lily	\$80.00	\$20.00	\$4.00
Red Ginger Lily	\$80.00	\$20.00	\$4.00
Shampoo Ginger	\$140.00	\$40.00	\$10.00
Torch Lily	\$140.00	\$40.00	\$10.00

VINES AND ROOT AND STEM TUBERS

<i>Vines</i>	<i>Bearing</i>	<i>Immature</i>	<i>Plants</i>
Butternut Squash	\$5.00	\$3.00	\$0.50
Cantaloupe	\$6.00	\$3.00	\$0.50
Melon (Vine)	\$20.00	\$5.00	\$0.50
Melon (Fruit)	\$10.00	–	–
Pumpkin Vine	\$20.00	\$5.00	\$0.50
Pumpkins (Fruits)	\$5.00	–	–
Cucumber	\$6.00	\$3.00	\$0.50

ROOT AND STEM TUBERS

<i>Names</i>	<i>Bearing</i>	<i>Non-bearing or immature</i>	<i>Plants</i>
Beet	\$1.00	\$0.75	\$0.25
Carrot	\$0.75	\$0.50	\$0.25
Cassava	\$2.50	\$1.25	\$0.25
Cut Yam (Bush Yam)	\$3.00	\$2.00	\$0.20
Dasheen (Holes)	\$2.50	\$1.40	\$0.50
Eddoes (Holes)	\$2.50	\$1.50	\$0.50
Ginger	\$3.00	\$2.00	\$0.25
Ground Nut	\$2.50	\$1.20	\$0.25
Onion	\$0.35	\$0.20	\$0.10

Sweet Potatoes (Holes)	\$1.00*	\$0.60 (1 – 3 months)	\$0.20
Tannias (Holes)	\$3.00	\$2.50	\$0.50
Yarn (Lisbon etc)	\$4.50	\$2.50	\$0.50

*

A hole comprises one (1) vine.

GRASS BARRIERS AND HEDGES:

\$1.00 per running foot.

LEGUMES AND LEGUMES MIXED AND LEAFY VEGETABLES

<i>Legumes and legumes mixed</i>	<i>Bearing</i>	<i>Immature</i>	<i>Plants</i>
Corn and Peas together (Max. 4 per hole)	\$4.00	\$2.20	\$1.00
Peas Stool (Solid Stand)	\$4.00	\$2.20	\$1.00
Corn Stool (Solid Stand)	\$4.00	\$2.20	\$1.00
String Beans (Stool, 3 plants)	\$5.00	\$3.00	\$1.00
Beans (Bush type) (Stool, 3 plants)	\$5.00	\$3.00	\$1.00
LEAFY VEGETABLES			
Broccoli	\$3.00	\$1.50	\$0.50
Cabbage	\$3.00	\$1.00	\$0.50
Cauliflower	\$3.00	\$1.50	\$0.50
<i>Legumes and legumes mixed</i>	<i>Bearing</i>	<i>Immature</i>	<i>Plants</i>
Celery	\$3.00	\$1.50	\$0.50
Lettuce	\$1.50	\$0.75	\$0.50
Parsley	\$2.50	\$1.00	\$0.50
Thyme	\$4.00	\$2.00	\$0.50
Water Cress (Sq. Ft.)	\$3.00	\$1.50	\$0.50
Chives	\$3.00	\$1.50	\$0.50

OTHER VEGETABLES AND SUGAR CANE

<i>Other Vegetables</i>	<i>Bearing</i>	<i>Immature</i>	<i>Plants</i>
Egg Plant	\$6.00	\$3.00	\$0.50
Hot Pepper	\$6.00	\$2.00	\$0.50
Okra	\$2.50	\$1.25	\$0.50
Sorrel	\$1.50	\$0.75	\$0.50
Sweet Pepper	\$5.00	\$2.50	\$0.50
Tomatoes	\$10.00	\$4.00	\$0.50
SUGAR CANE			
Per Square Foot	\$0.75	\$0.50	—

Note.—FOR SUGAR CANE = The values quoted are based on row planting, 5 feet between rows, and sets of 30 cm (1 foot) long within the rows. The actual rows should be measured, excluding spaces between rows.

Where cane is interplanted with other crops, those crops should be valued separately.

The economic life of a field is expected to be 6 years (5 crops). After that period, there should be no compensation if the farmer has to give up the land.

COMPENSATION SCHEDULES FOR FOREST TREES

<i>Category 1</i>	<i>Botanical Name</i>	<i>Mature (E.C. \$)</i>	<i>Immature (E.C. \$)</i>	<i>Plants (E.C. \$)</i>
Mahogany	Swietenia mahogani	3.50 per bd.ft	100.00 per tree	5.00
	Swietenia macrophylla	3.50 per bd.ft	100.00 per tree	5.00
Red Cedar	Cedrella odorata	3.50 per bd.ft	100.00 per tree	5.00
Teak	Tectonia grandis	3.50 per bd.ft	100.00 per tree	5.00
Saman	Samanea saman	3.50 per bd.ft	100.00 per tree	3.00
Bagul		3.50 per bd.ft	100.00 per tree	3.00
Gommier	Dacrydas exceiss	3.50 per bd.ft	100.00 per tree	3.00
Christmas Trees	Cupressua lusitanica	30.00 per tree over 8 ft	5.00 per ft – 8 ft	5.00
Builet	Manilkara bidentata	3.50 per bd.ft	100.00 per tree	5.00
<i>Category 2</i>				
Blue Mahoe	Hibiscus eiatus	1.50 per bd.ft	50.00	3.00
Eucalyptus	Eucalyptus spp	1.50 per bd.ft	50.00	5.00
Gaiba	Calliophyllum lucibum	1.50 per bd.ft	50.00	3.00
Poisdoux	Inga venoss	1.50 per bd.ft	50.00	3.00
Maruba	Simaruba amara	1.50 per bd.ft	50.00	4.00
Tapana	Hieronyma caribaea	1.50 per bd.ft	50.00	3.00
Mangrove		1.50 per bd.ft	50.00	2.00
Gliricidia	Gliricidia sepium	1.00 per bd.ft	30.00	1.00
Almond	Richeria turbinata	1.50 per bd.ft	50.00	3.00
Cassia	Cassia spp	1.50 per bd.ft	10.00 (50.00) per tree	1.00 (5.00)
White Cedar	Tabebuia heterophylla (pallida)	1.50 per bd.ft	40.00	1.00
Pine	Pinus spp	1.50 per bd.ft	50.00	5.00
Tantakayo	Albizia caribaea	1.00 per bd.ft	40.00 per tree	
<i>Category 3</i>				
Penny Piece	Pouteria multiflora	1.00 per bd.ft	25.00	1.00
Cutlet		1.00 per bd.ft	20.00	
Calabash	Creacentia cujete	1.00 per bd.ft	20.00	1.00
Hog Plum	Spondias mombin	1.00 per bd.ft	20.00	1.00
Lowland	Bursera simaruba	.50 per bd.ft	10.00	1.00

Gommier				
Sandbox	Hura crepitans	1.00 per bd.ft	15.00	1.00
Slikcotton	Caiba pentandra	1.75 per bd.ft	35.00	1.00
Cacolay		1.25 per bd.ft	10.00	1.00
Boisbande				
Leucaena	Leucaena leucocephalyia	35.00 trees over 15 ft	10.00 (20.00) up to 15 ft	1.00 (3.00)
Others not Specified		1.00 per bd.ft	20.00	1.00
<i>Category 4</i>				
Bamboo	Bambusa vulgaris	0.50 per ft	0.50 per ft	

Note.—For forest trees—

1.

Where there are two prices for immature trees and plants, the figure in bracket indicates the price for plants raised in