

LAWS OF MALAYSIA

AGRICULTURAL PESTS AND NOXIOUS PLANTS (AMENDMENT) ACT 1984

An Act to amend the Agricultural Pests and Noxious
Plants Act 1976.

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BE IT ENACTED by the Duli Yang Maha Mulia
Seri Paduka Baginda Yang di-Pertuan Agong with the
advice and consent of the Dewan Negara and Dewan
Rakyat in Parliament assembled, and by the authority
of the same, as follows:

1. This Act may be cited as the Agricultural Pests and
Noxious Plants (Amendment) Act 1984. Short title.

2. The Agricultural Pests and Noxious Plants Act 1976 Amendment
of long title.
which, upon the coming into force of this Act, may be
cited as the Plant Quarantine Act 1976, and which in Act 167.
this Act is referred to as the "principal Act", is
amended by substituting for the long title the following
long title:

"An Act to amend and consolidate the laws relating
to the control, prevention and eradication of
agricultural pests, noxious plants and plant
diseases and to extend co-operation in the
control of the movement of pests in international
trade and for matters connected therewith"

3. (1) Subsection (1) of section 1 of the principal Act Amendment
of section 1.
is amended by substituting for the words "Agricultural
Pests and Noxious Plants Act, 1976" the words "Plant
Quarantine Act 1976".

(2) Upon the coming into force of this Act, any
reference under any written law to the Agricultural
Pests and Noxious Plants Act 1976 shall be construed
as a reference to the Plant Quarantine Act 1976.

Amendment
of section 2.

4. Section 2 of the principal Act is amended—

(a) by inserting before the interpretation of the words "component region" the following interpretation:

"beneficial organism" means any invertebrate animal (including the eggs of such animal), fungus, bacterium, virus, or any other organism which is beneficial to agriculture and which is not capable of being injurious to plants;

(b) by inserting after the words "West Malaysia" in the interpretation of the words "component region" the words "the Federal Territory of Labuan";

(c) by inserting after the words "West Malaysia" in the interpretation of the word "Director" the words "whose responsibility extends to the Federal Territory of Labuan";

(d) by inserting after the word "virus" in the interpretation of the word "pest" the words ", viroid, mycoplasma-like organism, weed."; and

(e) by substituting for the full-stop at the end of the interpretation of the word "plant" a semi-colon and inserting after that interpretation the following interpretation:

"soil" means any earth, ground or other naturally occurring organic and mineral material in which plants may be grown.

Amendment
of section 7.

5. Subsection (1) of section 7 of the principal Act is amended by inserting after the words "on whom a notice under section 6" the words "or subsection (1) of section 12"

Amendment
of section 8.

6. Subsection (1) of section 8 of the principal Act is amended by substituting for the words "one thousand ringgit" the words "ten thousand ringgit".

7. Section 13 of the principal Act is amended by inserting after subsection (4) the following subsection: Amendment
of section
13.

“(5) If in the proper exercise of their function of administering the provisions of this Act loss or damage to plants, goods, soil or other organisms occurs, the government and every person authorised under this Act shall be exempted from all claims for compensation for such loss or damage.”.

8. The principal Act is amended by inserting after section 19 the following section: New section
19A.

General
penalty.

19A. Any person who does or attempts to do, or causes or permits to be done, or abets, an act contrary to, or fails to comply with, the provisions of this Act or any regulation made thereunder shall be guilty of an offence and shall on conviction, if no penalty is expressly provided, be liable to a fine not exceeding ten thousand rupees or to imprisonment for a term not exceeding two years or to both.”.

9. Subsection (1) of section 23 of the principal Act is amended by substituting for paragraph (f) the following paragraph: Amendment
of section
23.

“(f) the control of, and the conditions governing the import or export of pests, beneficial organisms, plants and soil for purposes of controlling and prevention of plant pests;”.