

THE PLANT CONTROL ACT, 1981

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PART I

PRELIMINARY

Short title.

1. This Act may be cited as the Plant Control Act, 1981.

Interpretation.

2. In this Act, unless the context otherwise requires —

"alien animal" means any vertebrate member of the animal kingdom which is not indigenous or native to Swaziland and includes any cattle, sheep, goat, horse, donkey, mule, pig, rabbit, dog and cat or any poultry or the egg of any poultry;

"board" means the Nursery Registration Board established under section 3;

"customs officer" means an officer acting under the controller as defined in the Customs, Fiscal Excise and Sales Duties Act. 1971;

"dealer" means any person dealing in goods of any kind whatsoever in retail or wholesale quantities;

"hardwood" means any tree belonging to the Angiosperm group of plants;

"honey" means honey, whether or not in combs, and includes pollen collected by a honey bee and any preparation or product consisting wholly or partly of honey;

"insect" means any live or dead invertebrate member of the animal kingdom (irrespective of the stage of its development), but does not include bona fide mounted insect collections or material intended solely for study;

"inspector" means an officer to whom the Minister of Agriculture has in writing either generally or specially, assigned any duty under this Act, and shall normally include the Chief Research Officer and Plant Pathologist of the Malkems Research Station, officers designated by the Swaziland Sugar Association, and all customs officers, police officers and police inspectors;

"live stage" in relation to woodborer includes the imago (adult or beetle) egg, larva (worm) or pupa (chrysalis) stage;

"Minister" means the Minister responsible for Agriculture and Co-operatives;

"mushrooms" means non-poisonous edible fungi classified under the Agaricaceae and Polyporaceae;

"noxious weed" means any weed specified in the First Schedule to this Act, and any other plant which the Principal Secretary may declare by notice in the Gazette to be a noxious weed;

"nursery" means any premises where plants or mushrooms are produced for sale and are intended not for immediate consumption but for outside distribution and further growth;

"occupier" in relation to land or premises means the person who is the owner or lessee of the land or premises or otherwise has the right of management, care, control or use of the land or premises;

"owner" in relation to land or premises means —

(i) the person in whose name the land is registered or, if such person is absent from Swaziland or his whereabouts are unknown, his agent, tenant, lessee or legal representative in the Kingdom of Swaziland;

(ii) in the case of land under the control of a local authority, that local authority; "owner" in relation to a nursery means the person in whose name the nursery is registered;

"plant" means any tree, shrub or vegetation, and includes the fruit, leaves, cuttings or bark of such a plant and any live portion of such a plant, whether severed from or attached to it, and any dead portion or any product of such a plant, but does not include the refined products of such a plant, unless the Minister has declared such product to be a plant;

"plant disease" means any infection from a fungus, bacterium, virus, mycoplasma, spiroplasma or other pathogen to which plants are subject;

"police officer" means a member of the Royal Swaziland Police;

"Principal Secretary" means the Principal Secretary of the Ministry responsible for

Agriculture or any other person authorized by him under this Act;

"sell" includes offer, advertise, keep, display, dispatch, convey or deliver for sale or exchange, or dispose of for any consideration whatsoever, or dispatch, convey or deliver in pursuance of a sale, exchange or disposal as aforesaid;

"timber" means all wood contained in trees, whether standing, fallen or felled, and all wood whether sawn, split, hewn, planed or otherwise fashioned or processed;

"trader" means any person dealing in plants or plant products;

"weed inspector" means any person authorized by the Principal Secretary to perform the duties of an inspector under this Act, and shall further include the Principal Secretary or his delegate as chief weed inspector, all animal health inspectors and road inspectors;

"woodborer" means any insect, including termites and beetles, the nymph (or larva) and/or the imago (adult) stage of which bores into or feeds on wood.

PART II

NURSERY REGISTRATION, QUARANTINE, PLANT DISEASE AND PEST CONTROL

Nursery Registration Board, its composition and junctions.

3. (1) There is hereby established a Nursery Registration Board (hereinafter referred to as "the Board") which shall consist of—

- (a) the Principal Secretary, who shall be the Chairman;
- (b) the Director of Agriculture;
- (c) the Chief Forestry Officer;
- (d) the Chief Research Officer;
- (e) the Curator of the National Herbarium;
- (f) the Plant Pathologist;
- (g) a representative of the Swaziland National Trust Commission.

(2) Subject to section 6 of this Act:

- (a) Every person who is the owner or occupier of a nursery shall, within three months of the coming into operation of this Act, apply in writing for the registration of his nursery and thereafter, unless his registration is sooner revoked every person

managing a registered nursery shall pay a prescribed annual fee before the 31 st December in each year.

(b) Every person who intends to establish a nursery shall apply to the Board for registration of the nursery.

(3) All applications made under subsection (2) shall be accompanied by the prescribed fees and shall contain the following particulars:

(a) the full name and postal address of the owner or occupier;

(b) the full name and postal address of any person other than the occupier to whom communications in respect of the nursery are to be transmitted by the Principal Secretary;

(c) the exact situation of the nursery;

(d) the name under which this nursery is to be registered;

(e) the approximate area under cultivation for the purpose of the nursery;

(f) whether the proposed nursery is situated on freehold or Swazi Nation Land, and, in the latter case, whether the permission of the Chief has been sought and obtained;

(g) whether the applicant has previous experience of running a nursery;

(h) the proposed date of occupancy and commencement of business;

(i) the approximate quantity of the different descriptions of the nursery stock classified under the headings:

(i) Citrus fruit trees;

(ii) Deciduous and other fruit trees, including mangoes and guavas;

(iii) Vines;

(iv) Forest and shade trees;

(v) Hedge plants;

(vi) Rose plants;

(vii) Hardy ornamental plants;

(viii) Greenhouse and other tender plants;

(ix) Palms;

(x) Gramineae and pasture plants;

(xi) Other plants including indigenous flora;

(j) the approximate quantity of each class of plants in the nursery which are expected to be ready for disposal within twelve months from the date of the application and those which are not yet ready.

Cancellation of registration.

4. If the Board is satisfied that an owner or occupier of a nursery —

(a) has failed to comply with any condition to which the registration of the nursery is subject;

(b) has failed to carry out an order given under section 33;

(c) has lifted, removed or destroyed or has caused to be lifted, removed or destroyed, or has interfered with any dead or living plant in or from the quarantine area of the nursery; or

(d) is guilty of an offence in terms of Section 49, the Board may, on conviction of that person for an offence under this Act, cancel the registration in question.

Sale of plants.

5. (1) No person shall sell any plant from a nursery unless—

(a) the nursery is registered under section 3 or has, under that section, been exempted from registration by the Principal Secretary either generally or specially by notice in the Gazette;

(b) the name and address of the nursery where it was grown, are legibly and durably affixed to the plant or the container in which it grows or is packed;

(c) the Plant Pathologist is satisfied that adequate phytosanitary treatment of plants and containers has been carried out, and that written evidence of this is available upon request.

(2) Any person who fails to comply with the requirements of subsection (1) shall be guilty of an offence.

(3) The Board may impose any further conditions it considers appropriate in registering a nursery or on the sale of plants from any nursery, whether such nursery is registered or not.

Exemption from registration.

6. The provisions of Section 3 shall not apply to premises whereon are grown only seedling transplants of garden flowers and vegetables, ferns, spineless cactus, cut flowers, sugarcane grown as seed cane for planting into commercial sugarcane fields by quota holders registered under the Swaziland Sugar Industry Agreement (1967), and to poles, fencing posts and other parts of plants that are evidently not intended to be sold on a regular commercial basis, and where the owner or occupier of the premises is not registered as a trader.

Inspection and quarantining of nurseries.

7. (1) Any inspector may, at any time, enter upon any nursery or land adjacent thereto and inspect the same and the plants therein and take such steps as may be necessary to determine whether or not any insect pest or plant disease is present.

(2) If, upon any such inspection the inspector is satisfied that any plant is infected with an insect pest or plant disease, the Plant Pathologist may in writing, delivered or transmitted by post to the occupier, declare the whole or any special area thereof to be quarantined for a specified period.

(3) No person other than an inspector, shall, without a permit in writing from the Plant Pathologist, remove or cause to be removed any plant from a quarantined area of a nursery:

Provided that a plant may, for the purpose of its destruction or treatment, be removed from any such quarantine area under such conditions or restrictions and to such place as the Principal Secretary may prescribe.

(4) No stake, peg, tag or other mark placed by or on the order of an inspector in or near a quarantine area shall be removed or otherwise interfered with without the permission of the Principal Secretary, and if the provisions of this subsection are contravened by any person, the person registered in respect of the nursery shall be deemed to be the contravener and shall be guilty of an offence unless he proves to the satisfaction of the court that he forbade the act or omission constituting the contravention.

Lifting of quarantine from a nursery.

8. (1) If any area of a nursery is quarantined under section 7 for a specified period the owner or occupier may apply in writing to the Principal Secretary for the removal of the quarantine. The Principal Secretary shall cause a further inspection to be made and, if it is deemed expedient, the quarantine may be lifted by written notice which shall be delivered or transmitted by post to the owner or occupier.

(2) In respect of each application for inspection of a nursery under this section, the occupier shall pay to the Principal Secretary a fee of five emalangeni.

Quarantine of premises, other than a nursery.

9. The Principal Secretary may, in writing, empower generally or specially any inspector to enter upon any land or building containing growing plants, other than a nursery and inspect whether upon these premises there is any insect pest or plant disease, and if any such inspector suspects or discovers upon such premises the existence of any insect pest or plant disease, he may by notice in writing to the owner or occupier of the premises, stating the nature of the pest or disease, declare the whole or any part of the premises to be quarantined for a specified period.

The provisions of section 7(3) and (4), and sections 8, 10 and 11 shall mutatis mutandis apply to any area quarantined in terms of this section:

Provided that when any quarantine has been imposed, the Principal Secretary may at any time cause a further inspection to be made within a period of four weeks, and may order the quarantine to be lifted.

Disinfection of plants.

10. (1) The owner or occupier of a nursery shall, when required by written notice from the labour and chemicals for the disinfection of any plant immediately prior to despatch thereof from a nursery.

(2) Any person who fails to comply with the requirements of a notice under subsection (1) shall be guilty of an offence.

Destruction of plants.

11. (1) The Principal Secretary may destroy, or order the destruction of any plant which is (a) in a nursery and is infected or liable to be infected with any insect pest or plant disease deemed by him to be specially dangerous; and (6) diseased or infected sugarcane as determined by the Swaziland Sugar Association to constitute a danger to the sugar industry in terms of clause 12(2) of the Swaziland Sugar Industry Agreement (1967), and in such locality, farm or part of a farm as may from time to time be identified by the Swaziland Sugar Association.

(2) If the occupier fails to comply with an order made by the Principal Secretary in terms of subsection (1) hereof, he shall be guilty of an offence. The Principal Secretary shall be entitled to take such steps as may be necessary to carry out the destruction as provided for herein and recover the cost thereof from the occupier.

PART III

INSECTS, PLANT DISEASES AND ALIEN ANIMALS IN PROCLAIMED AREA

Areas in which the cleansing or destruction of plants, insects and plant diseases and treatment and destruction of alien animals shall be compulsory.

12. (1) If it is necessary that the cleansing or destruction of any plant infected with any insect or plant disease or the destruction of any alien animal be made compulsory in any area, the Principal Secretary may by notice in the Government Gazette declare that area to be an area in which the cleansing or destruction of plants infected with the insect or plant disease in question or the treatment or destruction of the alien animal in question, shall be compulsory for the owners and occupiers of land, premises and nurseries situated within that area, and may prescribe the method to be used in the cleansing or destruction of plants or the treatment or destruction of any alien animal.

(2) The provisions of section 9 shall mutatis mutandis apply with reference to land or premises quarantined under this section.

(3) The Principal Secretary may from time to time and in like manner withdraw any notice issued under subsection (1) or suspend such notice for such period as he may deem fit or in relation to such portion of the area as he may specify.

Occupiers to carry out cleansing operations in proclaimed area.

13 (1) Whenever an area has under section 12 been declared an area in which the cleansing or destruction of any plant or the destruction of any alien animal is compulsory, every occupier of land, premises and nurseries situated within that area shall carry out such cleansing operations or destruction as may be necessary for the eradication of the insect, plant diseases or alien animals referred to in the relevant notice.

(2) If the owner or occupier of land, premises or a nursery fails within the prescribed period to comply with the provisions of section 12(1) or section 31(2) hereof the Principal Secretary shall carry out such cleansing and destruction at the cost of the owner or occupier.

PART IV

IMPORTATION OF PLANTS, PLANT DISEASES, INSECTS AND ALIEN ANIMALS

Prohibited material and material requiring a permit.

14 (1) No person shall import into Swaziland any items listed in the First Schedule.

(2) No person, without a permit or otherwise in accordance with the conditions attached to a permit issued by the Principal Secretary or any other officer specially authorized by him for the purpose, shall import into Swaziland any items listed in the Second Schedule.

Material imported from South Africa (excluding that in transit from another territory).

15. (1) No person shall without a permit import into Swaziland any of the items listed in the Third Schedule.

(2) The items listed in the Fourth Schedule hereof may be imported into Swaziland without a permit provided that they are for personal use or consumption and not for sale.

Application for permits to import plants into Swaziland. (See Sixth Schedule)

16 (1) An application for a plant import permit may be made to the Plant Pathologist in the Ministry of Agriculture or may be sent in writing to the Principal Secretary, and shall contain the following particulars:

- (a) the full name, and residential address of the applicant;
- (b) the name and address of the person from whom it is proposed to obtain the plants;
- (c) the botanical names or the generally accepted popular names and the varietal names of the plants and the number of each variety which it is desired to import;
- (d) the mode of consignment, whether by post or otherwise, and if not by post, the point of entry through which the plants are to be introduced into Swaziland;
- (e) a valid export permit from the country concerned if any endangered or protected species are being exported from that country;
- (f) a valid phytosanitary certificate when required, as well as additional documents mentioned in the Schedules to this Act;
- (g) the exact locality in Swaziland where it is proposed to grow the plants; and
- (h) any other particulars which the Principal Secretary may require.

(2) The detailed conditions governing the importation of plants shall normally apply as set out in the Schedules, but the Plant Pathologist may use his discretion in their application.

(3) A plant import permit will normally cover a single entry but a multiple entry permit can be issued if desired. There will be no fee for this permit.

(4) A plant import permit for citrus material will only be issued after a separate permit has been issued by the Swaziland Citrus Board.

(5) In the case of importation of plants indigenous to Southern Africa, no plant import permit will be issued unless the application is accompanied by authority in writing by the Swaziland National Trust Commission. The importation or attempted importation of indigenous plants and those protected by the Convention on Internationally Endangered Species of Wild Fauna and Flora without such permission from the Commission shall be an offence.

Entry and inspection of plants on arrival.

17. (1) All importations shall be by post or rail or through —

(a) the inland points of entry of Bulembu (Josefsdal), Gege (Botha's Hoop), Ingwavuma, Lavumisa (Gollel), Lomahasha, Mahamba, Mananga (Bordergate), Matsamo (Jeppe's Reef), Mhlumeni (Goba), Ndlozane, Ngwenya (Oshoek), Ntsalitshe (Onverwacht-Pongola), Sandlane (Nerston), Sicunusa (Houdkop), Simomotfo (Waverley) and Sitsatsaweni.

(b) the Airport at Matsapha.

(2) When required as a condition stipulated on the plant import permit issued in terms of sections 14 and 15, the consignee shall deliver the plant or seed imported together with its wrappings or packing material immediately upon importation, to the Principal Secretary or to an officer nominated for this purpose by the Principal Secretary.

(3) The Principal Secretary upon delivery of a plant may—

(a) examine the plant together with its wrapping or packing material;

(b) cause the plant to be cleansed or disinfected at the expense of the importer if the presence of plant disease or plant pest thereon is established or reasonably suspected; and

(c) cause the plant to be destroyed if he considers any measures taken or to be taken under subsection (1)(6) hereof are or are likely to be ineffective and he deems the plant disease or plant pest to be dangerous.

(4) (a) Phytosanitary certificates accompanying imports into Swaziland, together with any additional documents, shall be surrendered to the Swaziland Customs at the port of entry relating to the consignment and shall then be forwarded to the Plant Pathologist, Malkems Research Station.

(b) All imports of plants shall be liable to inspection on arrival, whether or not accompanied by phytosanitary certificates.

(c) If plants are found to be unhealthy, or do not comply with import requirements, the importer may be required to destroy them at his own expense, although treatment or re-export may be allowed in lieu thereof.

PART V

EXPORTATION OF PLANTS AND PLANT MATERIALS

Phytosanitary certificates.

18. (1) A phytosanitary certificate may be required by the Government of a country outside Swaziland in respect of imported plants or plant material. Such a certificate may be obtained for plants originating in Swaziland upon application to the Plant Pathologist, Malkems Research Station.

(2) Phytosanitary certificates shall bear no alterations or erasures.

(3) Any person who furnishes information for a phytosanitary certificate which he knows to be false in any material aspect shall be guilty of an offence.

Exportation of Indigenous Plants, for which a phytosanitary certificate shall be mandatory.

19. (1) By the public. The onus shall be on the exporter to determine whether the material he wishes to export is protected or not under the Flora Protection Act (1952) or by any other law. Permission to export indigenous plants or plant materials including species covered by the Convention on Internationally Endangered Species of Wild Fauna and Flora will only be given under exceptional circumstances, and then only with the permission of the Swaziland National Trust Commission established by the National Trust Commission Act of 1972. Failure on the part of the exporter to seek such permission will constitute an offence.

(2) By a state registered nursery. After application to the Board, the Board may grant permission to export indigenous plants. Such plants will normally be seeds or seedlings reared wholly at the nursery or, in the case of slow-growing or woody plants, be less than 100cm in height.

(3) Any person who removes an indigenous plant for gain from its natural habitat without written permission of the Swaziland National Trust Commission shall be guilty of an offence.

(4) No phytosanitary certificate shall be issued in respect of any indigenous plant unless the application is accompanied by authority in writing by the Swaziland National Trust Commission. Any officer of the Ministry of Agriculture who issues a permit for the export of indigenous plants without the necessary accompanying authority of the Swaziland National Trust Commission shall be guilty of an offence.

(5) Phytosanitary certificates for the export of citrus fruit will be issued by the Swaziland Citrus Board on receipt of written authorization from the Phytosanitary Inspector at the port of loading, in respect of each consignment exported.

PART VI

CONTROL OF MUSHROOM INDUSTRY

Handling of Mushrooms.

20. (1) No person shall, other than for personal use or consumption, without a permit:

(a) sell mushrooms;

(b) grow, collect, gather, pick, dehydrate, pack or can wild or cultivated mushrooms for sale; or

(c) export wild or cultivated mushrooms.

(2) The Minister may by regulations prohibit or control the importation of wild mushrooms.

Mushroom Licence.

21. (1) The Principal Secretary may on written application issue a licence permitting a person to do any or all of the matters referred to in section 20(1).

(2) A licence issued by the Principal Secretary shall be subject to such terms and conditions as he may determine, and without derogating from the generality of the foregoing, shall specify —

(a) the fee, if any, to be paid by the holder of such licence;

(b) the period of such licence;

(c) that the holder of the licence shall engage the services of, or be, a qualified toxicologist, with scientific knowledge of wild mushrooms, approved by the Principal Secretary, to be responsible for the protection of the public against the use and sale of any species of fungi which are poisonous or potentially dangerous or harmful;

(d) that any licence may be revoked by him in the event of the breach of any of the terms and conditions thereof.

(3) Any conditions imposed by the Principal Secretary in terms of this section shall be endorsed on the licence, but failure to endorse any condition on the licence shall not relieve the holder thereof from the obligation to observe such condition if he has been informed thereof by or on behalf of the Principal Secretary in writing.

(4) A licence issued under this section shall not be transferable.

PART VII

NOXIOUS WEEDS

Weed inspectors.

22. (1) The Principal Secretary shall appoint weed inspectors whose function shall be to ensure the protection of land from noxious weeds.

(2) A weed inspector may at all reasonable times enter upon any land, whether enclosed or not, for the purposes of ascertaining if any noxious weeds are present. Any weed inspector may also at all reasonable times enter upon any premises where any plant, seed, or grain is offered for sale and may take samples thereof.

Destruction of noxious weeds etc.

23. (1) It shall be the duty of every person to clear or cause to be cleared any noxious weed on the land in respect of which he is the owner or occupier and such person shall report the occurrence of any noxious weed to a weed inspector or to the nearest police station.

(2) If a weed inspector finds on any premises any plant, seed, or grain which is likely to propagate or spread the growth of noxious weeds, such plant, seed, or grain shall be treated by or at inspector, and if not so treated, or if such treatment be deemed ineffectual the Principal Secretary may order that such plant, seed, or grain be destroyed.

Clearance of land of noxious weeds.

24. (1) An owner or occupier on whose land noxious weeds have been found shall be notified in writing by a weed inspector and shall be required to clear the land within a specified period of time and any owner or occupier who fails to do so shall be guilty of an offence.

(2) If the owner or occupier fails to clear the land as aforesaid a weed inspector may upon receiving written authority from the Principal Secretary enter upon the land with or without assistants and eradicate the noxious weeds found thereon.

Offence to propagate noxious weeds.

25. Any person who knowingly sells or offers or exposes for sale any plant, seed, or grain which is likely to propagate or spread the growth of noxious weeds shall be guilty of an offence.

PART VIII

INSECT PESTS IN TIMBER

Sale or use of timber infested with woodborer.

26. It shall be an offence for any person, without the permission in writing of the Principal Secretary to sell or otherwise dispose of or use for building or manufacturing any article or any timber which is attacked by or infested with any woodborer in any live stage.

Importation of timber infested with woodborer.

21. It shall be an offence for any person without the permission in writing of the Principal Secretary to import into Swaziland —

(a) any timber, infested with any woodborer in any live stage or which has not had the bark completely removed;

(b) any used building timber.

Presence of infested timber to be reported.

28. (1) Whenever there is upon any property any timber infested with any borer in any live stage, the owner of such property, or the person in possession or control of such property, shall immediately report the fact to the nearest local authority or member of the Royal Swaziland Police, who shall forthwith inform the Principal Secretary.

(2) For the purposes of this section "property" means any Crown forest, private forest, or other land or any ship, vessel, vehicle, aircraft, building depot or place for storing, stacking, seasoning or working timber struction or disinfection of timber infested with wood borer.

29. All timbers infested with any borer in any live stage shall either be destroyed or subjected to a disinfection treatment approved by the Principal Secretary.

PART IX

CONTROL OF BROWN & RED LOCUSTS (INCLUDING LOCUSTA PARDALINA, NOMADACRIS SEPTEMFASCIATA)

Notification of appearance of flying locusts and nymphs and deposit of eggs.

30. (1) An owner or occupier of land whereon flying locusts appear or have appeared, or whereon flying locusts are depositing or have deposited eggs or whereon any nymphs appear or have appeared, shall immediately notify an inspector.

Action to be taken on receipt of notice.

31. (1) On receipt of a notice referred to in section 30, the person to whom the notice is given shall as soon as possible inform the Principal Secretary.

(2) The Principal Secretary may take such steps as may be necessary for the eradication of any locusts or locust eggs on any land at Government expense.

PART X

POWERS OF INSPECTORS

General powers of inspectors to enter on land.

32. Every owner or occupier of land or premises shall permit an inspector, on production of his authority, to enter upon his land or premises to carry out any of the provisions of this Act.

Inspection and quarantining of land or premises, and impositions on owners and occupiers to eradicate insects, plants or plant diseases.

33. (1) An inspector may, without any obligation to pay compensation, inspect any plant on any land or premises and remove any plant therefrom.

(2) If an inspector discovers at any nursery the presence of any insect, plant, plant disease or alien animal or reasonably suspects the presence thereof, or discovers upon any land or premises or nursery situated within an area with reference to which a notice under section 12 applies, the presence of any insect, plant disease or alien animal referred to in that notice or reasonably suspects the presence thereof on such land or premises, he may —

(a) by notice in writing served on the owner or occupier of the nursery or the land or premises, declare the whole of such nursery, land or premises or any specified portion thereof to be quarantined for a definite or an indefinite period; or

(b) by order in writing served on the owner or occupier of the nursery or the land or premises, require the occupier to carry out in the manner and within the time mentioned therein such measures as may be necessary for the purpose of eradicating or combating the insect, plant disease or alien animal, as the case may be.

(3) An inspector may, if he considers it necessary for the eradication of any insect or plant disease, by order under subsection (2)(b) require the occupier of the nursery or the land or premises in question to destroy, in the manner specified in the order, any plant growing in his nursery or on his land and to keep his nursery or his land free of any such plant for a period specified in the order:

Provided that no order for the destruction of any plant shall be issued by an inspector without the prior approval of the Principal Secretary.

(4) No person shall, without the permission of an inspector, remove or otherwise interfere with any stake, peg, tag or other mark placed on the order of an inspector in or near a quarantined area.

(5) If the owner or occupier of any nursery or any land or premises quarantined under subsection (2) hereof is charged with a contravention of subsection (4) and it is proved that a stake, peg, tag or other mark placed by or on the order of an inspector was removed or otherwise interfered with, such owner or occupier, as the case may be, shall be presumed to have so removed or interfered with such stake, peg, tag or mark unless he proves that he forbade the act constituting the contravention.

(6) The provisions of section 9 shall mutatis mutandis apply with reference to land, premises or nursery quarantined under this section.

Method of serving notice or order.

34. (1) A notice or order under section 33(2) shall be deemed to have been duly served on the owner or occupier of the nursery or the land or premises in question —

- (a) when it has been handed to the owner or occupier personally; or
- (b) when, in the absence of the owner or occupier, it has been —
 - (i) handed to his duly authorized representatives; or
 - (ii) sent by registered post to the last known place of residence of the owner or occupier, and has been known to be received by him.

Examination of plants on importation.

35. (1) (a) Any inspector may examine any plant imported into Swaziland together with the packing material or covering thereof, for the purpose of discovering whether it is infected with any insect or plant disease, and the consignee or his agent shall, at the request of an inspector, remove the coverings and afford the inspector every facility for conducting the examination.

- (b) When an inspection in terms of this subsection is conducted outside the prescribed hours, a fee determined by the Principal Secretary may be payable.
- (2) An inspector may cleanse, disinfect or otherwise treat or cause to be cleansed, disinfected or otherwise treated, in such manner as he may deem fit, any such plant which is so infected or which is suspected to be so infected, together with the packing material or covering thereof, and the consignee or his agent shall pay in respect thereof the fees and charges prescribed.
- (3) An inspector may at his discretion either destroy, or cause to be destroyed, any material imported into Swaziland in contravention of sections 14 and 15, together with its container and the packing material or covering thereof, or permit the dispatch of such material, together with the packing material or covering thereof, at the expense of the consignee, to any other country, including the country of origin of such plant.
- (4) If the cleaning, disinfection or treatment is carried out at a place specially provided for the purpose, delivery of the plant shall not be made until the fees and charges prescribed have been paid.
- (5) Any person to whom any plant imported into Swaziland has been consigned shall, when required by an inspector, furnish copies of his plant import permit, phytosanitary certificates if necessary, and other relevant certificates setting out —
- (a) the name and address of the consignor;
 - (b) the number and the kind of packages;
 - (c) the names, quantities, varieties and grade marks of the plants in the consignment;
 - (d) the place of origin of each such plant; and
 - (e) the phytosanitary conditions required by the Principal Secretary in respect of such plant.
- (6) If any plant not specified in the plant import permit and other certificates referred to in subsection (5) hereof is found in the consignment or is specified under a false or misleading name or description, the inspector may, subject to the approval of the Principal Secretary, cause the plant to be destroyed.

Examination of other importations.

36. An inspector may examine any plant material or insects including honeybees, larvae or eggs, or any honey or beeswax, or any beehive or any accessories or appliances

thereof, or any alien animal or any other article in accordance with the provisions of this Act.

Issue of clearance certificate.

37. Whenever, in respect of any importation an inspector is satisfied that the provisions of this Act and the regulations have been complied with, he shall, at the request of the consignee, deliver or transmit to him a certificate to that effect by means of endorsement on his plant import permit.

Inspection, or disinfection or destruction of plant diseases, insects, honey bees, honey, accessories, places of alien animals.

38. (1) An inspector may —

- (a) inspect any consignment reasonably suspected of containing any plant disease or insect, or any honey bee or its larvae or eggs, or any honey or beeswax, or any beehive or any accessories or appliances thereof, or any exotic animal or any other imported article;
- (b) inspect any place where any plant disease or insect is located;
- (c) inspect any place where honey bees or any beehive or any accessories or appliances thereof are located;
- (d) inspect any honey or beeswax which is intended for sale;
- (e) inspect any premises where any alien animal is located, and may give such directions for the eradication or, as the case may be, the cleansing, disinfection or destruction of any such plant, disease, insect, honey bee or its larvae or eggs, honey, beeswax, beehive or its accessories or appliances, place or premises, as will secure the eradication or prevention of any plant disease, insect or bee disease, or may give such directives relating to the supervision or control of any alien animal as will prevent it from becoming dangerous or harmful:

Provided that no directive for the destruction of any plant disease, bee, beehive or its accessories or appliances, or any place or premises, shall be given by an inspector without the prior approval of the Principal Secretary.

(2) If any person fails to carry out any directive referred to in subsection (1)(e) within the period stated herein, the Principal Secretary may, at the expense of that person, do all such acts as are reasonably necessary for securing the eradication or prevention of any plant disease, insect or bee disease in question, or, as the case may be, for the supervision or control of any alien animal in question.

Destruction of alien animals.

39. The Principal Secretary may, in writing, empower any inspector to take such steps on any land or premises as may be necessary for destroying any alien animal which is dangerous or harmful, or may become dangerous or harmful.

Powers of officers or inspectors to trace and destroy locusts, nymphs or locust eggs.

40. An inspector may enter upon any land for the purpose of making such investigations or taking such other action as is necessary or expedient for the purpose of tracing and destroying flying locusts, nymphs or locust eggs.

PART XI

MISCELLANEOUS PROVISIONS

Exemptions.

41. The provisions of sections, 3, 4, 5, 7, 9, 10, 11, 12, 13, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 39 and 40 shall not apply to National Parks and Nature Reserves but no plant from any nursery within such parks or reserves shall be released for export without the necessary phytosanitary requirements being fulfilled, as provided for in sections 18 and 19.

Compensation.

42. The Minister may, in his discretion pay such compensation as he may deem reasonable in the circumstances, to the owner or occupier of any land or premises in respect of any plant or any honey bee or its larvae or eggs, or any honey or beeswax, or any beehive or any accessories or appliances thereof, or any alien animal destroyed, or any plant disease or insect eradicated.

Circumstances under which compensation not payable.

43. No compensation shall be payable in the following circumstances:

(a) in respect of the cost incurred in connection with the destruction of any plant or any honey bee or its larvae or eggs, or any honey or beeswax, or any beehive or any accessories or appliances thereof, or any alien animal, or the eradication of any plant disease or insect, under the provisions of sections 7, 24, and 33;

(b) where the owner or, as the case may be, the occupier concerned, has failed to comply with any order or notice given in terms of this Act relating to the destruction or eradication referred to in paragraph (a);

(c) in respect of any loss of income in consequence of the destruction or eradication referred to in paragraph (a);

(d) in respect of any plant destroyed in terms of section 11;

(e) in respect of any plant planted, cultivated, kept, sold, removed or imported in contravention of any provision of this Act;

(f) in respect of any plant which, due to contact with any plant referred to in paragraphs (d) and (e) is infected or which may have become infected with any insect or plant disease which the Principal Secretary considers to be dangerous;

(g) in respect of any destruction of any honey bee or its larvae or eggs, or any honey or beeswax, or any beehive or any accessories or appliances thereof, or any alien animal, or the eradication of any plant disease or insect imported or, as the case may be, kept, sold or removed in contravention of any provision of this Act.

Compensation in respect of injury, loss or destruction resulting from the exercise of powers under these Regulations.

44. Save as is specially provided in this Act, no compensation shall be payable by the Government in respect of injury to or loss or destruction of any plant, alien animal or other article resulting from the exercise of any power under this Act.

Offence of Obstructing Inspectors.

45. Any person who obstructs or hinders any inspector in the execution of his duties under this Act, or who fails to furnish to such inspector any information which he may lawfully require thereunder, shall be guilty of an offence.

Delegation of Powers.

46. (1) The Minister may delegate to the Principal Secretary or any inspector any of the powers conferred on him by this Act other than the powers referred to in section 48.

(2) The Principal Secretary may delegate to an inspector any of the powers conferred on him by this Act, other than the powers referred to in sections 11, 17(3)(c) and 39.

Appeal to Minister.

47. (1) A person who is aggrieved by any decision or action by the Principal Secretary or any officer, inspector or a person specially appointed under this Act may, within thirty days appeal against such decision or action to the Minister.

(2) Notwithstanding the above, the decisions of the Principal Secretary are quarantine, disinfection and destruction of plant or animal material shall not be delayed pending the result of an appeal to the Minister.

Further Regulations.

48. (1) The Minister may make regulations, not inconsistent with this Act, prescribing

- (a) any matter which may be relevant under this Act;
- (b) the manner in which and place at which any registration, inspection, disinfection, clearing, eradication or destruction authorised under this Act shall be carried out;
- (c) the conditions and restrictions governing the importation and keeping of plants, insects, plant diseases, honey bees, alien animals and anything whatsoever dealt with under this Act;
- (d) the form of any licence, permit, certificate, application or notice under this Act;
- (e) the standards and phytosanitary quality requirements with which plants that are for sale shall comply;
- (f) the manner in which plants that are for sale shall be cultivated, grown, kept or sold, and the records which shall be kept of any plants cultivated, grown, kept or sold;
- (g) the soil or material in the containers in which plants that are for sale shall be kept, and the manner in which soil or material shall be treated;
- (h) the fees to be charged in respect of any matter with reference to which the charging of fees is authorised under this Act;
- (i) generally any matter which he deems necessary to prescribe for the better achievement of the object and purposes of this Act.

(2) The Minister may amend any Schedule to this Act.

PART XII

OFFENCES AND PENALTIES

Offences and Penalties.

49. (1) Any person who contravenes the provisions of sections 7(3), 7(4), 11(2), 14, 15, 16(5), 18(1), 19(1), 19(3), 19(4), 24, 35(7) and 38(2) shall be guilty of an offence and

shall be liable on conviction to a fine not exceeding E500 or in default of payment to imprisonment for a period not exceeding six months.

(2) Any person who contravenes the provisions of sections 5(1), 17(2), 20(1), 21(4), 23 - 29, 30(3), 33, and 44, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding E250 or in default of payment to imprisonment for a period not exceeding three months.

(3) Any person who contravenes the provisions of sections 3(2)(a) and 10 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding E100 or in default of payment to imprisonment for a period not exceeding forty days.

PART XIII

Repeal.

50. The following laws and any other law made thereunder are hereby repealed:

- (a) The Noxious Weeds Act, 1929;
- (b) The Locust Destruction Act, 1924;
- (c) The Importation of Bees Act, 1910;
- (d) The Plant Protection Act, 1958; and
- (e) The Wild Mushroom Control Order, 1973.

FIRST SCHEDULE

(Sections 14(1))

PLANTS AND LIVING MATERIAL WHICH ARE PROHIBITED

Ambrosia	(Ambrosia spp)
Aquatic Plants, especially	
Water Fem	(Salvinia molestd)
Water hyacinth	(Eichhornia crassipes)
Water lettuce	(Pistia stratiotes)
Water milfoil	(Myriophyllum aquaticum)
Water plantain	(Alisma plantago)

Buffalo grass	(<i>Setaria chevalieri</i>)
Bugweed	(<i>Solanum mauritianum</i>)
Burweed	(<i>Xanthium spinosum</i>)
Cocklebur	(<i>Xanthium strumarium</i>)
Dagga, Insangu or Indian Hemp	(<i>Cannabis sativa</i>)
Dodder	(<i>Cuscuta trifolii</i>)
Fuller's teasel	(<i>Dipsaca fulomum</i>)
Hollyhock	(<i>Althaea rosed</i>)
Jointed cactus	(<i>Opuntia aurantiaca</i>) (= <i>O. pusilla</i>) (<i>Opuntia rosea</i>)
Khaki weed	(<i>Alternanthera echinata</i>)
Lantana	(<i>Lantana camara</i>)
Mauritius Thorn	(<i>Caesalpinia sepiaria</i>)
Sesbania	(<i>Sesbania punicea</i>)
Spear Thistle	(<i>Cnicus lanceolatus</i>)
Malta Thistle	(<i>Centaurea melitensis</i>)
Purple Star Thistle	(<i>Centaurea calcitrapa</i>)
Yellow Thistle or St. Barnabas Thistle	(<i>Centaurea solstitialis</i>)
Mexican Poppy or Scotch Thistle	(<i>Argemone mexicana</i> and other spp.)
Spiny Hakea	(<i>Hakea tenuifolia</i>)
Tussock Grass	(<i>Stipa trichotoma</i>) (= <i>Nasella trichotoma</i>)
Vegetable Alectra	(<i>Alectra</i> spp.)
Wild cotton & relatives	(<i>Cienfugosia</i> , <i>Gossypium</i> , <i>Hibiscus</i> etc)
Witchweed	(<i>Striga</i> spp.)
Other Noxious weeds	

N.B. The Minister under the terms of this Act may add to or delete further species as may be required.

SECOND SCHEDULE

(Section 14(2))

PLANTS AND LIVING MATERIAL WHICH REQUIRE A PERMIT.

THIS WILL BE ISSUED ONLY IF THE CONDITIONS OUTLINED ELSEWHERE ARE SATISFIED.

A. *Citrus*: Seed, budwood, whole plants, or fruit for sale. An extra permit must be obtained through the Swaziland Citrus Board. For fruit for private use (less than 20 kg) and candied citrus peel, see Fourth Schedule.

B. *Rice*: Whole plant or part or the plant, or seeds.

C. *Sisal*: Whole plant or part of the plant.

D. *Sugarcane*: Whole plant or part of the plant, or seeds.

E. *Seeds*: of Cotton, Lucerne, Tomato and Tobacco.

F. *Seeds*: intended for planting, and not for food, of the following:

Maize, Sorghum, Barley, Oats, Millet, and Wheat.

G. *Any cereals*: or cereal products as defined in the Control of Cereals Act No. 28 of 1959, which require permission from the Principal Secretary.

H. *Any honey, beeswax or used beehives or any used accessories thereof*: or anything which has been used to contain or treat honey bees, honey or beeswax.

I. *Any honey bee*: or its larvae or eggs.

J. *Any alien animal*.

K. *Any soil*: including rock, sand, and other forms of earth or compost.

L. *Any unspecified material not covered in this Schedule and in Schedules I, III and IV* will require a permit.

THIRD SCHEDULE

(Section 15(1))

PLANTS AND LIVING MATERIAL WHICH REQUIRE A PERMIT, BUT WILL NOT NORMALLY BE RESTRICTED IF FROM THE REPUBLIC OF SOUTH AFRICA.

UNLESS THESE BEAR PROOF OF ORIGIN FROM SOUTH AFRICA THEY WILL BE SUBJECT TO THE DETAILED CONDITIONS PRESCRIBED BY THIS ACT.

A. Assorted fruit and vegetables (excluding citrus), flowers either cut or in pots, and other material regularly sold by traders (florists and grocers) for profit:

These may be admitted on a multiple entry permit for not more than one year provided the items and their source of origin in the Republic of South Africa are clearly listed in advance.

B. Seed Potatoes: These must be in bags carrying an RSA Government Plant Inspection service A or AA seal, issued by a plant inspector of the Government of the Republic of South Africa.

C. Any plant or parts thereof with special reference to the following:

1. Subtropical Fruit and Crops

Cocoa (<i>Theobroma cacao</i>)	Ginseng (<i>Panax ginseng</i>)
Coconut (<i>Cocos nucifera</i>)	Macadamia nuts
Coffee (<i>Coffea arabica</i>)	Palms (<i>dates, oil etc.</i>)
Cola (<i>Cola acuminata</i>)	Pepper (<i>Piper spp.</i>)
Custard apple (<i>Anona cherimola</i>)	Rubber (<i>Hevea brasiliensis</i>)
Ginger (<i>Zingiber officinale</i>)	Tea (<i>Thea sinensis</i>)

2. Vegetables

Capsicum (peppers and chillies)
Yam (*Dioscorea*)

3. Gramineae

Unmanufactured broomcom derived from sorghum, whether fresh or dry, and any broom or brush or other article made in whole or part from sorghum.

4. Legumes

Chick pea (*Cicer arietinum*)

Lentils

Vetches (*Vicia*)

5. Ornamentals

Anthurium

Alternate hosts of pine rusts (see page 43 and 44)

Chestnut (*Castanea vulgaris* and other spp.)

Flax, New Zealand (*Phormium tenax*)

Foreign bulbs — *Narcissus*, *Crocus*, *Convallaria*, *Eremarus*, *Hyacinthus*, *Tulipa*.

Foreign Conifers

Foreign Cycads

Foreign *Eucalyptus*

Foreign heathers (*Erica*)

Foreign Malvaceae

Foreign orchids

Foreign Rosaceae including *Rosa*, *Pyrus* and other fruits

Foreign Sisals (*Agave*, *Fouquieria*)

Hazelnut (*Corylus*)

Opium poppy (*Papaver somniferum*)

Opuntia and other cacti, excluding jointed cactus (Schedule 1)

Pyrethrum

Sundry rhizomes

6. Sundry Imports

Belladonna (*Atropa belladonna* and other spp.)

Burdock (*Arctium*)

Cassava (*Manihot utilissima*)

Coriander (*Coriandrum sativum*)

Cranberry (*Vaccinium macrocarpum*)

Digitalis

Henbane (*Hyoscyamus niger*)

Hops (*Humulus sp.*)

Jute (*Corchorus capsularis*)

Kiwi fruit (*Actinidia*)

Persimmon (*Diospyros*)

Poison hemlock (*Conium maculatum*)

Unmanufactured leaf tobacco

Unmanufactured cotton lint and all kinds of unspun cotton excluding purified cotton wool.

FOURTH SCHEDULE

(Section 15(2))

PLANTS AND LIVING MATERIAL WHICH DO NOT REQUIRE A PERMIT

These must be bought in the Republic of South Africa only, by private individuals for immediate use or consumption only and not for sale. Source of origin must be documented.

A. *Any tree, shrub, herb, or vine*, including ornamentals or plants bearing fruit, and soil, originating at a *state registered nursery in the Republic of South Africa*. These must be accompanied by proof of origin (nursery labels, invoices, receipts etc).

B. Assorted fruit and vegetables (including no more than 20kg. citrus per person), and candied citrus peel.

C. Cut flowers, wreaths and herbaceous pot plants.

FIFTH SCHEDULE

(Section 3(1))

APPLICATION FOR FIRST REGISTRATION AND ANNUAL RE-REGISTRATION OF A PLANT NURSERY. THIS SHALL BE ACCOMPANIED BY A FEE OF TEN EMALANGENI. IF APPLICATION IS SUCCESSFUL, A FURTHER TWENTY EMALANGENI WILL BE PAYABLE TO COMPLETE REGISTRATION. FOR REREGISTRATION FIVE EMALANGENI SHALL BE THE ENTIRE AMOUNT PAYABLE

I, the undersigned do hereby apply to the Nursery Registration Board in terms of section 3 of the Plant Control Act No. of 1981 for the grant and registration of a Nursery.

1. Name of Applicant in full.....

Address:.....

Nationality:.....

2. Name of any agent acting for Applicant.....

Address:.....

Nationality:.....

3. Full name, postal and residential addresses of the owner of the land:

.....
.....

4. The exact situation of the Nursery:

If it is a registered piece of ground, please state the title deed number and description thereof.

If it is proposed to set it up on Swazi National Land, state the name of the Chief of the Area

5. The approximate extent of the proposed Nursery.....

6. A sketch-map drawn to scale of the proposed Nursery.

7. Is this freehold or Swazi Nation Land?.....

8. In the case of Swazi National Land has the permission of the Chief been sought and obtained?

.....

State the name of the Chief and his address.....

.....

9. Name under which nursery is to be registered:.....

10. Date of intended occupancy and/or commencement of business

11. Please state —

(a) Approximate size of the capital that you are investing in the nursery.....

(b) Your bank references.....

(c) Any financial cover or insurance for the nursery.....

12. Previous experience in running a nursery, if any:

.....
.....
.....
.....

13. Specialization of nursery. Strike out that which does not apply:

Forest trees/Fruit trees/Vegetables/Herbaceous garden plants/Ornamental trees and shrubs/All

of these/Other (Specify).....

14. Give the approximate quantity of the following nursery stock:

- (a) Citrus fruit trees
- (b) Deciduous and other Fruit trees including mangoes and guavas
- (c) Vines
- (a) Forest and shade trees
- (e) Hedge plants
- (f) Roses
- (g) Hardy ornamentals
- (h) Greenhouse and other tender plants
- (i) Palms
- (j) Gramineae and pasture plants
- (k) Other plants, including indigenous flora

15. State - (a) The approximate number of citrus trees in the nursery *not* expected to be ready for disposal within the next twelve months.

(b) The approximate number of other trees in the nursery *not* expected to be ready for disposal

16. State - (a) The approximate number of citrus trees ready for disposal *now*.....

(b) The approximate number of other trees in the nursery ready for disposal *now*.....

I, the undersigned..... being the applicant/agent of the applicant for the grant and registration of the above mentioned licence, do hereby make oath and say that to the best of my knowledge and belief the above information is true and correct.

Name of Applicant

Copies to: — (1) The Principal Secretary, Ministry of Agriculture

(2) The Director of Agriculture

(3) The Chief Forestry Officer

(4) The Chief Research Officer

(5) Curator National Herbarium

(6) The Plant Pathologist

* (5) Swaziland Citrus Board
* (6) Swaziland National Trust
Commission

* As necessary

Director of Agriculture
(Signature or official stamp)

Further Notes.....

FOR CITRUS, MAIZE MATERIAL AND INDIGENOUS PLANTS —see Reverse of
this Page

(Reverse of first page)

Citrus Conditions.

A. Any citrus material from the Republic of South Africa:

An extra permit must be obtained from the Swaziland Citrus Board, Box 343, Mbabane.
Fruit bought privately for personal use or consumption is exempt.

B. Citrus fruit for processing from Mozambique or the Republic of South Africa:

1. A citrus permit to be obtained as under A.

2. Fruit to be processed in a canning factory and not to be distributed elsewhere for any
other purpose.

3. On arrival at Malkems and without delay all fruit to be steam sterilised for a minimum
period of 20 minutes. Under no circumstances should fruit be left unsterilised in the
open.

4. Rail trucks and containers to be sterilised by dipping or spraying to runoff with a
surface sterilising agent such as sodium or calcium hypochlorite, one of the quaternary
ammonium compounds, or equivalent.

5. Seed germination to be destroyed by heat or other treatment.

6. Inspection of fruit and compliance with these conditions by authorised officers of the
Ministry of Agriculture be facilitated at any time during the term of the period.

7. Each week's consignment must be accompanied by a certificate signed by the
veterinary authorities in the country of origin to the effect that the fruit is derived from a
district(s) where foot and mouth disease has not existed for at least 3 months, and in

which no regulations for the control of foot and mouth disease are in force immediately prior to the removal of the fruit.

8. Packing materials, if used, should exclude straw or other plant material.

A plant import permit for citrus material will only be issued after a separate permit has been issued by the Swaziland Citrus Board.

Maize and Maize Products.

Imports require an additional permit directly from the Principal Secretary.

Indigenous Plants.

Persons intending to obtain plants indigenous to Southern Africa from nurseries in the Republic of South Africa or elsewhere must first obtain authorization from the Swaziland National Trust Commission. Plants subject to restriction include (a) several trees and shrubs, e.g. *Dracaena* (screw-pine), *Podocarpus* (yellow-wood), *Protea*, and *Spirostachys* (tambuti); (b) ferns; (c) bulbous plants, e.g. *Agapanthus*, *Brunswigia* (candelabra plant) and *Zantedeschia* (arum lily); (d) orchids; and (e) miscellaneous plants such as aloes, waterlilies and Barberton daisies.

SEVENTH SCHEDULE

(Sections 18 & 19)

SWAZILAND

MINISTRY OF AGRICULTURE — MBABANE, SWAZILAND

PHYTOSANITARY CERTIFICATE No.

CERTIFICAT PHYTOSANI TAIRE

PFLANZENSCHUTZZEUGNIS

In terms of The Plant Control Act, (1981),

This is to certify that the plants, part of plants or plant products described below, or representative samples of them were thoroughly examined on.....by an authorized officer or representative of the MINISTRY OF AGRICULTURE and were found to the best of his knowledge to be substantially free from injurious diseases and pests; and that the consignment is believed to conform with the current phytosanitary regulations of the importing country both as stated in the additional declaration hereon and otherwise.

Il est certifié que les végétaux, parties de végétaux ou produits végétaux décrits ci-dessous ont été minutieusement examinés en totalité ou sur échantillon représentatif. le.....par agent/représentatif autorisé du MINISTÈRE DE L'AGRICULTURE et sont, à sa connaissance, jugés pratiquement indemnes d'ennemis et maladies dangereux pour les cultures; et que l'envoi est estimé conforme aux réglementations phytosanitaires actuellement en vigueur dans le pays importateur, ainsi qu'il est spécifié dans la déclaration supplémentaire ci-après ou par ailleurs.

Hiermit wird bestätigt, dass die unten beschriebenen Pflanzen oder, — teile, — erzeugnisse, oder repräsentative Muster davon, eingehend untersucht wurden am von.....zuständiger Beamte/repräsentative und nach seinem besten Wissen praktisch frei von gefährlichen Pflanzenkrankheiten und — schädlingen befunden wurden; und dass die Sendung den derzeit geltenden phytosanitären Bestimmungen des importierenden Landes, gemäss der unter oder an anderer Stelle angeführten zusätzlichen Erklärungen, entspricht.

Additional Declaration

Déclaration Supplémentaire

Zusätzliche Erklärungen.

(a) Fruits free from/Les fruits sont exempts du/Früchte sind frei von/*Ceratitis capitata*, *Quadraspidiotus perniciosus*/*Nipaecoccus nipae*, *Pseudococcus obscurus* & *Parlatoria zizyphi*.

(b) *Dacus dorsalis*, & *Pseudococcus comstocki* are not known to occur in Swaziland/ à notre connaissance ne se trouvent pas en Swaziland/kommen nach bestem Wissen nicht in Swaziland vor.

©The E.E.C. plant protection regulations have been observed /Die E.E.C.

Pflanzenschutz

Vorschriften sind beachtet.

(d) DESCRIPTION OF CONSIGNMENT/DESCRIPTION DE L'ENVOI/BESCHREIBUNG DER SENDUNG

Name and address of exporter

Nom, prénom et adresse de l'expéditeur

Name und Anschrift des Absenders.....

Name and address of consignee

Nom, prénom et adresse du destinataire

Name und Anschrift des Empfängers

Number and description of packages

Nombre et nature des colis

Anzahl und Art der Packstücke.....

Distinguishing marks

Marque des colis

Meichen der Packstücke

Origin

Lieu de culture

Herkunft..

Means of transport

Port of entry

Moyen de transport

Point d'entree

Transportmittel..... Einlass-stelle

Quantity and name of produce

Contenu de l'envoi

SpezifizierteInhaltsangabe

Date of fumigation or disinfection

Treatment

Fumigation ou disinfection date

Traitment

Datum Begasung oder Desinfektion... Behandlung.....

Duration of exposure

Chemical and concentration

Duree du traitement

Produit chimique utilise et concentration

Dauer der Behandlung Mittel und Konzentration

Notes.

Authorised Officer/Representative

The validity of this permit expires on.....

NB. It is an offence to export indigenous plants without prior permission from the Swaziland National Trust Commission

Copies to: — (1) Director of Agriculture

(2) Customs Officer

(3) Swaziland National Trust Commission

(4)

EIGHTH SCHEDULE

(Section 20, 21)

APPLICATION FOR LICENCE TO GROW AND EXPORT MUSHROOMS

Fee: E5

I the undersigned, do hereby apply to the Principal Secretary in terms of section 20(1) of the Plant

Control Act, 1981 for permission to grow and/or collect mushrooms for sale and/or export.

1. Name of Applicant in full

Nationality

2. Name of any agent acting for the applicant

1. Nationality.....

2. Full name, postal and residential address of the applicant

.....

3.

.....

I, the undersigned, being the applicant for the Licence above, do hereby swear that the services of a competent toxicologist have been obtained in certifying that these mushrooms are not poisonous or potentially hazardous or harmful.

Name of Applicant

Copies to: — (1) Director of Agriculture

(2) Malkerns Research Station

(NOTE: Ninth Schedule (Detailed specifications of imports) has not included in this document.)