



TURKS AND CAICOS ISLANDS

CHAPTER 10.04
PLANT PROTECTION ORDINANCE
and Subsidiary Legislation

Revised Edition
showing the law as at 31 August 2009

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Ordinance 1997.

This edition contains a consolidation of the following laws—

PLANT PROTECTION ORDINANCE

Ordinance 3 of 1920 .. in force 16 February 1921

Amended by Ordinances: 23 of 1968

3 of 1998 .. in force 3 April 1998

Page

3

PLANT PROTECTION ORDER – Section 3

Legal Notice 9/1996 .. in force 1 April 1996

7



TURKS AND CAICOS ISLANDS

CHAPTER 10.04
PLANT PROTECTION ORDINANCE
and Subsidiary Legislation

Revised Edition
showing the law as at 31 August 2009

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Ordinance 1997.

This edition contains a consolidation of the following laws—

PLANT PROTECTION ORDINANCE

Ordinance 3 of 1920 .. in force 16 February 1921

Amended by Ordinances: 23 of 1968

3 of 1998 .. in force 3 April 1998

PLANT PROTECTION ORDER – Section 3

Legal Notice 9/1996 .. in force 1 April 1996

Page

3

7

Published in 2011
On the authority and on behalf of the Government of the Turks and Caicos Islands
By
The Regional Law Revision Centre Inc.

Available for purchase from—

Attorney General's Chambers
Waterloo Plaza
Airport Road
Grand Turk
Turks and Caicos Islands
British West Indies

Tel: (649) 946-2096
Fax: (649) 946-1329
Email: attorneygeneral@tciway.tc

Printed on the authority and on behalf of the Government of the Turks and Caicos Islands
by
The Regional Law Revision Centre Inc.
P.O. Box 1626, Hannah-Waver House, The Valley, AI-2640, Anguilla
Authorised Printers for this Revised Edition

CHAPTER 10.04

PLANT PROTECTION ORDINANCE

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
 2. Definition
 3. Power of the Governor
 4. Rules
 5. Offences
 6. Proof as to importation to lie on accused
-

CHAPTER 10.04

PLANT PROTECTION ORDINANCE

(Ordinances 3 of 1920, 23 of 1968 and 3 of 1998)

Commencement

[16 February 1921]

Short title

1. This Ordinance may be cited as the Plant Protection Ordinance.

Definition

2. In this Ordinance the word “plants” includes growing plants, cuttings, buds and grafts, bulbs, roots, seeds and also fruits and vegetables.

Power of the Governor

3. The Governor may by Order—
 - (a) absolutely or conditionally prohibit the importation directly or indirectly from any country or place named in the Order of any plants, or any article packed therewith, or any package which in the opinion of the Governor is or is likely to be a means of introducing any plant disease into the Islands;
 - (b) from time to time, when deemed necessary, declare any district, place or area within the Islands to be infected or suspected to be infected with a plant disease and may amend or revoke any such

Order when such district, area or place is no longer suspected of being so infected;

- (c) prohibit for such time as may be named in the Order, or until a further Order is made, the importation of any plants, and the package and packing materials thereof, into the Islands or may restrict such importation to particular parts or places in the Islands.

Rules

4. (1) The Governor may make Rules for carrying into effect the provisions of this Ordinance.

(2) Without any derogation from the generality of the power conferred by subsection (1) of this section, such rules may provide for all or any of the following matters—

- (a) the importation, detention, examination, removal and treatment, before at or after importation or landing, of any plants or any articles packed therewith, or any packages to which this Ordinance applies;
- (b) the cleansing, disinfection, purification and treatment of the same;
- (c) the destruction of the same before, at or after the landing of the same if such destruction be necessary in the opinion of the Governor;
- (d) the provision of suitable apparatus for the cleansing, disinfection, purification and treatment of the same, and also of growing or other trees or plants in the Islands, and regulating the user thereof;
- (e) for preventing the outbreak or dissemination of diseases of trees or plants within the Islands;
- (f) for prescribing and regulating the destruction, removal, uprooting, disposal or treatment of plants and products infected with a plant disease within any district, area or place in the Islands declared to be an infected district, area or place under the provisions of this Ordinance;
- (g) for prescribing and regulating the cleansing and disinfecting of infected districts, areas or places or parts thereof;
- (h) for prescribing the period within which it shall not be lawful to plant or replant with any plant whatsoever, or with any particular kind of plant, the whole or any portion of an infected district, area or place;
- (i) for prohibiting or regulating the movement of persons, animals, earth, soil, dung, vegetables, products or other things into or out of a district, area or place, declared to be an infected district, area or place, or being suspected of being infected with a plant disease;

- (j) for the spraying or other treatment of growing or other trees or plants.

Offences

5. Any person who fails to comply with any requirement of this Ordinance, or of a rule or regulation made under this Ordinance, commits an offence and is liable on summary conviction to a fine of \$5,000. (*Amended by Ordinance 3 of 1998*)

Proof as to importation to lie on accused

6. In any prosecution under this Ordinance the proof that the importation of any plant or article as aforesaid is lawful shall lie on the party accused.
