

Commencement: 6 May 1966

**LAWS OF THE REPUBLIC OF VANUATU
REVISED EDITION 1988**

CHAPTER 44

PREVENTION OF SPREAD OF NOXIOUS WEEDS

JR 8 of 1966

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SECTION

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PREVENTION OF SPREAD OF NOXIOUS WEEDS

To prevent the spread of noxious weeds.

APPOINTMENT OF INSPECTORS

1. There shall be appointed in the Agricultural Department inspectors for the purposes of this Act.

IMPORTATION OF NOXIOUS WEEDS PROHIBITED

2. Except with the written consent of the Director of Agriculture no person shall import into Vanuatu any noxious weed or shall propagate, sow, sell or distribute, or cause to be propagated, sown, sold or distributed, any such weed.

RIGHT OF ENTRY

3. (1) An inspector may between sunrise and sunset, enter any property other than a building, and inspect it for the presence of declared noxious weeds or to ascertain whether there has been compliance with the requirements of this Act.

(2) It shall be the duty of every occupier of land to conduct the inspector on request on such land.

LIMITATION ON RIGHT OF ENTRY

4. The right of entry conferred by section 3, shall only be exercised after due notice of the intention to do so has been given to the occupier of the land intended to be entered.

DECLARATION OF NOXIOUS WEEDS

5. The plants, particulars of which are set out in the first part of Schedule 1, are declared to be noxious weeds throughout Vanuatu.

AREAS TO BE KEPT FREE FROM NOXIOUS WEEDS

6. The occupier of land in any of the areas shown in column 1 of Schedule 2, shall keep such land entirely free from the noxious weed shown against that Island or area in column 2 of the said Schedule.

ERADICATION OF WEEDS

7. The occupier of land in any of the areas shown in column 1 of Schedule 3 shall, with respect to the noxious weed shown against such area in column 2 of the said Schedule, take such measures to eradicate or control such weed as the Director of Agriculture may, by notice in writing, in the form set out in Schedule 4, direct the occupier.

DIRECTOR OF AGRICULTURE MAY ISSUE INSTRUCTIONS

8. The Director of Agriculture may, by notice issue directions as to the measures to be taken in order to eradicate or control any weed, and every occupier of land in the area or areas specified in such notice shall carry out such directions within the period specified in the said notice.

OFFENCES AND PENALTIES

9. Any person failing to comply with the provisions of this Act shall be guilty of an offence and on conviction thereof shall be liable to a fine of VT50,000 and shall not be relieved, on conviction of such an offence of the obligation to comply with such provisions or with the requirements of any notice made under the provisions of this Act.

POWER OF DIRECTOR OF AGRICULTURE TO CONTROL WEEDS

10. Without prejudice to the provisions of section 9, if any person fails within a reasonable time to comply with the provisions of sections 5 and 6 or with a notice issued under section 7, the Director of Agriculture may take such steps as are necessary to control or eradicate any noxious weed at the cost of that person and any expenses lawfully incurred by him in so doing may be recovered as a civil debt.

SCHEDULE 1

(section 5)

DECLARED NOXIOUS WEEDS

Acacia famesiana Wild	Ellington Curse
Eichhomia crassipes Solms	Water Hyacinth
Elephantopus mollis H.B.K. and E. spicatus	Tobacco Weed and False Tobacco Weed
Clidemia Hirta (L) D. Don	Koster's Curse
Hyptis pectinate (L) Poit	Mint Weed
Opuntia (all species)	Prickly Pear
Sida acuta Burm. f.	Broom Weed
Solanum torvum Swartz	Wild Aubergine
Sorghum helepense (L) Pers	Johnson Grass
Urena lobata (L)	Hibiscus burr
Xanthium pungens Wallr	Noogoora burr
Psidium guajava (L)	Guava
Cyperus aromaticus (Ridl)	Navua Sedge
Mattf and Kukenth	Navua Sedge

Lantana camera (L)	Lantana
Asclepias curassavica (L)	Herbe A gendarme
Cassia tora (L)	Wild Peanut
Cuscuta australis R. Br	Dodder
Rivina Humilis (L)	Coral Berry

SCHEDULE 2

(section 6)

AREAS TO BE KEPT FREE FROM NOXIOUS WEEDS

Noxious Weeds

The whole group	Acacia farnesiana
The whole group	Eichhornia crassipes
The whole group	Elephantopus mollis E. spicatus
The whole group	Clidemia hirta
The whole group	Hyptis pectinata
The whole group	Opuntia sp.
The whole group	Urena lobata
The whole group	Xanthium pungens
The whole group except Efate	Cyperus aromaticus
The whole group except Efate and S. Santo	Asclepias curassavica
The whole group	Cuscuta australis

SCHEDULE 3

(section 7)

Areas in which measures must be taken in accordance with notice to owners and occupiers given by the Director of Agriculture.

Areas

Noxious Weeds

Efate	Cyperus aromaticus
Efate and Espiritu Santo	Sorghum halepense
Efate, Espiritu Santo, Malekula, Tanna	Psidium guajava
Efate, Espiritu Santo, Malekula	Lantana camera
Efate and South Espiritu Santo	Aselepias curassavica

Efate and Espiritu Santo Cassia tora
Efate, Espiritu Santo, Malekula, Tanna Solanum torvum
Efate, Espiritu Santo, Tanna, Malekula Sida acuta
Efate, Espiritu Santo, Malekula Rivina humilis

SCHEDULE 4

(section 7)

NOTICE OF ERADICATION OR CONTROL OF WEEDS

Prevention of Spread of Noxious Weeds Act, Cap. 44

To: (address and occupation).

Take Notice that, in respect of land owned or occupied by you and hereunder described, you are hereby required to comply with the requirements mentioned below; and I hereby call on you to commence the necessary work within days from the date of this notice, and thereafter to continue the work until the said requirements are effectively complied with, being not later than the day of 19

Name of land Area

Noxious Weeds

Control Measures:
.....

Dated this day of 19

..... (Inspector)
