

Draft
[Guyana]

PLANT PROTECTION REGULATIONS

Rev II

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[Guyana]

PLANT PROTECTION REGULATIONS

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PLANT PROTECTION REGULATIONS

[GUYANA]

STATUTORY INSTRUMENT, 2011, No.

Commencement

In exercise of the power conferred by **section 33** of the Plant Protection Act 2011 the Minister responsible for Agriculture on the advice of the National Agricultural Research & Extension Institute makes the following Regulations:

1. Citation

These Regulations may be cited as the Plant Protection Regulations, 2011.

2. Interpretation

(1) In these Regulations:

“**Act**” means the Plant Protection Act 2011;

“**Commodity**” means a type of plant, plant product, or regulated article that is being moved for trade or other purposes ;

“**fees**” means the fees payable under schedule 13 and **regulation 14 of the Plant Protection Regulations 2011**;

“**permit**” means a permit granted under **section 8 (1)(a)** of the Act;

“**pest**” means any specie, strain or biotype of a plant, animal or pathogenic agent injurious to a plant or plant product;

“**plant**” includes a seed, germplasm and part of a plant;

3. Quarantine pests

The pests listed in **Schedule 1** are declared to be quarantine pests for the purposes of the Act.

4. Regulated non-quarantine pests

The pests listed in **Schedule 2** are declared to be regulated non-quarantine pests for the purposes of the Act.

5. Commodities and their import requirements

The commodities listed in the first Column of **Schedule 3** shall be subject to the import requirements listed in the second column of that Schedule.

6. Ports of entry

The ports listed in **Schedule 4** are designated as prescribed ports of entry for a plant, plant product and regulated article for plant quarantine purposes and plant inspection services shall be provided at these ports during regular business hours.

7. Pest free area and area of low pest prevalence

The areas listed in **Schedule 5** are designated as pest free areas or areas of low pest prevalence for the purposes of the Act.

8. Application to import

An application for a permit to import any plant, plant product or regulated article must be made in the form set out in **Schedule 6**, four weeks in advance of the importation.

9. Import permits

An import permit shall be issued by the NPPO in the form set out in **Schedule 7**.

10. Phytosanitary certificates

A Phytosanitary certificate shall be issued by the NPPO for:

- (a) export of a plant or plant product or regulated article, in the form set out in **Schedule 8**;
- (b) re-export of a plant or plant product or regulated article, in the form set out in **Schedule 9**.

11. Application for Inspection

An application for inspection of agricultural commodities/ regulated articles shall be in the form set out in **Schedule 10**.

12. Notification from Customs Officers

Customs Officials shall notify the Institute promptly upon the arrival of any plant, plant product or other regulated article in Guyana, in the form set out in **Schedule 11 as stipulated in Section 10 (2) (a) of the Plant Protection Act 2011**.

13. Costing methods for treatment or destruction of plants, plant products or regulated articles

The costing methods for the treatment or destruction of a plant, plant product or regulated article shall be as stipulated in **Schedule 12**.

14. Fees

- (1) The fees set out in **Schedule 13** are payable on receipt of an invoice from the NPPO.
- (2) [Officials or agents of the NPPO] engaged in duties at a port of entry or export shall be paid for overtime service at the rates set out in **Schedule 13(I)**.

15. Declaration to be signed by captain

A declaration to be signed by a captain shall be in the form set out in **Schedule 14**.

16. Detention Certificate

A detention certificate issued under **section 11(3) (a)** of the Act must be in the form set out in **Schedule 15**.

17. Confiscation Certificate

A confiscation certificate issued under **section 11 (3) (d)** of the Act must be in the form set out in **Schedule 16**.

18. Notice to offender

- (1) The offences listed in the first column of **Schedule 17** are prescribed offences for the purposes of **section 23** of the Act.
- (2) For the offences listed in the first column of **Schedule 17** the corresponding fixed penalties in the third column of that Schedule shall be paid to an Inspector pursuant to **section 28** of the Act.
- (3) A notice served under **section 28** of the Act must be in the form set out in **Schedule 17**.

19. Plant protection identification

In carrying out [his or her] duties under the Act, an inspector shall wear an identification card in the form set out in **Schedule 18**.

20. Requirements for Port facilities are set out in Schedule 19.

Made,.....this day of ,.....2011.

.....
Minister of Agriculture

SCHEDULE 1

(Regulation 3)

Quarantine Pests of Guyana

Scientific Name	Common name	Pest type
<u>A</u>		
<i>Acarapis woodi</i> (Rennie)	Honey bee trachea mite	Mite
<i>Achatina fulica</i>	Giant African Snail	Mollusc
<i>Acidovorax anthurii</i> (<i>Pseudomonas</i> sp.)	Anthurium leaf spot	Bacterium
ACMV		
<i>Acromyrmex octospinosus</i>	Leaf-cutting ant	Insect
<i>Aethina tumida</i> (Murray)	Small hive beetle	Insect
<i>Aleurodicus dispersus</i>	Spiralling whitefly	Insect
<i>Anastrepha ludens</i>	Mexican fruit fly	Insect
<i>Anastrepha suspense</i> (Loew)	Caribbean fruit fly	Insect
ASBVd viriod	Avocado Sun blotch disease	Viriod
<u>B</u>		
<i>Bactrocera carambolae</i>	Carambola fruit fly	Insect
<i>Bactrocera dorsalis</i>	Oriental fruit fly	Insect
<i>Belonalaimus longicaudatus</i>	Sting nematode	Nematode
<u>C</u>		
<i>Ceratitis capitata</i>	Mediterranean fruit fly	Insect
<i>Ceratitis cosyra</i>	Mango fruit fly	Insect
<i>Ceratitis</i> spp.	Fruit fly	Insect
<u>D</u>		
<i>Ditylenchus dipsaci</i> (Kuhn)	Stem and bilb nematode	Nematode
<u>E</u>		
<i>Eichhornia crassipes</i> (Mart.)	Water Hyacinth	Plant
<u>F</u>		
<u>G</u>		
Gemini virus complex	Tomato Yellow leaf curl virus	virus
<i>Globodera rostociensis</i> (<i>Globodera pallida</i>)	Potato Cyst/Golden nematode of Potato	nematode
<u>H</u>		
<i>Heilipus lauri</i> (Woodruff)	Avocado seed weevil	Insect
<i>Hemileia vastrix</i>	Coffee rust	Fungus
<i>Hypothenemus hampei</i>	Coffee berry borer	Insect
<i>Hypsipyla grandella</i> (Zeller)	Mahogany shoot borer	Insect
<u>I</u>		
<u>J</u>		
<u>K</u>		
<u>L</u>		

Scientific Name	Common name	Pest type
Lethal Yellowing Disease	Lethal Yellowing of coconut	Phytoplasma
Liberobacter asiaticus, africanus	Huanglongbing/ Citrus dieback/citrus greening	Proteobacterium
<u>M</u>		
Maconellicoccus hirsutus	Pink Hibiscus Mealy bug	Insect
Mycosphaerella fijiensis	Black sigatoka	Fungus
<u>N</u>		
<u>O</u>		
Ovalamus fulgens	Jumping snail	Mollusc
<u>P</u>		
Prodiplosis longifila (Gagne)	Citrus gall midge	Insect
PRSV	Papaya distorted ring spot virus	Virus (Potyvirus)
<u>Q</u>		
<u>R</u>		
<u>S</u>		
Solenopsis invicta (Buren)	Red imported fire ant	Insect
Stenoma catenifer (Walsh)	Avocado moth	Insect
Sternochetus mangiferae (Fabricius)	Mango seed weevil	Insect
Striga asiatica (L) Kuntze	Witchweed	Plant
Synchytrium endobioticum	Black Wart of potato	Fungus
<u>T</u>		
Toxotrypana spp.	Fruit fly	Insect
Trogoderma granarium (Everts)	Khapra beetle	Insect
<u>U</u>		
<u>V</u>		
Varroa destructor (Anderson & Trueman)	Varroa mite	Mite
Varroa jacobsonii (Oudemans)	Varroa mite	Mite
<u>W</u>		
<u>X</u>		
Xanthomonas axonopodis pv.citri	Citrus canker	Bacterium
Xanthomonas axonopodis pv.manihotis	Bacterium blight	Bacterium
<u>Y</u>		
Yam mosaic	Yam mosaic virus	Virus (Potyvirus)
<u>Z</u>		

SCHEDULE 3

(Regulation 5)

Commodities and their Import Requirements

Commodities	Import Requirements
(a) Any planting material, plant cutting, live plant, cut flowers and ornamental, other unprocessed plant product or regulated articles under the Act.	<ol style="list-style-type: none">1. Import Permit from Guyana to be obtained prior to placement of order and presentation of permit to exporter on ordering of consignment.2. Phytosanitary certificate from exporting country to accompany shipment.3. Quarantine Inspector to inspect consignment before shipment can be released.4. Chemical or other treatment as required and stipulated on Import Permit.5. Freedom from soil.6. Import Permit to be obtained for each individual consignment.7. Payment of relevant prescribed fee
(b) Any plant, plant product and regulated article not previously imported or not imported for a period exceeding [two] years.	Pest Risk Assessment to be carried out by risk assessment team prior to issuance of import permit.
(c) Any plant product not otherwise specified.	Clearance from Crop Protection Advisory Committee

SCHEDULE 4

[Regulation 6]

Prescribed Ports of Entry for a Plant, Plant Product and Regulated Article

Airport

1. Cheddi Jagan International Airport (CJIA), Timehri
2. Ogle International Airport, Ogle.

Seaport

1. Georgetown Sea Ports

Other

1. Moleson Creek Ferry Crossing,
2. Charity
3. Lethem Border Crossing

SCHEDULE 5

(Regulation 7)

Pest Free Areas and Areas of Low Pest Prevalence

Pest	Pest Free Areas and Areas of Low Pest Prevalence
Carambola Fruit fly	Region # 5, 9 (Central Lethem),
Mediterranean fruit fly	Entire country
Anastrepha suspense	
Mexican fruit fly	Entire country
Melon fruit fly	Entire country
Black Sigatoka	
Citrus canker	Entire country
Coffee berry borer	Entire country
Coffee rust	Entire country
Mango seed weevil	Entire country
Lethal yellowing	
Pink Hibiscus Mealybug	Entire country
Papaya Mealybug	Entire country

SCHEDULE 7

(Regulation 9)

Import Permit

ORIGINAL

	<p>COOPERATIVE REPUBLIC OF GUYANA NATIONAL AGRICULTURAL RESEARCH & EXTENSION INSTITUTE NATIONAL PLANT PROTECTION ORGANISATION</p> <p>Phytosanitary Import Permit <i>(Section 8 of the Plant Protection Act 2011)</i></p> <p>Date _____</p>	
Email: nppogy@gmail.com		PC# _____
Name and Address of Importer		Name and Address of Exporter
Country of Origin	Port-of-entry	Means of transportation
Quantities	Description of products (Scientific and Common names)	Units
Conditions to be met prior importation of plant material <ol style="list-style-type: none"> a. Consignment shall be free of soil, trash, organic matter and pests of quarantine importance. b. Consignment shall be treated (sprayed, dipped or dusted) before shipping, with a fungicide, insecticide and or nematicide. c. A valid Phytosanitary certificate must accompany the consignment. d. The consignment shall be subject to inspection by a Plant Quarantine Officer and released if found to conform with the Phytosanitary requirements. e. A certificate of origin, which clearly states where the consignment was produced, must accompany the consignment. f. Entry may be refused if any of the above conditions are not observed. g. Peat and perlite mixture should be sterilized. h. Others _____ 		
Place of issue	Official use only	
Expired date	Importation Permission Yes No.....	
Issued by: - _____ Chief Plant Protection Officer	Quarantine Inspector's name: _____ Official stamp	

SCHEDULE 8

(Regulation 10)

Phytosanitary Certificate
(For Export)

ORIGINAL

COOPERATIVE REPUBLIC OF GUYANA
NATIONAL AGRICULTURAL RESEARCH & EXTENSION INSTITUTE
NATIONAL PLANT PROTECTION ORGANISATION

PHYTOSANITARY CERTIFICATE

No.

Plant protection organization of GUYANA
To: Plant Protection Organization of _____

I. Description of Consignment

Name and Address of Exporter _____

Declared name and Address of Consignee _____

Number and description of Packages: _____

Distinguishing marks: _____

Place of Origin: _____

Declared point of entry: _____

Declared means of conveyance: _____

Commodity	Quantity	Commodity	Quantity

Botanical name of plants: _____

This is to certify that the plants, plant products or other regulated articles described herein have been inspected and /or tested according to appropriate official procedures and are considered to be free from the quarantine pests specified by the importing contracting party and to conform with the current Phytosanitary requirements of the importing contracting party, including those for regulated non-quarantine pests.

Signature of Officer: _____

I. Additional declaration _____

II. Disinfestations and /or disinfection treatment

Date: _____ Treatment _____ Chemical _____

Duration of treatment _____

Concentration: _____

Additional information: _____

Place of issue: _____

Name of authorized officer: _____

Date: _____

Stamp of Organization

No financial liability with respect to this certificate shall be attached to the National Plant Protection Organization or any of its officers or representatives.

SCHEDULE 9

(Regulation 10)

Phytosanitary Certificate for Re-Export

COOPERATIVE REPUBLIC OF GUYANA
NATIONAL AGRICULTURAL RESEARCH & EXTENSION INSTITUTE
NATIONAL PLANT PROTECTION ORGANISATION

RE-EXPORT PHYTOSANITARY CERTIFICATE

No.

Plant Protection Organization of GUYANA

To: Plant Protection Organization of _____

1. Description of Consignment

Name and address of exporter _____

Declared name and address of consignee _____

Number and description of packages _____

Distinguishing marks _____

Place of Origin _____

Declared means of conveyance _____

Declared point of entry _____

Name of produce and quantity declared: _____

Botanical name of plants _____

This is to certify that the plants, plant products or other regulated article described above were imported into Guyana from _____ covered by Phytosanitary Certificate No. _____ original certified true copy of which is attached to this certificate, that they are packed packed i riginal new containers, that based on the original Phytosanitary Certificate and additional inspection they are considered to conform with the current Phytosanitary requirements of the importing contracting party, and that during storage in Guyana, the consignment has not been subjected to the risk of infestation or infection.

Insert tick in appropriate boxes.

Additional declaration: _____

Disinfestation and disinfection Treatment

Date: _____ Treatment _____ Chemical _____

Duration of temperature _____

Concentration _____

Additional information _____

Place of issue _____

Name of authorized officer _____

Date _____ Signature _____

Stamp of Organization

No financial liability with respect to this certificate shall be attached to National Plant Protection Organization, Guyana, or any of its officers or representatives.

SCHEDULE 10

(Regulation 11)

Application for Inspection

National Agricultural Research & Extension Institute (NAREI)
National Plant Protection Organization (NPPO)
GUYANA

Application for Import Inspection

DATE:

DESCRIPTION OF OPERATOR		
IMPORTER REGISTRATION NUMBER (*)		
(*) IF YOU DO NOT HAVE A VALID REGISTRATION NUMBER, PLEASE FILL FORM PQ 2.02/6/05		
IMPORTER NAME		
IMPORTER ADDRESS		
IMPORTER PHONE #		
IMPORTER FAX #		
IMPORTER E-MAIL		
CONSIGNMENT DESCRIPTION		
Country of Origin		
REMARKS:		
IMPORT PERMIT NUMBER		
CROP COMMODITY DESCRIPTION		
COMMON NAME	SCIENTIFIC NAME	QUANTITY (UNITS)
INTENDED USE <input type="checkbox"/> CONSUMPTION/TRANSFORMATION		
<input type="checkbox"/> PROPAGATION/REPRODUCTION		
TRANSGENIC ORIGIN <input type="checkbox"/> YES <input type="checkbox"/> NO		
LOCATION OF GOODS FOR INSPECTION		
DATE AND TIME REQUESTED FOR INSPECTION		
MEANS OF CONVEYANCE		

SCHEDULE 11

(Regulation 12)

Notification from Customs upon arrival of Cargo

Guyana Revenue Authority
Customs and Trade Administration

.....20.....

Dear Sir/Madam,

Please be advised that the under-mentioned cargo has arrived from

.....for local consumption on board the

MV.....on20.....

.....now berthed at.....wharf.

Submitted for your necessary attention please.

Yours faithfully,

.....

Commissioner General

SCHEDULE 12

(Regulation 13)

**Costing Methods for Treatment or Destruction of a Plant,
Plant Product or Regulated Article**

SCHEDULE 13

(Regulation 14)

Fees

*Export
certification*

1. (1) All exports which require certification shall be inspected by the designated officer prior to the issuance of a Phytosanitary Certificate.
- (2) Every exporter of a commercial commodity or his authorized agent shall ensure that all necessary information including phytosanitary requirements of the importing country, are presented to the designated officer not less than seventy-two (72) hours prior to the inspection date.
- (3) Every exporter of a commercial commodity or product, or his authorized agent, shall pay to the Institute the following fees for the issuance of a Phytosanitary Certificate for such commodity as prescribed in Schedule 13 (A).
- (4) All fees payable under this Regulation shall be borne by the exporter and paid to the designated officer upon completion of the inspection or to the Institute at any of their offices throughout the country of Guyana.
- (5) A Phytosanitary Certificate will be issued if the commodities for exports meet the requirements of the importing country.
- (6) Where there are no provisions for the issuance of Phytosanitary Certificates this Regulation shall apply
- (7) A fee of \$50 per mile shall be paid to the Institute for field inspections in respect of the issuance of the certificates referred to in this Regulation.
- (8) The fees to be paid for the inspection of packing facility services shall be as prescribed in Schedule I3 (B).
- (9) Fees for sampling and testing shall be as prescribed in Schedule I3 (H).
- (10) All exporters required to sign a compliance agreement, shall pay to the Institute an administrative fee of Ten Thousand dollars (GY \$10,000.) per agreement. It shall be compulsory to renew the compliance agreement every year.

	<p>(12) All fees payable under this Regulation shall be paid immediately to the Quarantine Inspector or to the Institute or any of their offices throughout the country of Guyana upon completion of the inspection or the issuance of the relevant certificate, as the case may be.</p>
<p><i>Registration of Plant Nurseries</i></p>	<p>2. (1) All persons desirous of establishing a Plant nursery for carrying out the business of operating and managing a plant nursery shall be registered by the Institute.</p> <p>(2) fees associated with the registration of nurseries with the Institute shall be as prescribed in Schedule I3 (F).</p>
<p><i>Boarding etc., of vessels</i></p>	<p>3. (1) Every shipping agent, owner of a vessel, and any owner of a private marina or his authorized agent shall inform a Quarantine Inspector of scheduled arrivals of vessels coming from international ports within twenty-four hours prior to the scheduled arrival of such vessels.</p> <p>(2) No permission to land shall be granted unless a ship inspection has been conducted by a designated officer and his findings indicate full compliance with the Phytosanitary regulations of Guyana.</p> <p>(3) Every owner of a vessel, or his authorized agent, shall pay to the Institute, the following fees for boarding and quarantine inspection of the vessel as prescribed in Schedule I3 (C):</p> <p>(4) The owner of a vessel with a Guyana based agent shall make payments to the nearest office of the Institute on a bi-weekly basis.</p> <p>(5)The owner or captain of a vessel without a Guyana based agent shall make payments directly to the designated officer conducting the quarantine inspection.</p> <p>(6) The owner or captain of a vessel, or his authorized agent, shall pay the certified transportation expenses of the designated officer, in the case of payments made under sub-regulation (3) and such expenses shall run from the time the designated officer leaves his station to the time he returns to his station.</p>

	<p>(7). The inspection fees referred to in sub-regulation (3) shall run from the time the designated officer leaves his station until the time he returns to his station.</p>
<p><i>Boarding etc., of aircraft</i></p>	<p>4. (1) Every airline representative, owner of an aircraft, and private dispatching agent shall inform designated officer of scheduled arrivals of aircrafts at the international airport within twenty-four hours prior to the scheduled arrival.</p> <p>(2) Every airline representative, owner of an air- craft, or his authorized agent, shall pay to the Institute, the following fees for boarding and quarantine inspection of his aircraft as prescribed in Schedule I3 (D).</p> <p>(3) The airline representative or owner of the aircraft, or his authorized agent, shall pay the certified transportation expenses of the designated officer, in the case of payments made under sub-regulation (2).</p> <p>(4) The inspection fees referred to in sub-regulation (2) shall run from the time the designated officer leaves his station until the time he returns to his station.</p> <p>(5)Where an inspection has to be conducted outside of normal working hours, the owner of the aircraft or his agent shall pay to the Institute the fees associated with the inspection of the aircraft including an overtime rate of \$3,500 per hour.</p> <p>(6) The owner of an aircraft with a Guyana based agent shall make payments to the nearest office of the Institute on a bi-weekly basis.</p> <p>(7) The owner or pilot of an aircraft without a Guyana based agent shall make payments directly to the designated officer conducting the quarantine inspection.</p>
<p>Import Permit</p>	<p>5. (1) Any person desiring to import any commodity or product into Guyana shall apply for an import permit for such commodity or product.</p> <p>(2) Any person desiring to import any commodity or product into Guyana shall pay to the Institute the following administrative fees as prescribed in Schedule I3 (E).</p>
<p><i>Import Risk</i></p>	<p>6. (1) If -</p>

<p><i>Analysis</i></p>	<p>(a) a commodity has never been previously imported into Guyana;</p> <p>(b) a commodity or product originates from a country or region not previously approved;</p> <p>(c) a commodity or product originates, comes from or passes through a country or region whose health status changes or is not known by the Institute;</p> <p>(d) there is new information on a particular pest or disease; or</p> <p>(e) it is required that a country or region provides evidence that an export commodity does not present threat or risk to Guyana, then an import risk analysis shall be conducted.</p> <p>(2) Every import risk analysis conducted under sub-regulation (1) shall incur a fee of \$60,000 of which \$45,000 shall be paid to the Institute immediately upon application and the remaining balance shall be paid to the Institute upon completion of the import risk analysis.</p>
<p><i>Inspection of imported commodities, etc</i></p>	<p>7. (1) Every imported commodity or product shall be inspected by a designated officer to determine if a landing permit, shall be issued for such commodity or product. The cost of the inspection and phytosanitary measure required subsequent to the inspection shall be borne by the importer.</p> <p>(2) The importer of a commodity or product referred to in sub-regulation (1) shall pay to the Institute, fees for quarantine inspection as prescribed in Schedule I3(G):</p> <p>(3) Where a landing permit is not issued for a commodity or product under sub-regulation (2) above, such commodity or product shall be confiscated, destroyed or returned to the country of origin at the owner's expense, by the Institute.</p> <p>(4) A non-governmental organization or statutory body importing a commodity or product referred to in sub-regulation (2) for non-commercial purposes may apply to the Chief Executive Officer for a waiver of the fees prescribed in sub-regulation (2) above.</p>

<p><i>In transit commodities</i></p>	<p>8. (1) Every commodity or product which is in transit through Guyana shall require an import permit.</p> <p>(2) The owner of such commodity or product or his authorized agent, shall pay to the Institute the fees for quarantine inspection prescribed in Regulation 7.</p> <p>(3) The fees prescribed by sub-regulation (2) shall be paid promptly to the Institute before the inspection.</p> <p>(4) Every owner of a commodity or product referred to in sub-regulation (1) or his authorized agent, shall pay any other expenses of the designated officer incurred in carrying out his duties under this Regulation.</p> <p>(5) The expression "other expenses" referred to in sub-regulation (4) includes transportation, overtime, subsistence and accommodation expenses incurred by the designated officer during the process of traveling from the point of entry to the point of departure in Guyana, including the commercial free zones, of the commodity or product.</p>
<p><i>Out of port inspections</i></p>	<p>9. (1) Every container or vessel, carrying any commodity or product which inspections requires quarantine inspection at a private warehouse or storage facility and for which Customs entry forms have been stamped "VISUAL INSPECTION REQUIRED" shall not be allowed to leave any air, sea or land port unless accompanied by a Container Application Form from the Institute and a designated officer.</p> <p>(2) The importer of a commodity or product referred to in sub-regulation (1) above, or his authorized agent, shall pay to the Institute a fee of 2,000 (GY\$.) per hour for the inspection of such commodity or product, plus the certified transportation expenses of the designated officer.</p> <p>(3) fees associated with the observation and maintenance of plants held at the Quarantine facility of the Institute shall be as prescribed in Schedule I3 (F).</p> <p>(4) any additional fees incurred with the post entry quarantine of such</p>

	<p>commodities shall be paid by the owner or his authorized agent to the Institute upon receipt of an official bill.</p>
<p><i>Quarantine treatment</i></p>	<p>10. (1) Every owner of a vehicle or vessel, or his authorized agent, entering at any port of entry shall, due to the risk of disease or pest infestation, submit to quarantine treatment as prescribed in regulations made therefore.</p> <p>(2) Where the owner of a vehicle or vessel or his authorized agent fails to submit to quarantine treatment, under sub-regulation (1) above, he shall be refused entry into Guyana.</p>
<p><i>Quarantine inspection</i></p>	<p>11. (1) Every consignment entering at any port of entry shall be inspected by a designated officer and a Customs Official.</p> <p>(2) Every importer of a commodity or product who fails to submit to inspection under sub-regulation (1) above shall be liable to an administrative fine of \$20,000. (GY \$) payable to the Institute or a designated officer.</p>
<p><i>Inspection in Foreign Facilities</i></p>	<p>12. (1). Unless otherwise stated, it will be the responsibility of the exporter or importer to cover all certified costs associated with the inspection conducted in a foreign country. The costs shall include:</p> <p>(a) airfare and other certified travel costs (taxi to airport, airport taxes, visa, etc.) which may be incurred and are associated with the inspection. Tickets shall be sent to the Institute at least three (3) days prior to the intended departure of the designated officer(s);</p> <p>(b) all expenses within reasonable limits in respect of boarding and lodging are to be met;</p> <p>(c) a per diem US\$160 per day per officer;</p> <p>(d) the per diem shall be paid directly to the designated officers upon</p>

	<p>arrival at the country requesting the inspection.</p> <p>(2). A minimum administrative fee of one thousand dollars (US \$1000.00) shall be paid directly to the National Agricultural Research and Extension Institute not less than ten (10) working days prior to the intended departure from Guyana. An inspection which may result in a length of stay that exceeds a maximum of three (3) working days shall result in an additional administrative fee of one hundred dollars (US \$100.00) per day.</p> <p>(3). Payments shall be made to the Institute.</p> <p>(4). An official invoice will be sent to the Competent Authority or to the exporter indicating the description of the services offered, the rates charged and the amount due.</p> <p>(5). The Institute will verify payments and will issue an official receipt.</p>
<i>Incineration of pets, materials, etc</i>	13. The fee associated with the incineration of confiscated commodities, animals or other materials authorized by the Institute shall be \$100 per pound.
<i>Registration of importers, exporters</i>	14. It shall be mandatory that all exporters and importers register with the competent Institute.
<i>Contractual agreements</i>	15. The Institute may enter into contractual agreement with any government agency or private sector organization for the provision of technical consultancies in the area of agricultural health and food safety, and the fees to be paid by the Institute under such agreement shall be agreed between the parties.
<i>Miscellaneous</i>	16. A person may request the Institute to carry out any inspection or testing as prescribed in Schedule I3 (H) and shall pay the applicable fees as prescribed in that Schedule.
<i>Receipt</i>	17. An official receipt of the Institute shall be issued for any payment made under these Regulations.
<i>Administrative fines and penalties</i>	18. (1) Any passenger who makes a false declaration on a Customs Declaration Form, pertaining to the importation of plants, animals and their products and by-products, shall be liable to an administrative fine of \$10,000.

- (2) Where an importer of a regulated commodity or product fails to produce an import permit for such regulated commodity or products prescribed under Regulation 7, in the presence of supporting documents such as Phytosanitary Certificate and/or Certificate of Origin he shall be liable to an administrative penalty of \$20,000 per consignment in addition to an inspection fee as specified in regulation 9(2)
- (3) Where an importer of a regulated commodity or product fails to produce supporting documents in the presence of an import permit for such regulated commodity or product, such failure shall result in immediate detention of the commodity or product for inspection and the following administrative fines shall be imposed and paid before the commodity or product is released to the importer –
- (4) Where a person attempts to import a commodity or product without an original import permit and original supporting documents from a country or region whose pest **or** disease status is of importance to Guyana (as certified by the Institute), such commodity or product shall be detained and shall not be released unless original supporting documents in respect of such commodity or product are presented to the Quarantine Inspector.
- (5) Where, for some unknown reason, original copies cannot be produced as prescribed under sub-regulation (4) above, faxed copies from the Competent Authority of the importing country will be accepted by the Institute provided that such documents are faxed directly from the Competent Authority of the exporting country to the Institute. Faxed copies transmitted directly from the importers will not be accepted.
- (6) Where the documents presented under sub-regulation (4) or (5) are:
- (a) acceptable to the Institute, then the fee for the quarantine treatment as prescribed in regulations made therefore shall apply to the consignment; or
 - (b) unacceptable to the Institute, then the consignment shall-

	<p>{i) be refused entry into Guyana and sent back to the country of origin; Or</p> <p>(ii) confiscated and destroyed, at the expense of the owner or importer.</p> <p>(7) The Plant Pathology Laboratory based in Mon Repos hereby designated as the official laboratory for the purposes of these Regulations.</p> <p>(8) Any person who -</p> <p>(a) is found in illegal possession of any plant, plant product, plant by-product, biological or similar commodity ;</p> <p>(b) breaks a quarantine seal;</p> <p>(c) fails to inform a designated officer of scheduled arrivals of any conveyance coming from either an International port or airport within twenty-four hours prior to the scheduled arrival;</p> <p>(d) fails to allow the hoarding of any conveyance for inspection to be conducted by a designated officer of the Institute;</p> <p>(e) boards any conveyance without the presence of a designated officer;</p> <p>(f) imports into Guyana any other commodity or product</p> <p>(g) contravenes or fails to comply with any of the provisions of any import permit referred to in paragraph (d), commits an offence.</p> <p>(9) Every person who commits an offence under sub-regulation (8) shall be liable on summary conviction to a fine not less than \$100,000 but not exceeding \$300,000 or to a period of imprisonment not exceeding one years, or to both such fine and period of imprisonment.</p>
<p><i>Penalty for failure to declare regulated commodities, etc</i></p>	<p>19. Failure to declare any regulated commodity or product to a designated officer at a port of entry shall result in the confiscation of the commodity or product and the importer of the commodity or product shall be subject to a penalty as follows –</p> <p>(a) commercial - \$200,000</p>

	(b) non-commercial -\$50,000
<i>Repeal</i>	20. The Guyana (Inspection and Certification Fees Regulations, are repealed.

SCHEDULE 13 (A):

Fees for Phytosanitary Certificate

<u>Type of Commodity</u>	<u>Fee GY\$</u>
(a) non-commercial commodities or products (either for samples, personal use or in small quantities for research)	1,000
(b) commercial commodities or products amounting to less than a truck load or 20 feet container load	1,500
(c) commercial commodities or products amounting to more than a truck load or (per shipment) 20 feet container load.	10,000
(d) commercial commodities or products amounting to more than a truck load or 20 feet container load in one consignment where each container requires a phytosanitary certificate ;	
(i) for the first certificate	10,000
(ii) For every additional certificate in respect of the same consignment	5,000

SCHEDULE 13 (B):

Fees for Services rendered

<u>Services</u>	<u>Fee (per hour) GY \$</u>
(a) field inspection, during normal working hours	2,000
(b) field inspection, on holidays or after normal working hours	3,500
(c) inspection of plant or plant products, during normal working hours, of a consignment or export, not exceeding four (4) containers in number.	1,500
(d) inspection of plant and plant products, during normal working hours, of a consignment for export, which may amount to more than four (4) containers	2,000
(e) inspection of plant and plant products, irrespective of number of containers per consignment, after normal working hours	3,500

SCHEDULE 13 (C):

Fees for Inspection of Vessels

<u>Type of Vessel</u>	<u>Fee GY \$</u>
(a) Cruise ships and cargo	6,000 per hour
(b) Large yachts	5,000 per hour
(c) Small yachts	2,000
(d) Water taxis (arriving from international ports)	2,000

SCHEDULE 13 (D):

Fees for Inspection of Aircrafts

<u>Types of Aircraft</u>	<u>Fee GY\$</u>
(a) cargo aircraft (international flight)	10,000
(b) passenger aircraft (international flight) with a capacity of over fifty (50) passengers	5,000
(c) passenger aircraft (international flight) with a capacity less than fifty (50) passengers	3,000
(d) small, private and domestic aircraft arriving in Guyana from international airports or from a quarantine area	2,000
(e) local flights	1,000

SCHEDULE 13 (E):

Fees for Import Permits

<u>Types of Commodity</u>	<u>Fee (per application) GY\$</u>
(1) plants	2,000
(2) floral arrangements including wreaths on wooden frames	2,000
(3) cut flowers	2,000
(4) fertilizers	1,000
(5) other plant products	2,000
(7) spices	2,000

(8)	biological control agents	2,000
(9)	beneficial agents	2,000
(10)	any other	2,000

SCHEDULE 13(F):

Fees for Registration of Plant Nurseries

(1) registration of nurseries \$12,000 (GY\$) per nursery;

(2) plants held at the Quarantine facility in Central Farm:

- | | | |
|-------|----------------------------------|---------------------|
| (i) | seedling in trays | \$200 per tray/day; |
| (ii) | individual plants in bags or pot | \$100 per day; |
| (iii) | cuttings | \$100 per day; |

SCHEDULE 13(G):

Fees for Import Inspections

Weight or class of commodity

Fee GY \$

(a) plant, plant products:

- | | | |
|------|--|---------|
| (i) | consignment less than or equal to one truck load or 20 container | \$5,000 |
| (ii) | for any additional truck load or 20 foot container or its | \$2,500 |

	equivalent	
(iii)	for a 40 foot container or its equivalent	\$7,500
(iv)	for every additional 40 container or its equivalent	\$3,500
(b)	grains and meals by ship load	\$10 per ton
(c)	construction material	\$10 per ton
(d)	other commodities imported in consolidated consignments with a weight less than one thousand (1,000) pounds (inspection at port of entry)	\$5,000
(e)	other commodities imported in quantities with a weight less than one thousand (1,000) pounds (not consolidated consignment)	\$2,000
(f)	other commodities imported in consolidated consignments with a weight more than one thousand (1,000) pounds	\$5000 Plus 3000 per hour

SCHEDULE 13 (H):

Fees for Laboratory Tests

SCHEDULE 13 (I):


Overtime Service

Item	Nature of Service	Fee

SCHEDULE 14

(Regulation 15)

Declaration to be signed by Captain

DECLARATION OF CAPTAIN To: [Plant Quarantine Inspector] of Guyana		Date of Arrival <hr/> Port of Arrival
1. PARTICULARS OF VESSEL		
Type <input type="checkbox"/> airplane <input type="checkbox"/> seaplane <input type="checkbox"/> helicopter <input type="checkbox"/> Yacht <input type="checkbox"/> cruise ship <input type="checkbox"/> cargo vessel <input type="checkbox"/> Other (please specify).....	Name of Vessel <hr/> Port of Origin <hr/> Country of Origin	
Country of last stop	Port of last stop	
Port of Entry	Name of Carrier	
II. PARTICULARS OF REGULATED ITEMS		
Do you have items regulated by the Plant Protection Act 2011 and Regulations of 2011 <input type="checkbox"/> Yes (please see list below) <input type="checkbox"/> No		
Name of Consignee	Address of Consignee	
Regulated Item	Quantity	Country of Origin
Do you have garbage containing scraps or part or waste of agricultural items or other regulated items? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, indicate where the garbage is kept.....		
Name of Captain (please print) _____/_____/_____ Date: DD / MM / YY	Signature of Captain	

SCHEDULE 15

(Regulation 16)

Detention Certificate



COOPERATIVE REPUBLIC OF GUYANA
 NATIONAL AGRICULTURAL RESEARCH & EXTENSION INSTITUTE
 NATIONAL PLANT PROTECTION ORGANISATION



CERTIFICATE OF DETENTION

____/____/____
Date: DD / MM / YY

No. Gy.....

1. PARTICULARS OF CONSIGNMENT

Port of entry	Name of Carrier	
Arrival date	Airway Bill/ Bill of lading number	Container number

11. PARTICULARS OF CONSIGNEE & DETAINED ITEMS

Name of consignee	Address of consignee
-------------------	----------------------

Description of commodity	Quantity	Country of Origin	Grounds for Detention

Official Stamp

DECLARATION OF CONSIGNEE

I hereby understand and acknowledge that the detained goods listed above will be held untilto allow for the stated requirement to be met and that the detained items will be disposed of by the Plant Quarantine Inspector if I am in breach of the agreement.

.....
 Name of Consignee (please print)

.....
 Signature of Consignee

.....
 Name of Inspector

.....
 Signature of Inspector

SCHEDULE 16

(Regulation 17)

Confiscation Certificate



COOPERATIVE REPUBLIC OF GUYANA
NATIONAL AGRICULTURAL RESEARCH & EXTENSION INSTITUTE
NATIONAL PLANT PROTECTION ORGANISATION



CERTIFICATE OF CONFISCATION

____/____/____
Date: DD / MM / YY

No. Gy.....

1. PARTICULARS OF CONSIGNMENT

Port of Entry	Name of Carrier	
Arrival / Departure Date	Airway Bill/ Bill of Laden Number	Container Number

11. PARTICULARS OF CONSIGNEE & CONFISCATED ITEMS

Name and Address of consignee	Address and Address of Exporter
-------------------------------	---------------------------------

Description of commodity	Quantity	Country of Origin	Grounds for Detention

Official Stamp	Name of Inspector:.....
	Signature of Inspector:.....
	Place of Issue:.....
	Date :.....

SCHEDULE 17

(Regulation 18)

Notice to Offender

Plant Protection Act, 2011

NOTICE NUMBER:

TIME:

DATE:

DESCRIPTION OF IMPORT/ EXPORT COMMODITIES

PLACE:

NAME OF REGISTERED OWNER:

I, the undersigned Plant Protection Officer/Inspector, believe on reasonable grounds that

.....
Name of person/importer /exporter

has committed the following offence with the following fixed penalty:

No.	Prescribed offence	Section of Act	Fixed Penalty in Guyana Dollars	Tick
1	Growing, selling, offering for sale, transporting or distributing in any manner any plant, plant product or regulated article knowing that it is affected by a quarantine pest].	Section 23 (a)		<input type="checkbox"/>
2	imports any plants, plant products or other regulated articles at a point of entry not prescribed as a point of entry;	Section 23 (b)		<input type="checkbox"/>
3	imports any plants, plant products or other regulated articles contrary to any other prescribed requirement;	Section 23 (c)		<input type="checkbox"/>
4	intentionally permits or causes the introduction or spread of any regulated pest;	Section 23 (d)		<input type="checkbox"/>
5	exports any plants, plant products or regulated articles except in accordance with this Act;	Section 23 (e)		<input type="checkbox"/>
6	fails to safeguard the Phytosanitary security of a consignment after issuance of a Phytosanitary certificate under section 13(4)(a) or 14(8) or a re-export Phytosanitary certificate under section 14(4);	Section 23 (f)		<input type="checkbox"/>
7	fails to provide access, samples or information to an authorised officer upon request, or otherwise fails to comply with an order properly given under this Act;	Section 23 (g)		<input type="checkbox"/>
8	tampers with any samples taken under this Act;	Section 23 (h)		<input type="checkbox"/>
9	breaks any seal or alters any markings made by an authorised officer without permission;	Section 23 (i)		<input type="checkbox"/>
10	gives false information to an authorised officer;	Section 23 (j)		<input type="checkbox"/>
11	attempts to improperly influence an authorised officer in the exercise of official functions under this Act;	Section 23 (k)		<input type="checkbox"/>
12	assaults, resists, intimidates, threatens or obstructs any authorised officer exercising lawful powers under this Act;	Section 23 (l)		<input type="checkbox"/>
13	poses as an authorised officer; or	Section 23 (m)		<input type="checkbox"/>
14	alters, forges, defaces or destroys any document issued under this Act.	Section 23 (n)		<input type="checkbox"/>
15	Contravention of the Act. <i>Insert description of offence:</i>	Section 23		<input type="checkbox"/>

BACK OF THE NOTICE
PLEASE READ CAREFULLY

1. PAYMENT

You may plead guilty by delivering the ticket, along with the total amount of the fixed penalty for the offence set out in the notice, to the [District Court Office] specified below.

If you wish to pay the penalty, bring or mail this ticket, together with payment in the amount of the penalty, to the court at the address indicated below **prior to the Court date displayed on the back of this Notice.**

Payments by mail are to be by check or money order made payable to the [Accountant General]. **Do not send cash. Please print the Notice number on the front of the check or money order.**

2. PLEA OF NOT GUILTY

If you wish to plead not guilty, **you must notify** the court at the address and telephone number as shown below WITHIN 14 DAYS after being served with this Notice. When responding to this Notice, you may indicate that the attendance of the inspector who completed the Notice is required for the purpose of cross examination at trial. Check box for attendance of inspector:

3. FAILURE TO PAY

Consequent on your failure to pay the fixed penalty specified in paragraph 1 you, are hereby bound over to appear before the [Magistrate of the District Court] sitting at the address shown below at [9.00 o'clock in the forenoon] on the day

of 201[] to answer the complaint.

If your fail to appear, the Magistrate may issue a warrant of arrest to compel your attendance.

NOTE

This Notice may be used as evidence of the Inspector.

Send payment to:

Hours of operation:
8:00 a.m. - 12:30 p.m.
1:30 p.m. - 4:30 p.m.

[District Court, Small Claims]
[Street address]
Phone:
Fax:

CERTIFICATE OF SERVICE

I, the undersigned Inspector, hereby certify that on the day specified on the front of this Notice that I served this Notice on the person named above, by leaving a copy with that person.

	Day	Month	Year
Signature of Inspector			
Inspector's Name	Inspector's ID. No.		

SCHEDULE 18

(Regulation 19)

Plant Protection Identification

(i) National Plant Protection Organization logo

(ii) Plant Protection Identification card

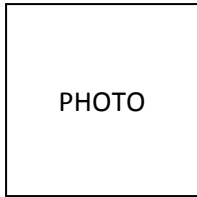
FRONT – Coat-of-Arms watermark in background

LOGO

LOGO

Government of Guyana
NATIONAL AGRICULTURAL RESEARCH & EXTENSION INSTITUTE
NATIONAL PLANT PROTECTION ORGANISATION

IDENTIFICATION CARD



Name:
Post:
Staff No:
Issue Date:

Expiration

Date:

Signature of Employee

Validating

Signature

BACK

PROPERTY OF THE NATIONAL AGRICULTURAL RESEARCH & EXTENSION INSTITUTE. If found, please return to NATIONAL PLANT PROTECTION ORGANISATION.

-
- Keep this card securely.
 - This card should not be tampered with, duplicated, used if expired or used for purposes other than that for which it is intended.

I hereby certify that the information given is true and correct. Further, in the event of resignation, lay-off, transfer or card expiration, I assume the responsibility of returning this ID card to the Chief Executive Officer, NAREI or to the officer in charge of plant protection.

.....
Cardholder's signature
PHOTO

SCHEDULE 19.

(Regulation 20)

Requirements for Port Facilities

1. SECURITY

- a.** Facilities must not be freely accessible to the public.
- b.** Port operation must only ensure that only cleared goods or uncleared goods directed by an inspector to an approved transitional facility (e.g. warehouse) leave the port.
- c.** The security system must allow inspectors performing their duties as legislated to have access to vessels, shipside, passenger arrival, baggage handling and cargo areas by issuance of appropriate identification card.

2. CARGO

- a.** There must be at least one transitional facility for holding and processing uncleared goods.
- b.** Additional facilities:

The Port may only receive vehicles, containers, machinery, fresh produce, foliage and live plant material if the following facilities are available.

- For vehicles and machinery – a vehicle inspection area inclusive of a ramp.
- For containers – a suitable inspection area and stands if required.
- For fresh produce (e.g. vegetables, foliage and live plant material) - a fresh produce inspection facility.
- For bulk plant products – secure transportation and storage at importers' premises.
- Decontamination/disinfestations/disinfection/fumigation treatment facilities must be available to handle the appropriate type of goods being imported.

3. PASSENGER PROCESSING

3.1 Biosecurity control area

Where a port is intending to receive permanently disembarking passengers from a cruise vessel/passenger vessel there must be a biosecurity control area adjacent to the vessel's berth.

The biosecurity control area must:

- Be separated from any public areas
- Have a separate search area for baggage examination, containing satisfactory search benches.
- Have adequate queuing space in the search area, sufficient to meet the passenger flow demand
- Have adequate space for any processing equipment required.
- Be of appropriate size depending on passenger flow rate, the origin of the vessels and equipment requirements.
- Have lighting of 600 lux over search benches.
- Have electricity outlets, computer cabling and two (2) direct telephone lines.
- Allow for all waste from the biosecurity control area to go to the approved transitional facility for destruction.

3.2 Inspection Room

An inspection room must be available for inspecting, holding and/or treating passengers' goods. The room must be adjacent to the search benches. Basic requirements for this room would be: -

- a. A stainless steel sink with running hot and cold water.
- b. Bench-space with an impervious stainless steel surface
- c. Cupboards and shelving for storage
- d. Adequate space for secure quarantine bins
- e. Adequate lighting (at least 1000 lux) over the examination table surface refrigerator/freezer for holding plant produce
- f. Must be air-conditioned.
- g. Enough space to keep plant material in an appropriate environment/area before the arrival of the inspector.

3.3 Office/Interview Room

- A room must be available for interviewing passengers who may have committed an offence. This room must be within the biosecurity control area and adjacent to the search benches.

Basic requirements for this room are:

- i. it must be lockable.
- ii. there must be space to accommodate four persons to be seated comfortably.
- iii. It must contain at least four desks and eight chairs.
- iv. It must have wall and blinds to protect the privacy of those inside the room from outside view or hearing.
- v. There must be cabinet to store documents and cupboards to store equipment and protective clothing (e.g. lab coats, etc)
- vi. Must be air-conditioned with natural ventilation option.

3.4. Other

- Toilet facilities must be available for use by inspectors.
- All surfaces, including the floors, must be sealed for easy cleaning and disinfection.

4. **SOLID WASTE**

There must be an approved method of solid waste destruction/treatment available to destroy and/or dispose of waste from vessels, cargo, etc., such as an incinerator, installed in an area accessible to the inspection area.

In the absence of an incinerator, secured containers for the temporary storage of confiscated materials must be installed in an area near to the inspection area. This should include the provision of quarantine bins that are leak –proof, made of metal or plastic material, property labeled so that it can only be used for that purpose, and with a lockable closeable close-fitting lid.

5. **SIGNAGE**

The port must display Plant Health signage and other information signs or warnings as required.

6, RISK CONTROL

- i) The Port must have suitable equipment to immediately clean up any spillage of regulated/controlled goods between the vessel and the approved transitional facility.
- ii) The Port areas that are transitional facilities must be kept free of vegetation and materials that may harbor unwanted organisms as indicated by the Director of Agriculture.
- iii) General Port Operation should have a disaster plan in place to include plant pest containment, etc.