



Government of Pakistan

MINISTRY OF FOOD, AGRICULTURE AND CO-OPERATIVES

DEPARTMENT OF PLANT PROTECTION



**PAKISTAN PLANT QUARANTINE
ACT, 1976
AND
PLANT QUARANTINE RULES, 1967
(AS ENFORCED UNDER P.Q. ACT, 1976)
PLANT QUARANTINE)**

PREFACE

The “Destructive Insects and Pests Act, 1914” was enacted by the former British Indian Government for preventing the introduction and spread of exotic pests and diseases which could be destructive to field crops, horticulture floriculture and forests. In exercise of the powers conferred by sub-section (1) Section 3, 4A and 4D of the said act, rules were framed by the then Central Government of undivided India. After Independence the act was adapted by the Government of Pakistan under Governor - General Order No. 4 in March, 1949. The Plant Quarantine Rules were slightly amended for Pakistan and corrected up to 15th September, 1962.

In order to make these rules fully effective under Pakistan conditions, it was felt necessary to revise the rules and update them as far as possible so that they are in conformity with the recommendations of the FAO International Plant Protection Convention, 1951 and rules and regulation of other countries. The Plant Quarantine Rules were revised and consolidated in 1966 under the provisions of the Destructive Insects and Pests Act and published in Government Gazette of Pakistan Extraordinary *vide* **SRO 129 (K) / 67**, dated 2nd January, 1967. With the rapid development of fast means of transport, increased trade relations and establishment of new air, land and sea routes, the movement of plants and plant material has increased manifold. The adapted Destructive Insects and Pests Act, 1914, needed revision and modifications in the light of present advances in the field of Plant Protection and Plant Quarantine. The new Plant Quarantine bill entitled “Pakistan Protection Quarantine Act, 1976” was, therefore, enacted to safeguard the national crop wealth from destructive pests and diseases which are not known to occur in Pakistan.

The revised Plant Quarantine Rules now being printed as second impression are deemed to have been framed in exercise of powers conferred under Section 3, sub-sections (1), (2), (3) and Section 5 and Section 10 of the Pakistan Plant Quarantine Act, 1976, which is currently in force.

PAKISTAN PLANT QUARANTINE ACT, 1976

Whereas it is expedient to give effect in Pakistan to the International Plant Protection Convention, 1951, and to provide for matters connected therewith.

It is hereby enacted as follows:

1. Short title, and commencement:

(1) This Act may be called the Pakistan Plant Quarantine Act, 1976.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions:

In this Act, unless there is anything repugnant in the subject or context:

(a) “convention” means the International Plant Protection Convention, 1951;

(b) “crop” includes all agricultural or horticultural crops and all trees, bushes, grass or plants;

(c) “import” means the bringing or taking by sea, land or air across and customs frontier as defined by the Federal Government and includes transportation by any means from a one Province to another or from one place to another within a Province;

(d) “infection” means infection by any insect, fungus, or other pest injurious to a crop or plant;

(e) “pest” means any living stage of any or all insects, nematodes, slugs, snails, protozoa, or other invertebrate animals, fungi, bacteria, or other parasitic plants or reproductive parts thereof, virus or any organism, or any infectious substance which may directly or indirectly injure or cause disease to any crop or plant; and

(f) “plant” means all species of plants or parts thereof whether living or dead including stems, branches, tubers, bulbs, corns, stock, bud-wood, cuttings, layers, slips, suckers, roots, green scum on stagnant pools, leaves, flowers, fruits and seeds.

3. Power to prohibit or regulate import of certain articles:

(1) The Federal Government may by notification in the official Gazette, prohibit, restrict or otherwise regulate, subject to such conditions as it may think fit to impose, import of any article or class of articles likely to cause infection to any crop or plant, or of any pest generally or any class of pests.

(2) A notification under this may specify any article or class of articles or any pest or class of pests either generally or in particular manner, whether with reference to the country of origin, or the route by which imported other otherwise.

(3) Any condition imposed under a notification under this section may require:

(a) compliance with the provisions of the Convention;

(b) examination by authorized persons of the goods, articles of plant origin and pests brought in or to be taken out;

- (c) obtaining of certificate of non-infection ; and
- (d) treatment or detention, confiscation and destruction of infected goods or articles of plant origin.

(4) **Operation of notification under section 3:**

A notification under section 3 shall operate as if it has issued under section 16 of the Customs Act, 1969 (IV of 1969), and the officers of customs shall have the same powers in respect of any goods, articles of plant origin or pests in respect of which such a notification has been issued as they have for the time being in respect of any article the importation of which is prohibited or restricted under the said Act, and all the provisions of that Act, shall have effect accordingly.

(5) **Goods and articles import or transportation of which prohibited not to be carried:**

When a notification has been issued under section 3, then notwithstanding anything contained in any other law for the time being in force, the person responsible for the booking of goods or parcels at any port, railway station, airport or other place:

- (i) where the notification prohibits import, shall refuse to receive for carriage at, or to forward, or knowingly allow to be carried by sea, air, land, rail or other carrier from that port, station airport or place anything of which the import has been prohibited; and
- (ii) where the notification imposes any condition upon, import, shall so refuse unless the prescribed documents showing that the conditions have been fulfilled are produced.

(6) **Penalty:**

Whoever contravenes or attempts to contravene any of the provisions of this Act, or of any rules made or notification issued thereunder, shall, without prejudice to any confiscation or penalty to which he may be liable under the provisions of the Customs Act, 1969 (IV of 1969), as applied by Section 4, be punished with fine which may extend to five hundred rupees and, upon any subsequent conviction, with imprisonment for a term which may to six months, or with fine which may extend to two thousand rupees, or with both.

(7) **Cognizance of offence:**

No court shall take cognizance of any offence under this Act except upon complaint in writing made by any officer authorized by the Federal Government in this behalf.

(8) **Indemnity:**

No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

(9) **Delegation of powers:**

The Federal Government may delegate to a Provincial Government, or to any officers or authority such Government, any of its powers under this Act insofar as it relates to the prohibition or restriction of bringing or taking or

taking into or out of any place from or to another within a Province or to the sale of goods or articles of plants origin imported in contravention of any of this provisions of this Act.

(10) **Power to make rules:**

(1) The Federal Government, may by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:

- (a) the method and manner of examination and treatment of goods and articles of plant origin likely to cause infection to any crop or plant;
- (b) the form of certificate of non-infection;
- (c) the documents to be produced before goods or articles of plant origin are accepted for carriage; and
- (d) the fees to be levied under this Act.

(11) **Repeal:**

The Destructive Insects and Pests Act, 1914 (II of 1914), is hereby repealed.