

CHAPTER 143

PLANT IMPORTATION AND REGULATION ACT

Arrangement of Sections

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CHAPTER 143

An Act to make provision with regard to the importation of Plants with a view to the prevention of the introduction and spread of pests and diseases affecting vegetation and for purposes connected therewith.

2 of 1936,
8 of 1955,
s. 6 and
2nd sch.
L.N.
83 of 1963.o

[31ST MARCH, 1936.]

1. This Act may be cited as the Plant Importation and Regulation Act. Short title.

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

Interpreta-
tion.

“container” means box, basket, pot, package, case or other receptacle or covering;

“covering” means covering of a plant or of a container;

“inspector” means the Director of Agriculture or any person appointed by the Director of Agriculture for the purposes of this Act;

“Lands” means Lands as defined in the Lands (Bathurst and Kombo Saint Mary) Act; Cap. 102.

“pest” means any insect or other invertebrate animal which may be injurious to agricultural or horticultural crops;

“plant” includes everything in the nature of a plant and the fruit, leaves, cuttings, bark or any part thereof whatsoever, whether

living or dead, severed or attached, but shall not include seed, unless specifically mentioned, nor manufactured products of plants;

plant disease" means any disease caused by fungus, bacterium, virus or other organism which may be injurious to agricultural or horticultural crops;

Inspection grounds.

cap. 103.

3.a The Governor-General may set apart any Lands or any lands in the Provinces acquired by the Governor-General under section 24 of the Lands (Provinces) Act for use as inspection grounds or for any other purpose which he may deem necessary to further the objects of the Act.

Power of Minister to make regulations.

4.a(1) The Minister may make regulations for all or any of the following purposes—

- (a) prohibiting, restricting, or regulating the importation into The Gambia of any plant, seed, soil, manure, containers, straw and other packing material or any other similar goods or things; a
- (b) prescribing or designating the authority which may prescribe the conditions on which any such goods or things as are referred to in the preceding paragraph may be imported into The Gambia, including conditions to become operative after importation;
- (c) a prescribing the places at which any such goods or things may be imported into The Gambia when not imported by post; a
- (d) a providing for the detention and examination of any such goods or things on their importation into The Gambia; a
- (e) providing for the destruction of any such goods or things which on importation are found to be infected with any plant disease or pest or for their treatment by the Agricultural Department or otherwise, and for the similar treatment of any such goods or things as a precautionary measure whether found to be infected or not;
- (f) prescribing the fees and charges to be paid in respect of any act or thing done under any regulation; a

(g) defining the duties of inspectors;

(h) generally for carrying into effect the provisions of this Act.

(2) Any regulation made under this section may be limited in its application to goods or things coming from particular countries, and such countries may either be specified in the regulation or in a notice by the Minister relating to the regulation and published in the Gazette.

(3) The Minister may prescribe penalties for the breach of any such regulations provided that no such penalty shall exceed a fine of one hundred pounds or in default of payment imprisonment with hard labour for a term not exceeding six months.

5. In addition to any fine or term of imprisonment which may be imposed for a contravention of any regulation made under this Act the court may order that the goods or things in respect of which the offence has been committed be forfeited and disposed of as the court may direct. Penalties.