

CONTROL OF PLANTS ACT
(CHAPTER 57A, SECTION 48)

CONTROL OF PLANTS
(PHYTOSANITARY CERTIFICATION) RULES

ARRANGEMENT OF RULES

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[30th December 1994]

Citation

1. These Rules may be cited as the Control of Plants (Phytosanitary Certification) Rules.

Definitions

2. In these Rules —

“accredited pest control agency” means a person registered by the Director-General under section 27 of the Act;

“consignment” means a consignment of plants, plant products or other regulated articles to be loaded onto a vessel at any one time on behalf of one exporter;

“regulated article” means any plant, plant product, storage place, packaging, conveyance, container, soil or any other organism, object or material capable of harbouring or spreading pests and deemed to require phytosanitary measures where international transportation is involved;

“treatment certificate” means any certificate issued by an accredited pest control agency for a treatment applied to regulated articles and completed in accordance with the requirements of the Director-General or the importing country.

[S 323/2005 wef 01/06/2005]

Application for phytosanitary certificate to export plants, plant products or other regulated articles

3.—(1) Every application for a phytosanitary certificate under section 30 of the Act shall be made to an authorised officer in such form and through such mode as the Director-General may determine and the application shall specify —

- (a) whether any certification of disinfestation or disinfection treatment is required; and
- (b) whether any specific declaration is required on the certificate.

(2) An application made under paragraph (1) shall be subject to the applicant making available a date for inspection, acceptable to the authorised officer, of the consignment of plants, plant products or other regulated articles in respect of which the application has been made.

Inspection and examination before certification

4.—(1) For the purposes of phytosanitary certification of a consignment of plants, plant products or other regulated articles in respect of which the application has been made, the authorised officer or an accredited pest control agency may —

- (a) inspect the consignment of plants, plant products or other regulated articles, including their packaging, and take such

samples thereof as may reasonably be necessary for analysis or laboratory examination;

- (b) inspect the containers, receptacles or premises containing or holding the plants, plant products or other regulated articles and the conveyance transporting the plants, plant products or other regulated articles; and
- (c) do all such other things that are reasonably necessary for him to carry out the certification.

(2) Where a certification that disinfestation or disinfection treatment of the consignment of plants, plant products or other regulated articles has been carried out is required in a phytosanitary certificate, the disinfestation or disinfection treatment shall be carried out in the presence of an authorised officer or accredited pest control agency.

Issue of phytosanitary certificates

5.—(1) No phytosanitary certificate shall be issued unless —

- (a) the authorised officer is satisfied that the consignment of plants, plant products or other regulated articles inspected —
 - (i) fits the description stated in the application form;
 - (ii) is considered free from quarantine pests as specified by the importing country; and
 - (iii) conforms to the current phytosanitary requirements of the importing country, including those for regulated non-quarantine pests; and
- (b) the applicant has paid, in accordance with rule 7, all the fees for the services rendered and expenses incurred for the phytosanitary certification.

(2) A phytosanitary certificate issued in respect of regulated articles that originate from Singapore shall be in such form as the Director-General may determine.

[S 323/2005 wef 01/06/2005]

[S 380/2009 wef 01/09/2009]

(3) A phytosanitary certificate for re-export issued in respect of regulated articles that do not originate from Singapore shall be in such form as the Director-General may determine.

[S 323/2005 wef 01/06/2005]

[S 380/2009 wef 01/09/2009]

Endorsement of other certificates

6. In the phytosanitary certification of a consignment of plants, plant products or other regulated articles, the authorised officer may, upon payment by the applicant of the fee specified in the Second Schedule, endorse any treatment certificate or any duplicate copy of a phytosanitary certificate issued.

Fees payable for phytosanitary certification

7. The fees payable for the services rendered for the phytosanitary certification are specified in the Second Schedule.

Conditions and restrictions imposed upon certification

8.—(1) In issuing a phytosanitary certificate under this rule, the authorised officer may impose such conditions and restrictions as he thinks fit to ensure continued validity of the phytosanitary certification.

(2) Where, after the receipt by the exporter of the phytosanitary certificate, any authorised officer has reasonable cause to think that any condition or restriction imposed under paragraph (1) has not been complied with, the authorised officer may re-examine the consignment of plants, plant products or other regulated articles, its packaging, container and receptacle or the premises in which the consignment is kept or the conveyance in which the consignment is to be transported.

(3) Where upon re-examination the authorised officer is satisfied that the non-compliance with the condition or restriction imposed has affected the applicability of the phytosanitary certificate to the consignment, he may require the phytosanitary certificate issued to be produced for cancellation or amendment.

(4) No refund shall be made for the fees paid for any certificate which has been cancelled.

Replacement of phytosanitary certificate

9.—(1) Where a phytosanitary certificate is torn, defaced or if any of the particulars therein has become illegible or requires an amendment, the exporter of the plants, plant products or other regulated articles in respect of which the certificate was issued may apply to the Director-General for the issue of a replacement.

(2) Every application for the issue of a replacement of a phytosanitary certificate shall be made in such form as the Director-General may determine, and shall be accompanied by the fee specified in the Second Schedule.

(3) No replacement shall be issued for a phytosanitary certificate unless all the copies of the original phytosanitary certificates are surrendered to the Director-General for cancellation.

(4) No refund shall be made for the fees paid for the certificate surrendered to the Director-General under paragraph (3).

Remission of fees

10. Any fee payable by a Government department or scientific institution under these Rules for the services rendered for phytosanitary certification may be remitted either wholly or in part by the Director-General.

[S 218/2019 wef 01/04/2019]

Offences relating to use and forgery

11. Any person who —

- (a) forges a phytosanitary certificate, purporting to be a phytosanitary certificate issued by an authorised officer; or
- (b) fraudulently or dishonestly uses as genuine a phytosanitary certificate which he knows or has reason to believe to be a certificate which is forged or falsified,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both.

FIRST SCHEDULE

Deleted by S 380/2009, wef 01/09/2009.

SECOND SCHEDULE

Rules 6, 7 and 9

Service rendered

Fee payable

- (1) Inspection and certification of plants, plant products, fresh cut flowers or other regulated articles
- (a) Non-commercial consignment for the following:
- (i) Plants not exceeding 10 numbers or flasks;
 - (ii) Plant products not exceeding 5 kg;
 - (iii) Fresh cut flowers not exceeding 24 stalks or numbers ;
 - (iv) Other regulated articles not exceeding 5 kg.
- (b) Commercial consignment for the following:
- (i) Plants exceeding 10 numbers or flasks;
 - (ii) Plant products exceeding 5 kg;
 - (iii) Fresh cut flowers exceeding 24 stalks or numbers ;
 - (iv) Other regulated articles exceeding 5 kg.
- (2) Certification of plants, plant products , fresh cut flowers or other regulated articles under the Assurance Certification Scheme \$32 per consignment.
- (3) Laboratory examination of flowers, plants , plant products or other \$50 per pest examination.

SECOND SCHEDULE — *continued*

regulated articles for any pest or pathogen

(4) Issuance of replacement set of \$12 per set. phytosanitary certificate

(5) Endorsement of treatment \$15 per set. certificate or duplicate phytosanitary certificate

(6) Professional service fee (a) \$63 per hour or part thereof;
(b) \$133 per hour or part thereof (outside office hours or on an urgent basis).

(7) Technical service fee (a) \$38 per hour or part thereof;
(b) \$80 per hour or part thereof (outside office hours or on an urgent basis).

[S 323/2005 wef 01/06/2005]

[G.N. Nos. S 490/94; S369/96; S149/97; S138/98; S 39/99; S 92/2000; S 323/2005; S 452/2006; S 380/2009]

LEGISLATIVE HISTORY
CONTROL OF PLANTS
(PHYTOSANITARY CERTIFICATION) RULES
(CHAPTER 57A, R 6)

This Legislative History is provided for the convenience of users of the Control of Plants (Phytosanitary Certification) Rules. It is not part of these Rules.

1. 1996 Revised Edition — Control of Plants (Phytosanitary Certification) Rules

Date of operation : 30 December 1994

2. G. N. No. S 369/1996 — Control of Plants (Phytosanitary Certification) (Amendment) Rules 1996

Date of commencement : 1 September 1996

3. G. N. No. S 149/1997 — Control of Plants (Phytosanitary Certification) (Amendment) Rules 1997

Date of commencement : 1 April 1997

4. G. N. No. S 138/1998 — Control of Plants (Phytosanitary Certification) (Amendment) Rules 1998

Date of commencement : 1 April 1998

5. G. N. No. S 39/1999 — Control of Plants (Phytosanitary Certification) (Amendment) Rules 1999

Date of commencement : 1 February 1999

6. G. N. No. S 490/1994 — Control of Plants (Phytosanitary Certification) Rules 1994

Date of commencement : 31 January 2000

7. 2000 Revised Edition — Control of Plants (Phytosanitary Certification) Rules

Date of operation : 31 January 2000

8. G. N. No. S 92/2000 — Control of Plants (Phytosanitary Certification) (Amendment) Rules 2000

Date of commencement : 3 March 2000

9. G. N. No. S 323/2005 — Control of Plants (Phytosanitary Certification) (Amendment) Rules 2005

Date of commencement : 1 June 2005

10. G. N. No. S 452/2006 — Control of Plants (Phytosanitary Certification) (Amendment) Rules 2006

Date of commencement : 1 August 2006

11. G. N. No. S 380/2009 — Control of Plants (Phytosanitary Certification) (Amendment) Rules 2009

Date of commencement : 1 September 2009

12. 1995 Revised Edition — Control of Plants (Phytosanitary Certification) Rules 1995

Date of operation : 31 December 9999

13. G.N. No. S 218/2019 — Control of Plants (Phytosanitary Certification) (Amendment) Rules 2019

Date of commencement : 1 April 2019