

**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**AGRICULTURAL PESTS ACT**

**(CHAPTER 5)**

**1970 Ed. Cap. 288**  
**Ordinance**  
**25 of 1918**

Amended by  
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# Agricultural Pests Act

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An Act to provide for the protection of trees, plants and cultivated products from disease and pests.

[22nd November 1918]

1.—(1) This Act may be cited as the Agricultural Pests Act. Short title.

(2) Section 17 (2) shall not come into force until such date as the President may by notification in the *Gazette* prescribe in that behalf, and its operation may thereafter be suspended by the President by a further notification in the *Gazette* for such periods as he thinks fit.

Interpre-  
tation.

2. In this Act, unless there is something repugnant in the subject or context —

“agricultural officer” means the Senior Primary Production Officer;

“diseased” means attacked by or affected with any pests;

“inspecting officer” includes the Senior Primary Production Officer and any officer appointed under section 3 to be an inspecting officer under this Act and also any officer to whom an inspecting officer has delegated by writing under his hand the exercise or performance of any power or duty conferred or imposed by this Act on an inspecting officer, to the extent of the powers or duties so delegated;

“owner”, with reference to any land, includes all lessees or tenants of the land, and “occupier” includes, with reference to any land, all persons in actual occupation or charge thereof;

“pest” includes every insect, invertebrate animal, rodent, plant and fungus which is destructive or injurious, or apt to be destructive or injurious, to cultivated plants;

“plant” means any tree, shrub or vegetation, whether living or dead, and includes the stem, root, leaf, flower or fruit and any product or part thereof whatsoever, whether severed or attached;

“supervising committee” means the committee referred to in section 4.

Appointment  
of officers  
and delega-  
tion of  
powers.

3.—(1) The Minister may appoint by name or office, and, when appointed, remove, so many inspecting officers and other officers as he considers necessary for carrying out the purposes of this Act.

(2) The appointment of inspecting officers shall be notified in the *Gazette*.

(3) The Minister may also, if he thinks fit, limit the area within which such officers or any of them shall exercise the powers and perform the duties assigned to them by this Act or any rules made thereunder.

(4) With the previous written approval of the agricultural officer, which may be given generally or be restricted to specified cases, an inspecting officer may, by writing under his hand, delegate to any officer subordinate to him the exercise and performance of any powers or duties assigned to an inspecting officer by this Act or any rules made thereunder, and that subordinate officer may thereupon exercise and perform the powers and duties so delegated.

(5) All officers appointed under this section, and all officers to whom powers or duties have been delegated under this section when acting within the scope of the powers or duties so delegated, shall be deemed to be public servants within the meaning of the Penal Code.

Cap. 224.

4.—(1) For the purposes of this Act, there shall be a supervising committee consisting of not less than 3 persons, of whom one shall be the agricultural officer and the others shall be nominated by the Minister.

Supervising  
committee.

(2) Of the persons to be so nominated not more than half shall be officers employed in the public service of Singapore or of Malaysia.

(3) All nominations under this section shall be notified in the *Gazette*.

(4) The agricultural officer shall be the chairman of the supervising committee.

(5) Members of the supervising committee nominated by the Minister shall, unless expressly nominated for a shorter term, ordinarily retain their membership thereof for a period of 5 years, but may resign their membership at any time and may at any time be removed from the committee by the Minister by notification in the *Gazette*.

Entry,  
inspection  
and removal.

5.—(1) Every inspecting officer may, within the area (if any) limited by his appointment, enter at all reasonable times, with or without assistants, upon any land and premises and may remain there so long as is reasonably necessary for the purposes of this section and may —

- (a) inspect and examine the land and premises and all plants thereon for the purpose of ascertaining whether any of the plants are diseased or whether the land and premises or any plant thereon is in a condition favourable to the introduction or spread of any pest; and
- (b) remove by cutting, digging or otherwise such portions of any plant as he thinks expedient to remove for purposes of examination or investigation.

(2) The owner and the occupier of the land and premises shall permit every inspecting officer to have access thereto for those purposes and shall supply to the officer all such information as is requested by him and is reasonably necessary for those purposes.

Power to  
direct  
destruction  
or treatment  
of plants or  
pests or treat-  
ment of land  
and premises.

6.—(1) If on or as a result of any inspection or examination of land and premises or plants by an inspecting officer it appears to the officer that any plant is diseased, the officer may, by notice in writing under his hand, addressed to the owner or occupier of the land and premises whereon the plant is, direct him to take within a time to be stated in the notice such measures as may appear to the inspecting officer necessary or expedient for the eradication or the prevention of the spread of any pest either by destruction or by treatment in a manner to be specified in the notice of that or any plant or of any pest or of any tools or utensils used for agricultural or industrial purposes on the land and premises. Such treatment may include the cessation of obtaining or abstracting any produce from any plants on the land and premises.

(2) If on or as a result of any inspection or examination of land and premises or plants by an inspecting officer it appears to the officer that any land and premises or plant is in a condition favourable to the introduction or spread of any pest, the officer may, by notice in writing under his hand addressed to the owner or occupier of the land and premises whereon that condition exists, direct him to take

within a time to be stated in the notice such measures as are in the notice specified for the treatment of the land and premises or plant or of any tools or utensils used for agricultural or industrial purposes on the land and premises with a view to bringing them into a condition not favourable to the introduction or spread of any pest.

7.—(1) If any owner or occupier of land and premises on whom a notice under section 6 has been served is of the opinion that any act or thing required by the notice to be performed or done is unreasonable or unnecessary, he may, by an application in writing addressed to the supervising committee and despatched by registered post to or otherwise delivered at the office of the agricultural officer, within 7 days from the service of the notice and setting forth the grounds on which his application is based, apply to the committee for an order cancelling or varying the notice, and shall forthwith notify the inspecting officer by whom the notice was signed that the application has been made.

Application  
to supervising  
committee.

(2) The committee may, on receipt of the application, suspend the operation of the notice or make such other order in the premises as it thinks just.

(3) Pending any order by the committee to the contrary, the notice shall remain in force as if the application had not been made.

(4) If the notice in respect of which an application is made has been signed by a member of the supervising committee, that member shall take no part in the proceedings of the committee upon the application.

8.—(1) If any owner or occupier of land and premises on whom a notice under section 6 has been served fails to comply therewith within such time as is stated in the notice for the performance of the acts thereby required to be done, the inspecting officer may, subject to any order made under section 7 by the supervising committee, enter upon the land to which the notice refers and may cause to enter thereon such persons with such instruments and things as are necessary and may proceed to perform and do thereon all acts and things required by the notice to be performed or done, and the cost thereof shall be recoverable from that owner or occupier by the agricultural officer, or any person authorised in that behalf by the agricultural officer, by civil suit.

Enforcement  
of the action  
directed.

(2) Nothing in this section shall affect the liability of any person to prosecution and punishment under section 9.

Penalty for wilful default.

**9.—**(1) Any owner or occupier of land and premises on whom a notice under section 6 has been served who wilfully neglects to comply therewith within the time therein stated, shall be guilty of an offence and shall be liable to a fine not exceeding \$1,000.

(2) No person shall be punishable under this section for neglect to comply with any notice the operation of which has been suspended or cancelled by the supervising committee under section 7.

(3) Where the committee has, under section 7, made an order varying the terms of any such notice, the notice as so varied shall, for the purposes of this section and of section 8, be deemed to be the notice under section 6.

Power of convicting court to order action to be taken.

**10.—**(1) Upon the conviction of any person under section 9 or under subsection (2), the court before which the conviction is had may order the convicted person to take, within a time to be fixed by the court, the measures for failure to take which the conviction was had.

(2) If any person fails without reasonable cause to comply with an order made under subsection (1), he shall be guilty of an offence and shall be liable to a fine not exceeding \$1,000.

Placing land in quarantine.

**11.—**(1) Whenever the agricultural officer is of opinion that plants on any land are diseased, he may make an order placing that land or any part thereof in quarantine for such period as is prescribed by the order.

(2) So long as an order of quarantine applies to any land no person shall remove any plant therefrom except with the permission and under and in accordance with the direction of an inspecting officer.

(3) Any land placed in quarantine under subsection (1) shall continue in quarantine until the agricultural officer certifies that no plants thereon are diseased.

Application for examination of quarantined area.

**12.—**(1) Any owner or occupier of land quarantined under section 11 may apply to an inspecting officer to examine the quarantined area with a view to obtaining from the agricultural officer the certificate referred to in section 11 (3).

(2) The inspecting officer shall, as soon as possible after receipt of such an application, visit and examine the quarantined area.

(3) Every such application except the first shall be accompanied by a deposit of \$10 towards the cost of the visit and examination.

(4) If the cost of the visit and examination amounts to less than \$10, the balance remaining after deduction of the cost shall be refunded to the depositor.

**13.—**(1) If in the opinion of the agricultural officer the destruction of any diseased plant is a matter of necessity and extreme urgency, he may forthwith make an order in writing directing the immediate destruction of that plant by any person referred to in the order.

Power to order immediate destruction of plants.

(2) Such plant shall be destroyed accordingly and the cost of the destruction, if incurred by any person other than the owner or occupier of the land whereon the diseased plant was, shall be defrayed by the owner or occupier.

**14.—**(1) Where it appears to the agricultural officer that any plant on any land is diseased and he is of opinion that it is necessary for the prevention of the spread of any pest that the land be entirely cleared of cultivation thereon or cleared of all cultivation of any particular species, the agricultural officer may by notice in writing under his hand addressed to the owner or occupier of the land whereon the plant is, direct him to fell and burn or otherwise destroy within a time to be stated in the notice and to the satisfaction of the agricultural officer all cultivation or all cultivation of the species named in the notice upon that land.

Clearing diseased land.

(2) No notice under subsection (1) shall be issued without the sanction in writing of the Minister.

(3) The action directed by a notice under subsection (1) may be enforced in the manner provided by section 8 for the enforcement of the action directed by a notice under section 6.

(4) If the owner or occupier of any land on whom a notice under subsection (1) has been served wilfully neglects to comply therewith, he shall be guilty of an offence and shall be liable to a fine not exceeding \$1,000.

Compensation.

15. Where any cultivation has been destroyed in pursuance of a notice issued under section 14, the Minister may direct the payment out of the Consolidated Fund of compensation for that cultivation subject and according to the following provisions:

- (a) no compensation shall be paid for any diseased plant;
- (b) the value of any cultivation shall be taken to be the market value of that cultivation at the time of its destruction;
- (c) the Minister may entirely withhold or may reduce the amount of compensation for the destruction of any cultivation if the owner or occupier of the land has done anything in contravention of, or has failed to comply with, any notice issued under this Act or has by his neglect contributed to the introduction of the disease.

Entry for inspection or action with regard to locusts' eggs and locusts.

16.—(1) Every inspecting officer may, within the area, if any, limited by his appointment —

- (a) enter at all reasonable times, with or without assistants, upon any land and remain there so long as is reasonably necessary for the purpose of ascertaining whether any locusts' eggs or any locusts in the stage in which they are known as hoppers are in or upon the land;
- (b) enter, with or without assistants and with such instruments and things (if any) as he considers necessary, upon any land on or in which there are any locusts' eggs or any locusts in the stage in which they are known as hoppers and may take and cause to be taken thereon any action, whether by means of poison or of mechanical apparatus or otherwise howsoever, which he thinks proper for the destruction of those eggs or locusts:

Provided that where the powers mentioned in this paragraph are exercised in pursuance of authority delegated under section 3 (4) the action to be taken for the destruction of eggs or locusts shall be restricted to such action as has been expressly authorised in writing by the delegating officer.

(2) No person shall obstruct or interfere with anything done or in the course of being done under this section.

17.—(1) Whenever locusts' eggs are found or locusts in the stage in which they are known as hoppers appear on any land, the occupier or, if there is no occupier, the owner thereof shall, as soon as he becomes aware that those eggs have been found or such locusts have appeared thereon, forthwith —

Duty of owner or occupier on appearance of locusts' eggs or hoppers. S 47/86.

- (a) give notice thereof in writing or otherwise to an inspecting officer or at the Land Office or nearest police station, with such particulars as are prescribed by rules made under this Act;
- (b) use his utmost endeavours immediately to destroy the eggs or locusts, as the case may be;
- (c) carry into effect all instructions given to him in that behalf by an inspecting officer; and
- (d) render all assistance in his power towards carrying out any action taken or directed by any inspecting officer for the purpose of destroying the eggs or locusts and, in particular, place at the disposal of the inspecting officer, on demand, for such period not exceeding one week as the inspecting officer requires, so many of the workmen (if any) employed by him on the land whereon that action is or is to be taken, or on any other land owned or occupied by him which is distant not more than 5 kilometres by direct measurement from the land whereon that action is or is to be taken, as the inspecting officer requires, not exceeding one-half of the total number so employed.

(2) Any owner or occupier who places workmen at the disposal of an inspecting officer in pursuance of sub-section (1) (d) is entitled to recover from the Consolidated Fund in respect of every such workman whose services have been utilised by the inspecting officer such amount as is prescribed by rules made under section 20.

(3) Any other expenditure incurred by an owner or occupier in the destruction of locusts' eggs or locusts which is certified as reasonable by an inspecting officer is recoverable by him from the Consolidated Fund.

Penalty. (4) Any person who commits a breach of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500.

Driving of locusts. **18.** Any person who wilfully drives or abets the driving of locusts in the stage in which they are known as hoppers off land owned or occupied by any person on to other land owned or occupied by a different person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 unless he proves to the satisfaction of the court that growing crops on the land off which the locusts were driven were in danger from them, and that in driving them off that land he used his utmost endeavours to destroy them and did not drive them towards the growing crop of any other person.

Compensation. **19.—(1)** Subject to section 14, no owner or occupier of land or other person shall be entitled to compensation for any expense incurred or damage occasioned by any order given or act done in pursuance of this Act or any rules made thereunder unless the damage was occasioned by negligence or maliciously and without reasonable cause.

(2) The Minister may, in his discretion, order that such compensation as he thinks fit shall be paid to the owner or occupier of any land who is required to destroy as a measure of precaution any plant thereon not being diseased.

(3) No application for compensation shall be entertained unless it is in writing and is received in the office of the Minister within 3 months from the date of the notice requiring the destruction of the plant, and in no case shall compensation be paid in excess of the actual value of the plant destroyed at the date of the notice.

(4) If any question arises as to the actual value, the decision of the agricultural officer shall be final and conclusive.

Rules. **20.—(1)** The Minister may make rules for preventing the introduction of pests into Singapore and for preventing the spread of pests in Singapore.

(2) Such rules may provide, amongst other things, for —

(a) prohibiting the landing in Singapore from places outside Singapore of any plant or animal, the landing of which appears to the Minister to be likely to introduce any pest; and

- (b) the treatment or destruction of any plant or animal which has been landed and of the packages, cases, pots or coverings in which the plant or animal is packed.

(3) Any such rules may be absolute or subject to such conditions and exceptions as are expressed therein, and may apply to the introduction of plants or animals either generally or from any specified place.

(4) The Minister may also make rules for fully and effectually carrying out and giving effect to the various provisions and powers in this Act.

(5) Rules made under this section may provide for —

- (a) the powers and duties of officers appointed under section 3;
- (b) the convening of meetings of the supervising committee and the conduct of its business;
- (c) the manner of entry upon lands under this Act and the notice, if any, to be given prior to such entry;
- (d) the conduct of examinations and inspections of plants and of other proceedings authorised by this Act;
- (e) the notification by owners and occupiers of land of any plant found to be diseased;
- (f) the form of orders, applications and certificates under this Act; and
- (g) all other matters connected with the enforcement of this Act.

(6) All rules made under this section shall be published in the *Gazette*.

(7) Any person who contravenes such rules shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000. Penalty for breach of rule.

(8) An inspecting officer or any subordinate officer acting under the directions of an inspecting officer may destroy or cause to be destroyed any plant introduced into Singapore in contravention of any such rules.

**21.—**(1) When any notice is required by this Act to be given to the owner or occupier of any land, the notice Service of notices.

addressed to the owner or occupier may be served in the manner following:

- (a) if the owner or occupier of the land is within Singapore, the notice may be delivered to him or left with some adult member of his family, other than a servant, residing with him within Singapore;
- (b) if the notice cannot be served in the manner described in paragraph (a) or if the owner or occupier is not resident within Singapore, it may be sent by registered post addressed to him at his residence in Singapore;
- (c) if the notice cannot be served in the manner described in paragraph (a) or (b) or if there is no known owner or occupier of the land, the notice may be put up on some conspicuous place on the land.

(2) It shall not be necessary in any such notice to name the owner or occupier, if the land to which the notice relates is therein referred to.

(3) Every such notice shall be in the English language and also, if the person for whom it is intended is an Asian not known to understand the English language, in such other language as in the opinion of the officer signing the notice is likely to render it intelligible to him:

Provided that no notice shall be deemed to be bad or insufficient by reason merely of the language it is rendered in.

Penalty for  
misuse of  
material.

**22.** Whenever the Government has supplied any material free of charge for the prevention or eradication of any pest, any person who wilfully appropriates or uses the material for any purpose other than that for which it was supplied shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500.

General  
penalty.

**23.** Every person who commits a breach of this Act for the breach whereof no penalty is otherwise expressly provided shall be liable on conviction to a fine not exceeding \$400.

**24.** No proceedings shall be instituted in any court against any person under any provision of this Act except with the written authority of the agricultural officer or of any officer to whom the agricultural officer may by writing under his hand delegate the power either generally or specially to grant that authority.

Proceedings  
to be autho-  
rised by agri-  
cultural  
officer.