

THE STATUTES OF THE REPUBLIC OF SINGAPORE

CONTROLLED PLANTS ACT

(CHAPTER 59)

**1970 Ed. Cap. 291
Ordinance
54 of 1941**

Amended by
10 of 1950
37 of 1952

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Controlled Plants Act

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An Act to control the cultivation of certain plants.

[31st October 1941]

1. This Act may be cited as the Controlled Plants Act. Short title.
2. In this Act — Interpre-
tation.
 - “agricultural officer” means the Senior Primary Production Officer;
 - “controlled plant” means any plant for the time being included in the Schedule;
 - “occupier” includes a person in charge of any land;
 - “owner” includes a lessee;
 - “plant” includes seed.
3. Subject to the provisions of this Act, any person who plants or cultivates any controlled plant shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50 for every plant so planted or cultivated. Controlled plants not to be planted or cultivated.

Controlled plants not to be permitted to grow.

4. Subject to the provisions of this Act, any person who permits any controlled plant to grow on land of which he is the owner or occupier shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50 for every such plant.

Presumption.

5. If any controlled plant is found growing on any land the owner and the occupier of the land shall be deemed to have permitted that plant to grow unless he proves —

(a) that the plant was planted without his knowledge and consent; and

(b) that on learning of the existence of the plant he forthwith effectually eradicated and destroyed it.

Liability of employer.

6. For the purposes of this Act, every person shall be liable for every act, omission, neglect or default of any agent or servant employed by him and acting within the scope of his employment, as fully and effectually as if the act, omission, neglect or default were done or committed by that first-mentioned person; but so that nothing in this section shall affect the liability of that agent or servant.

Certificate of agricultural officer to be evidence.

7. A certificate under the hand of the agricultural officer stating that any plant is a controlled plant is conclusive evidence of the facts stated therein.

Eradication and destruction of controlled plants.

8.—(1) Any plant planted, cultivated or permitted to grow in contravention of this Act may be eradicated and destroyed by the agricultural officer or any person acting under his authority.

(2) The cost of such eradication and destruction is recoverable from the owner or occupier of the land on which the plant was planted or permitted to grow or from the person who planted it, as a debt due to the Government.

(3) This section shall apply to any controlled plant whether it was planted before or after the commencement of this Act.

Planting of controlled plant may be permitted under licence.

9. The agricultural officer may by licence under his hand and subject to such conditions as he sees fit to attach thereto permit any person to plant, cultivate and maintain any controlled plant. Such a licence may be for any period not exceeding 5 years and may by endorsement thereon be

renewed for a like period by the agricultural officer as often as he sees fit. Renewal of a licence may be subject to such further conditions as the agricultural officer sees fit to cause to be endorsed thereon.

10.—(1) On proof to his satisfaction of a breach of any condition of a licence the agricultural officer may cancel the licence. Cancellation of licence.

(2) Upon the cancellation or expiry of any licence the agricultural officer may order the licensee to eradicate and destroy within a specified period all or any of the plants planted, cultivated or maintained in pursuance thereof.

(3) On the expiry of that period any such plant not eradicated and destroyed shall be deemed to be permitted to grow in contravention of section 4.

11. Any licensee committing a breach of any of the conditions contained in a licence shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$200 for each such breach. Penalty for breach of conditions of licence.

12. No prosecution under this Act shall be commenced except on the complaint of the agricultural officer or of the Public Prosecutor or his deputy. No prosecution except on complaint of agricultural officer or Public Prosecutor.

13. Any person aggrieved by the cancellation or non-renewal of a licence or any order of the agricultural officer under this Act may appeal to the Minister whose decision shall be final. Appeal to Minister.

14.—(1) The Minister may make rules — Rules.

(a) to prescribe forms for use under this Act;
(b) to prescribe the fees, if any, to be paid for licences;
and

(c) generally to carry out the purposes of this Act.

(2) The Minister may by notification in the *Gazette* include any plant in the Schedule or remove any plant from the Schedule.

THE SCHEDULE
CONTROLLED PLANTS

Section 2.

Hevea spruceana.