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The following Act was passed by Parliament on 12th April 1993 and assented to by the President on 28th April 1993:—

CONTROL OF PLANTS ACT 1993

(No. 18 of 1993)

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REPUBLIC OF SINGAPORE

No. 18 of 1993.

I assent.



WEE KIM WEE
President.
28th April 1993.

An Act to consolidate and amend the law relating to the cultivation, import and export of plants and plant products, the protection of plants and plant products against pests and diseases, the control of the introduction of pests into Singapore, the use of pesticides, the measures pertaining to the development and improvement of the plant industry in Singapore and for purposes connected therewith, and to repeal the Agricultural Pests Act (Chapter 5 of the 1985 Revised Edition), the Controlled Plants Act (Chapter 59 of the 1985 Revised Edition) and the Export of Plants (Control) Act (Chapter 101 of the 1985 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

PART I
PRELIMINARY

Short title and commencement

1. This Act may be cited as the Control of Plants Act 1993 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

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

“agricultural officer” means any officer appointed as an agricultural officer by the Director under section 3;

“certified pesticide operator” means a person who is certified as a pesticide operator under section 13;

“conveyance” includes any aircraft, vessel, train, vehicle or any other artificial contrivance, whether mechanically-propelled or otherwise used or capable of being used as a means of transport on land, water or air;

“Director” means the Director of Primary Production and includes the Deputy Director of Primary Production and the Director, Agriculture Division of the Primary Production Department;

“diseased” means attacked by or infected with any pest;

“fresh fruits and vegetables” means unprocessed and raw fruits and vegetables which are intended for human consumption;

“import”, with its grammatical variations and cognate expressions, means to bring or cause to be brought into Singapore by land, sea or air from any place which is outside Singapore but does not include the bringing into Singapore by land, sea or air (whether landed or transhipped in Singapore) for the sole purpose of being carried to any other country either by the same or another conveyance;

“label” includes any written, printed, pictorial or other descriptive matter;

“land” includes —

- (a) the surface of the earth and all substances forming the surface;
- (b) the earth below the surface and all substances therein;
- (c) all vegetation and other natural products whether or not requiring the periodical application of labour for their production and whether on or below the surface;
- (d) all things attached to the earth, or permanently fastened to any thing attached to the earth, whether on or below the surface; and
- (e) land covered by water;

“licensed grower” means a person who is issued with a licence under section 11;

“occupier”, in relation to any land, includes every person in actual possession, management or control thereof;

“owner”, in relation to any land, includes every lessee or tenant of the land;

“package” includes every means by which plants, plant products and pests are encased, covered, enclosed, contained or packed for conveyance from one place to another;

“pest” means any vertebrate or invertebrate animal (including the eggs of such animal), fungus, bacterium, virus or any other organism which is or is capable of being injurious or destructive to plants or plant products;

“pesticide” means any substance or mixture of substances prepared or used for preventing, destroying, repelling or mitigating any pest and any substance or mixture of substances prepared or used as a plant regulator, defoliant or desiccant;

“pesticide residue” means the remains of any substance resulting from the use of any pesticide, the level of which is prescribed by rules made under this Act;

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- “phytosanitary certificate” means a phytosanitary certificate referred to in section 29(1);
- “plant” means any species of plant or any part thereof whether living or dead and includes any vegetable, fruit, flower, leaf, stem, branch, spore, seed, root, cutting, graft, scion and any other part whatsoever, whether severed or attached, intended for propagation or from which further plants may be propagated;
- “plant product” means any product derived from plants, either in their natural, manufactured or processed form;
- “premises” includes land;
- “sell” includes offering or attempting to sell, or receiving for sale, or having in possession for sale, or exposing for sale, or sending or delivering for sale, or causing or allowing to be sold, offered or exposed for sale and “sale” has a corresponding meaning;
- “soil” includes earth, water, peat, manure, compost, sand, clay and any other substance capable of supporting plant life, or transmitting any pest, whether or not used or intended to be used as a growing medium, or in any process of manufacture, or as ballast or for any other purpose whatsoever;
- “supply” includes offering or attempting to supply or having in possession for supply or causing or allowing to be supplied;
- “toxic chemical residue” means the remains of any chemical substance, other than pesticides, the level of which is prescribed by rules made under this Act;
- “tranship” means to transfer from one conveyance to another conveyance for the purpose of export;
- “treatment” means disinfection and disinfestation to ensure the removal, sterilisation or killing of any pest by appropriate means.

Appointment of agricultural officers

3. The Director may appoint such number of agricultural officers as he considers necessary for carrying out the purposes of this Act.

Officers deemed to be public servants

4. All agricultural officers shall be deemed to be public servants for the purposes of the Penal Code (Cap. 224).

Officer to produce identification on request

5. Every agricultural officer, when exercising any power under this Act, shall declare his office and shall, if requested by any person in relation to whom the power is sought to be exercised, produce such identification card as the Director may provide.

PART II**IMPORT FOR SALE OR SUPPLY OF FRESH FRUITS AND
VEGETABLES****No import for sale or supply of fresh fruits and vegetables
without licence**

6. No person shall import for sale or supply any fresh fruit or vegetable except under and in accordance with a licence issued by the Director.

**Control of import for sale or supply of fresh fruits and
vegetables by order of Minister**

7.—(1) The Minister may, if he considers it necessary or expedient for the purpose of securing that fresh fruits and vegetables imported are safe and wholesome, by order prohibit either absolutely or conditionally the import for sale or supply of any fresh fruit or vegetable from any country, territory, place or farm.

(2) An order made under subsection (1) may provide that no person shall import for sale or supply any fresh fruit or vegetable from the country, territory, place or farm specified in the order except under and in accordance with a permit issued by the Director.

Pesticide or toxic chemical residue levels

8. No person shall import for sale or supply any fresh fruit or vegetable which contains levels of pesticide residue or toxic chemical residue exceeding the prescribed levels.

Containers of fresh fruits and vegetables to bear particulars of producer

9.—(1) No person shall import for sale or supply any fresh fruit or vegetable where the container of the fruit or vegetable does not bear the name and address of its producer and such other particulars as may be prescribed.

(2) In subsection (1), “container” means the basket, carton, bag, box, packet or other receptacle which contains the fresh fruit or vegetable and where any such receptacle is contained in another such receptacle, includes the latter receptacle.

PART III**CONTROL OF CULTIVATION OF PLANTS****Application**

10. This Part shall not apply to —

- (a) the cultivation of any plant for domestic and home gardening purposes; and
- (b) the cultivation of any plant which is not for sale.

No cultivation of plants without licence

11. No person shall cultivate any plant on any premises except under and in accordance with a licence issued by the Director.

Use of pesticide

12.—(1) No person shall use any pesticide in the cultivation of any plant unless —

- (a) the pesticide is registered with the Director; and

(b) he is a certified pesticide operator or the use is supervised by a certified pesticide operator.

(2) Any person who uses any pesticide in the cultivation of any plant shall ensure that —

(a) the pesticide is properly stored in the prescribed manner;

(b) the pesticide container is disposed of in the prescribed manner; and

(c) the pesticide residue on any plant cultivated does not exceed the prescribed level.

Certified pesticide operator

13.—(1) A person who desires to be certified as a pesticide operator may make an application to the Director.

(2) The Director may certify a person as a pesticide operator if the Director is satisfied that —

(a) he possesses the prescribed qualifications and practical experience; and

(b) he is in all other respects a fit and proper person to be entrusted to apply or otherwise use pesticides safely.

(3) Where a person is certified as a pesticide operator, the Director shall issue him a certificate to that effect.

Suspension or cancellation of certification of pesticide operator

14. The Director may suspend or cancel the certification of a person as a pesticide operator if the pesticide operator —

(a) uses or supervises the use of any pesticide which is not registered with the Director;

(b) uses or supervises the use of any pesticide otherwise than in accordance with the instructions specified by the manufacturer of the pesticide;

(c) is responsible for any failure to store any pesticide in the prescribed manner;

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- (d) disposes or causes or allows the disposal of any pesticide container otherwise than in the prescribed manner; or
 - (e) fails to keep such records of the use of any pesticide as the Director may require.

Application for registration of pesticide

15.—(1) Every pesticide for use in the cultivation of any plant shall be registered with the Director.

(2) An application for registration under subsection (1) shall be made in such manner and form and accompanied by such documents and particulars as may be required by the Director.

(3) The Director may establish one or more committees consisting of such persons as he may appoint for the purpose of advising him on such matters arising out of any application for registration under this section as are referred to any such committee by the Director.

PART IV

PROHIBITED PLANTS

Minister may prohibit cultivation of plants

16.—(1) The Minister may by order prohibit, either absolutely or conditionally, the cultivation of any plant in Singapore (referred to in this Act as prohibited plant).

(2) An order made under subsection (1) may provide that no person shall cultivate any prohibited plant except under and in accordance with a permit issued by the Director.

Presumption that owner and occupier permitted growing of prohibited plants

17. If any prohibited plant is found growing on any land in contravention of any order made under section 16, the owner and the occupier of the land shall be deemed to have permitted the plant to grow unless the owner or the occupier, as the case may be, proves —

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

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

Certificate of Director to be evidence

18. A certificate under the hand of the Director stating that any plant is a prohibited plant shall be conclusive evidence of the facts stated therein.

Eradication and destruction of prohibited plants

19.—(1) Any prohibited plant cultivated in contravention of any order made under section 16 may be eradicated and destroyed by the Director or any person acting under his authority.

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

PART V

CONTROL OF PESTS

Power to direct destruction or treatment of plants, etc

20.—(1) If as a result of any inspection or examination of any land, premises or plant by an agricultural officer, it appears to the agricultural officer that any land or premises or plant is in a condition favourable to the introduction or spread of any pest or that any plant is diseased, the Director may, by notice in writing under his hand addressed to the owner or occupier of the land or premises where that condition exists or where the plant is, direct him to take within a time to be stated in the notice such measures as may appear to the Director necessary or expedient for —

- (a) 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 plant or any plant or of any pest or of any tool or utensil used for agricultural or industrial purposes on the land or premises including the cessation of

obtaining or abstracting any product from any plant on the land or premises; and

- (b) the treatment of the land or premises or plant or of any tool or utensil used for agricultural or industrial purposes on the land or premises with a view to bringing them into a condition not favourable to the introduction or spread of any pest.

(2) If an owner or occupier of any land or premises fails to comply with a notice under subsection (1) within the time stated for the performance of the acts required to be done, any agricultural officer may enter upon the land or premises to which the notice refers and may cause such duly authorised persons to enter with such instruments and things as are necessary and may proceed to perform all acts required by the notice, and the costs and expenses thereof shall be recoverable as a debt due from the owner or occupier to the Government.

(3) Nothing in subsection (2) shall affect the liability of any person to prosecution and punishment under subsection (4).

(4) Any owner or occupier of any land or premises who wilfully fails to comply with the notice under subsection (1) within the time stated 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 and, in the case of a continuing offence, to a further fine not exceeding \$100 for every day during which the offence continues after conviction.

Placing land under quarantine

21.—(1) Where the Director is of the opinion that any plant on any land is diseased, he may make an order placing the land or any part thereof in quarantine for such period as may be prescribed by the order.

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

(3) Any land placed in quarantine under subsection (1) shall continue in quarantine until the Director certifies that no plant thereon is diseased.

Application for examination of quarantined area

22.—(1) Any owner or occupier of any land quarantined under section 21(1) may apply to an agricultural officer to examine the quarantined area with a view to obtaining from the agricultural officer the certificate referred to in section 21(3).

(2) The agricultural officer shall, as soon as possible after receipt of such an application, visit and examine the quarantined area and may charge such fees as may be prescribed for such visit and examination.

Power to order immediate destruction of plants

23.—(1) If in the opinion of the Director 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 the plant by any person referred to in the order.

(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 where the diseased plant was, shall be defrayed by the owner or occupier.

Clearing diseased land

24.—(1) Where it appears to an agricultural officer that any plant on any land is diseased and he is of the opinion that it is necessary for the prevention of the spread of any pest that the land be entirely cleared of cultivation or cleared of all cultivation of any particular species, the Director may, with the approval of the Minister, by notice in writing addressed to the owner or occupier of the land where 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.

(2) The action directed by a notice under subsection (1) may be enforced in the manner provided by section 20(2) for the enforcement of the action directed by a notice under section 20(1).

(3) If the owner or occupier of any land on whom a notice under subsection (1) has been served fails to comply with the notice, he 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 and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day during which the offence continues after conviction.

Compensation

25. Where any cultivation has been destroyed in pursuance of a notice issued under section 24, the Minister may, in his discretion, direct the payment out of the Consolidated Fund of compensation for that cultivation subject 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 and if any question arises as to the market value, the decision of the Director shall be final and conclusive;
- (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 Part or has by his neglect contributed to the introduction of the pest.

Accredited pest control agency

26. The Director may register any fit and proper person possessing the prescribed qualifications and practical experience as an accredited pest control agency to carry out, at any appointed place, any treatment, detention, destruction or disposal of any plant, plant product or pest under this Act.

PART VI
EXPORT OF PLANTS

Minister may prohibit export of plants

27.—(1) The Minister may by order prohibit, either absolutely or subject to such conditions as may be specified in the order, the export of any plant from Singapore to any country, territory or place.

(2) An order under subsection (1) may specify that no person shall export any plant except under and in accordance with a permit issued by the Director.

Advisory committee

28. The Minister may establish one or more advisory committees consisting of such members as he may appoint, for the purpose of advising the Minister on the exercise of his power to make any order under section 27, and on other subjects connected therewith.

Phytosanitary certificate

29.—(1) Any agricultural officer may, on application and on such terms as the Director may require, issue a phytosanitary certificate stating that any plant or plant product is free from pests for the purpose of export.

(2) Any person who wilfully —

- (a) gives false information for the purpose of obtaining a phytosanitary certificate;
- (b) falsifies any phytosanitary certificate;
- (c) uses a phytosanitary certificate with intention of causing it to be believed that a plant or plant product which is not a plant or plant product in respect of which the phytosanitary certificate was issued, is a plant or plant product in respect of which the certificate was issued,

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.

PART VII
LICENCE AND PERMIT

Application for licence or permit

30.—(1) An application —

- (a) for a licence under section 6 or 11; or
- (b) where provision is made by an order under section 7(1), 16(1) or 27(1) for the issue by the Director of a permit, for a permit,

shall be made to the Director in such manner and form as the Director may require and shall be accompanied by the prescribed fee.

(2) Every licence or permit issued shall be in such form and for such period and may contain such terms and conditions as the Director may determine.

(3) Every licence or permit issued shall, unless earlier revoked, be valid for such period as may be specified therein and may be renewed.

(4) The Director may vary or revoke any of the existing conditions of a licence or permit or impose new conditions.

Revocation or suspension of licence or permit

31.—(1) The Director may at any time revoke or suspend a licence or permit.

(2) The Director shall before taking any action referred to in subsection (1) notify the person concerned of his intention to take such action and shall give the person concerned an opportunity to submit reasons why such action should not be taken against him.

(3) Where the Director has revoked or suspended a licence or permit under this Act, he shall give notice in writing of the suspension or revocation to the person concerned.

(4) Where a licence issued by the Director pursuant to an order made under section 16 is revoked or has expired, the licensee shall eradicate and destroy all or any of the prohibited plants planted or cultivated or maintained in pursuance thereof and any prohibited plant not

eradicated and destroyed shall be deemed to have been grown in contravention of section 16.

(5) Notwithstanding subsection (2), a permit issued pursuant to section 7(2) may be revoked without notice by the Director.

PART VIII MISCELLANEOUS

Penalty

32. Any person who —

- (a) contravenes or fails to comply with section 6, 8, 9(1), 11, 12(1), 12(2), 21(2) or 39; or
- (b) contravenes or fails to comply with any order made by the Minister under section 7, 16 or 27,

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.

Offences committed by body corporate

33. Where an offence under this Act or any rules made thereunder has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Offences committed by agent or employee

34. Where an offence under this Act or any rules made thereunder is committed by any person acting as the agent or servant of another person, or being otherwise subject to the supervision or instructions of another person for the purposes of any employment in the course of which the offence was committed, that other person shall, without prejudice to the liability of the first-mentioned person, be liable under

this Act or any rules made thereunder in the same manner and to the same extent as if he had personally committed the offence if it is proved that the act which constituted the offence was committed with his consent or connivance or that it was attributable to any neglect on his part.

General powers of agricultural officers

35.—(1) For the purpose of ascertaining whether any offence under this Act or any rules made thereunder has been or is being committed, any agricultural officer may, on producing, if so requested, an identification card —

- (a) enter and inspect any land or premises and examine any plant, plant product, package, soil or article thereon at all reasonable times;
- (b) stop, examine, board, enter or detain any conveyance used for carrying any plant, plant product or package;
- (c) take, without payment, any sample of any plant, plant product or soil;
- (d) seize, remove or detain any plant, plant product, package, pest or soil; or
- (e) break open any hold, compartment or container or other receptacle including any place that could be used as a receptacle.

(2) The owner or occupier of any land, premises or conveyance shall, if requested by an agricultural officer, provide reasonable assistance to the agricultural officer for the purpose of the exercise of his powers under this section and furnish any information relating to the land or premises which is reasonably required by the agricultural officer for the purposes of the discharge of his duties under this Act.

(3) A police officer may arrest without warrant any person who has committed or whom he reasonably suspects to have committed an offence under this Act or any rules made thereunder —

- (a) if the person refuses to give his name and address; or

(b) if there is reason to doubt the accuracy of the name and address, if given.

(4) A person arrested under this section may be detained until his name and address are correctly ascertained except that no person shall be detained longer than is necessary for bringing him before a court.

(5) Any person who obstructs or hinders any agricultural officer in the exercise of any of his powers under this Act or any rules made thereunder 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.

Power to label for identification

36.—(1) Any agricultural officer may, where he considers it necessary for the purposes of identification, label permanently or temporarily, any consignment of plants or plant products.

(2) Any person who wilfully counterfeits, alters, defaces, erases or removes any such label 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.

Power to take samples

37.—(1) Any agricultural officer may, for the purpose of ascertaining the levels of pesticide residue or toxic chemical residue contained in any fresh fruit or vegetable, enter any premises, at all reasonable times, to take, without payment, any reasonable sample of fresh fruits and vegetables for analysis and detain the whole lot from which the sample is taken under normal storage conditions until a report of the result of the analysis is obtained.

(2) Any report issued under subsection (1) which is signed by a Scientific Officer shall be admissible as conclusive evidence of the facts stated therein in any proceedings under this Act or any rules made thereunder.

Power to dispose of, etc., fresh fruits and vegetables

38.—(1) Where any sample of fresh fruits or vegetables is determined by a Scientific Officer to contain pesticide residue or

toxic chemical residue exceeding the prescribed levels, the Director may, in his discretion, cause the whole lot of fresh fruits or vegetables from which the sample is taken, to be —

- (a) re-exported or returned to its place of origin;
- (b) treated in such manner as he may direct so as to remove or aid the dissipation of the residue to the prescribed levels; or
- (c) disposed of in such manner as he may direct.

(2) The cost of, and all expenses incurred in, the re-exporting, returning, treatment or disposal under subsection (1) shall be defrayed by the owner, grower or importer of the fresh fruits or vegetables.

Access to documents, books and records

39. Every person who imports for sale or supply or who grows fresh fruits or vegetables shall, on demand, afford the Director access to, and produce, such documents, books or records relating to or reasonably believed to relate to the fresh fruits or vegetables as may be required by the Director.

Forfeiture

40.—(1) Where any person is convicted of any offence under this Act or any rules made thereunder, the court may order that any article seized under this Act or any rules made thereunder or in respect of which the offence was committed, be forfeited to the Government.

(2) Where a person who is charged for an offence under this Act or any rules made thereunder is acquitted, the court may order any article seized under this Act or any rules made thereunder to be released to the person from whom the article was seized; and where the owner of the article cannot be ascertained, the Government may confiscate the article seized.

(3) Every article so forfeited to the Government shall be disposed of in such manner as the Minister may direct.

Presumption of ownership

41. Where in any proceedings under this Act or any rules made thereunder a question arises as to the ownership of any plant, plant

product, pest or article, the person found in possession of the plant, plant product, pest or article shall be presumed to be the owner thereof until the contrary is proved.

Service of notices

42.—(1) Where under this Act or any rules made thereunder any notice, order or document is required or authorised to be served on any person, it may be served by —

- (a) delivering it personally or by leaving it with some adult person at the last known place of residence or business of the person to be served;
- (b) leaving it at the usual or last known place of residence or business of the person to be served in a cover addressed to that person, or posting it upon a conspicuous part of those premises; or
- (c) sending it by registered post addressed to the person to be served at his usual or last known place of residence or business.

(2) Any notice, order or document required or authorised by this Act to be served on the owner or the occupier of any premises shall be deemed to be properly addressed if addressed by the description of the “owner” or “occupier” of the premises without further name or description.

Protection from liability

43. No suit or other legal proceedings shall lie against the Director or any agricultural officer in respect of anything done or omitted to be done in the discharge of their duties under this Act or any rules made thereunder unless the thing was done or omitted to be done in bad faith.

Power to compound

44.—(1) The Director may, in his discretion, compound any offence under this Act or any rules made thereunder which is prescribed as an offence which may be compounded by collecting from a person

reasonably suspected of having committed the offence a sum not exceeding \$1,000.

(2) The Minister may prescribe the offences which may be compounded.

(3) Where an offence is compounded under this Act or any rules made thereunder, any article seized shall be forfeited to the Government.

Exemption

45. The Minister may, either generally or in any particular case, and subject to such conditions as he may impose, exempt any person from all or any of the provisions of this Act or any rules made thereunder.

Rules

46.—(1) The Minister may make rules for or with respect to any matter which may be necessary or expedient for carrying out the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), rules may be made —

- (a) providing for the powers and duties of the agricultural officers appointed under this Act;
- (b) providing for matters relating to registration, licensing, certification and the issue of permits;
- (c) prescribing the procedure, condition or location for the import of any fresh fruit and vegetable;
- (d) providing for the inspection, observation, detention, identification, treatment, destruction, reshipment or disposal of any plant or plant product;
- (e) prescribing the levels of any pesticide residue or toxic chemical residue in or on any plant or plant product;
- (f) providing for the control and eradication of any pest and preventing their spread within Singapore;
- (g) prescribing the manner of entry upon any land and the conduct of any examination, inspection, detention,

- quarantine, treatment or destruction of any plant, plant product, pest, soil or any other article thereon;
- (h) prohibiting or restricting the introduction into Singapore of any plant, plant product, pest, soil or package or other thing which is likely to introduce pests into Singapore;
 - (i) prohibiting or restricting the introduction into Singapore of any prohibited plant;
 - (j) prescribing treatment for aircraft or any other conveyance arriving from overseas and the procedure to be adopted on their arrival so as to prevent the introduction of any pest into Singapore;
 - (k) requiring every person arriving in Singapore from overseas to give a certificate declaring in such form as may be prescribed whether he has any plant, plant product, fungus, bacterium, virus or micro-organism or any insect, mite or other invertebrate animal or any soil in his possession;
 - (l) providing for the inspection, observation, disinfection, treatment, destruction, reshipment or disposal of any plant introduced into Singapore and the progeny of any such plant or any soil, package or other thing;
 - (m) providing for the control of plants kept or grown in isolation or under quarantine conditions;
 - (n) prescribing the areas within Singapore where any plant, plant product, pest or package may be landed;
 - (o) providing for the detention or the quarantine of any plant, plant product or package suspected of harbouring any pest and prescribing the treatment or the destruction thereof;
 - (p) regulating the use of any pesticide in the cultivation of plants;
 - (q) prescribing the qualifications and practical experience of a certified pesticide operator;
 - (r) providing for matters relating to the registration, labelling, packing, use, storage, disposal and record keeping of any pesticide used in the cultivation of plants;

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- (s) providing for the licensing, control, supervision and inspection of any land or premises on which any plant or plant product is grown, produced, processed, sold, stored or used;
 - (t) providing for the registration, control and supervision of any accredited pest control agency under this Act; and
 - (u) prescribing the forms, fees or registers for the purposes of this Act.

(3) The Minister may, in any rules made under this Act, provide that any contravention of or failure to comply with any provision thereof shall be an offence and may prescribe a penalty for any such offence of a fine not exceeding \$10,000 or imprisonment for a term not exceeding 3 years or both.

Repeal

47. The Agricultural Pests Act (Cap. 5), the Controlled Plants Act (Cap. 59) and the Export of Plants (Control) Act (Cap. 101) are repealed.

Transitional provision

48. Any licence, permit, certificate or any other document issued, made or granted under the Agricultural Pests Act, the Controlled Plants Act or the Export of Plants (Control) Act which is in force immediately before the date of commencement of this Act —

- (a) shall have effect as from that date as if issued, made or granted under this Act;
- (b) in the case of any licence, permit, certificate or other document for a specified period, shall remain in force, subject to the provisions of this Act, for so much of that period as remains after that date.

Saving of appointments of agricultural officers

49. Any person appointed as an agricultural officer under the Agricultural Pests Act (Cap. 5) shall continue to be an agricultural officer under this Act as if that person had been appointed under

section 3 on the same terms and conditions for a term expiring on the day on which his previous appointment would otherwise expire.
