

CAP. 49.

CYPRUS

DISEASES OF PLANTS (PREVENTION)

CHAPTER 49 OF THE LAWS

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1959

CHAPTER 49.

DISEASES OF PLANTS (PREVENTION).

ARRANGEMENT OF SECTIONS.

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TO PREVENT THE INTRODUCTION AND SPREADING OF
DISEASES OF TREES AND PLANTS.

1949 Cap. 80.

[22nd June, 1893.]

Short title. 1. This Law may be cited as the Diseases of Plants Prevention Law.

Interpreta- 2. In this Law—
tion.

“plant” means and includes every tree, plant, herb or grass of which the fruit or any other part is used for the food of man or beast, or for any purpose in connection with arts or manufactures ;

“plant disease” means any deterioration or destruction of any plant or parts of a plant which is capable of being communicated to any other plant or parts of a plant, whether such deterioration or destruction is due to disease, insects, blight, fungus or any other cause.

Declaration of infected areas. 3. The Governor shall have power from time to time, when it shall seem to him to be necessary, to declare any district or area within the Colony, or place within any such area, to be a place infected or suspected of being infected with a plant disease.

Power of Governor to make orders. 4. (1) The Governor may, from time to time, make any general or special orders for the following purposes or any of them :

(a) for prescribing and regulating the destruction.

removal, uprooting, disposal or treatment of plants and products of a vegetable nature within an infected district, area or place ;

- (b) for prescribing and regulating the cleansing and disinfecting of infected places and areas, or parts thereof ;
- (c) for prescribing the period within which it shall not be lawful to plant or re-plant with any plant whatsoever, or with any particular kind of plant, the whole or any portion of an infected district, area or place ;
- (d) for prohibiting or regulating the movement of persons, animals, earth, soil, dung, vegetable products or other things into or out of a district, area or place declared to be a place infected or suspected of being infected with a plant disease ;
- (e) generally for the purpose of in any manner preventing the introduction into the Colony or the spreading therein of a plant disease ;
- (f) for the appointment, pay and regulation of the duties of persons to be charged with the execution of any provisions or orders made by virtue of this Law.

And all such orders for the time being in force shall be considered to be part of this Law.

(2) In the event of the failure or neglect of the owner of any trees or plants on any area or place to comply with any general or special order made by the Governor, the Director of Agriculture may by himself or by such officials of the Agricultural Department as he shall by writing under his hand authorize in that behalf do all such things as may be necessary for carrying out the said order ; and upon the Director of Agriculture certifying to the District Court the costs which have been properly incurred in carrying out such order, such Court shall summon the person on account of whose failure or neglect such costs were incurred to appear before it on a certain day then and there to make payment of the costs which shall appear to the Court to have been properly incurred in that behalf ; and if such person shall refuse or fail to make such payment forthwith, or within such time as the Court shall appoint, the Court shall proceed to recover such payment in the same manner as it would proceed to recover any fine incurred under a sentence of the Court.

Power to carry order into effect.

Declara-
tion of
freedom
from
infection.

5. The Governor may from time to time declare, subject to such conditions as he may think fit, any district, area or place within any area, as being no longer suspected of being infected with a plant disease ; and thereupon, save as otherwise by such declaration provided, any general or special order that may have been made under the provisions of this Law shall, so far as it affects any such district, area, or place, cease to have effect.

Power to
enter upon
lands and
search for
causes of
disease.

6. Any person authorized by the Governor may with or without any animals or beasts of burthen, carts, tools, implements or other things enter upon any land and there examine any plants or products of a vegetable nature, and dig up the ground, and do all such other acts and things as may be expedient in order the more effectually to search for and destroy the causes of any plant disease.

Compensa-
tion for
plants and
vegetable
products
destroyed.

7. When any plants or vegetable products shall have been destroyed under the authority of this Law, the Commissioner of the District shall thereupon pay out of the district treasury to the owner of the plants or products compensation for such destruction, the compensation to be assessed on the value of the plants or products at the time of destruction by valuers, one to be appointed by the Commissioner and one by the Commissioner of the village for that purpose. In the event of any disagreement as to the compensation to be paid, the matter shall be referred to the District Council (Mejlis Idare), whose decision shall be final :

Provided that if it is proved to the satisfaction of the Governor that the destruction of any plants or vegetable products was rendered advisable or necessary by the wilful contravention by the owner of such plants or products of the provisions of this Law, he may forbid the payment of such compensation.

Power of
Governor
to prohibit
importation
of articles.

8. For the purpose of preventing the introduction into the Colony or the spreading therein of any plant disease, and for the purpose of making better provision for preventing the importation of goods deemed likely to convey the germs of any plant disease, and coming directly or originally from countries or places believed to be infected with any plant disease, the Governor may from time to time order that the importation of any goods or articles be prohibited, or be permitted only on such conditions as shall be determined by any such order ; and he may from time to time vary or rescind any such order.

9. Any person who shall import or bring into the Colony any goods or articles or shall do any act or thing in contravention of any order made under the last preceding section shall be liable to a fine not exceeding five pounds, and all such goods or articles shall be forfeited together with the packages containing the same and everything packed therewith.

Penalties for contravention of order under preceding section.

10. Any contravention of any order made under section 4, or any obstruction to any officer or person appointed to execute any of the provisions of this Law, may be punished by fine, not exceeding, for the first offence, one pound, and for any subsequent offence, five pounds.

Penalties for contravention of orders and obstruction of officers.

11. The Governor may order that the whole or any portion of any fine inflicted under this Law be paid to the person by whose means the conviction has been obtained.

Reward to informer.

