



**THE FOLLOWING LEGISLATION
HAS BEEN REPEALED
BY**

ACT NO. 6 OF 2016

PLANTS PROTECTION RULES

(SECTION 6)

[Commencement 7 October, 1916]

G.N. 276/1916
G.N. 339/1916
S.I. 1/1966
S.I. 32/1983
5 of 1987

1. These Rules may be cited as the Plants Protection Rules. Title.
2. In these Rules, unless the context otherwise requires — Interpretation.

“Minister” means the Minister charged with the responsibility for the administration of the Act.
3. No plants whatsoever as defined by the Act nor the packages that contain the same as defined by the Act shall be imported into The Bahamas except under the following conditions — Importing of plants.
 - (a) all such plants and packages shall be landed at the Port of Nassau, except when permission has been obtained from the Minister to land the same at any other port or place in The Bahamas, upon such conditions as to landing and otherwise, as may be determined by the Minister with reference to the same;
 - (b) all such plants and packages shall be delivered up by the importer to the Comptroller of Customs, who shall cause them to be conveyed to such place as shall be determined by the Minister, and the Comptroller may also for such purpose take charge of any such plants and packages immediately on their arrival in The Bahamas, and prior to the delivery thereof to the importer. Upon such delivery the Comptroller shall give to the importer a receipt showing the time and date of such delivery;
 - (c) a permit issued by the Minister authorizing the importation of such plants and packages into the Bahamas is obtained. S.I. 32/1983.
4. If the importer of any plants imported under these Rules is suspected or found to be diseased produces to the Minister a certificate of a recognised State Authority (at the place from which such plants were exported) that the nursery, plantation, field or land from which the plants Importer to produce certificate.
S.I. 1/1966.

have come is free from any harmful or dangerous disease, such plants and the packages that contain the same will (unless the Minister deems it otherwise necessary) be delivered to the importer without undergoing any process of fumigation or disinfection. If no such certificate is produced, it shall be the duty of the Inspector or of some officer or servant duly authorised by the Minister, to examine such plants and packages and if he is satisfied that they are free from any harmful or dangerous disease, he shall deliver the same to the importer.

Fumigation of plants.

5. If the Minister deems it necessary in order to carry out the provisions of the Act, any plants and packages imported under these Rules may be fumigated, disinfected, cleansed, purified, and treated in such manner and under such conditions as the Minister may consider adequate for destruction of any vegetable or insect pests which may possibly be on or amongst such plants and packages. No liability shall attach to the Minister in respect of any damage occasioned by such fumigation, disinfection, cleansing, purifying or treating.

Plants may be seized.

6. All plants and packages imported under these Rules may be seized by and forfeited to the Minister, and may be destroyed or otherwise dealt with as the Minister may direct.

Plants to be collected within 24 hours.

7. All plants and packages shall be moved from any place of fumigation or other treatment by the importer within twenty-four hours after he has been required by the Minister to remove the same, and failing such removal the Minister shall be at liberty to order the destruction of such plants and packages, or to deal otherwise with them at his discretion.

Expense of fumigation, etc., to be borne by importer.

8. The expenses of removal to and from any place appointed by the Minister, and of disinfection or other treatment, and for labour connected with the opening and repacking of packages for the purpose of inspection and preparing plants for disinfection or other treatment, if made under these Rules, shall be borne by the importer, and the Minister may recover from the importer in any court having jurisdiction such expenses as well as any expenses necessarily incurred in keeping the plants in good condition.