

Control of Plants (Cultivation of Plants) (Licensing and Certification) Rules

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Legislative History

CONTROL OF PLANTS ACT
(CHAPTER 57A, SECTION 48)

CONTROL OF PLANTS
(CULTIVATION OF PLANTS) (LICENSING AND CERTIFICATION) RULES

R 2

G.N. No. S 27/1994

REVISED EDITION 2000

(31st January 2000)

[18th February 1994]

PART I

PRELIMINARY

Citation

1. These Rules may be cited as the Control of Plants (Cultivation of Plants) (Licensing and Certification) Rules.

Definitions

2. In these Rules, unless the context otherwise requires —

“consignment” means any consignment of a single type of plant, fresh fruit or vegetable which has been produced for sale or supply;

“crop” means any unharvested crop of a single type of plant, fresh fruit or vegetable which has been produced for sale or supply;

“cultivation of plants” means the commercial production of any plant (whether from seed, tuber, cutting, rhizome, bulb, corm, stock, budwood, slip, sucker, graft, scion or any other part whatsoever from which such plant may be propagated) or fresh fruit or vegetable, but excludes the operation of any nursery or outlet for the primary purpose of the retail sale of plants;

“farm” means any land or premises, whether enclosed by fencing or not, used for the cultivation of plants;

“licence” means a licence issued by the Director-General under section 31 of the Act for the cultivation of plants;

“licensee” means the holder of a licence;

“permitted pesticide” means any pesticide which is registered under the Control of Plants (Registration of Pesticides) Rules (R 3);

“pesticide operator” means a person who is authorised, whether by virtue of a pesticide operator’s certificate, to carry out or supervise the application or use of pesticides in the cultivation of plants or any activity directly relating to such work;

“pesticide operator’s certificate” means a certificate issued by the Director-General under rule 14(1) certifying that the person to whom the certificate is issued is competent to carry out or supervise the application or use of pesticides in the cultivation of plants and authorising him to carry out or supervise such work;

“unregistered pesticide” means any pesticide which is not registered under the Control of Plants (Registration of Pesticides) Rules (R 3).

Limitation of application of Rules

3. These Rules shall not apply to —

- (a) the cultivation of plants by any Government agency or statutory body; or
- (b) the cultivation of plants by tissue culture or micro- propagation techniques.

PART II

FARM LICENCE FOR CULTIVATION OF PLANTS

Keeping or maintenance of farm

3A. No person shall keep or maintain a farm except in accordance with a valid licence issued by the Director-General under section 31 of the Act and in accordance with the conditions, if any, of that licence.

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Fees for licence and renewal of licence

4. Every application for a licence and every application for the renewal of a licence shall be accompanied by the appropriate fee specified in the First Schedule.

Application for and issue or renewal of licence

5.—(1) In determining whether to issue or refuse to issue a licence to an applicant, the Director-General may consider the suitability of the land or premises to be licensed for use as a farm.

(2) For the purposes of paragraph (1), the Director-General may, at any time —

- (a) enter and inspect the land or premises in respect of which the application for a licence is made, or cause such land or premises to be inspected by an authorised officer;
- (b) require the applicant to make available any relevant documentation for inspection and copying; and
- (c) require the applicant, at his own expense, to make such alteration or improvement to such land or premises or to provide, fix or install such facilities or structures as the Director-General may specify.

(3) The Director-General may refuse to issue a licence to an applicant if —

- (a) the applicant or one of his partners or, if the applicant is a body corporate, one of its directors —
 - (i) had previously been convicted of an offence under the Act; or
 - (ii) had previously held a licence issued under the Act and the licence or permit, as the case may be, was subsequently revoked or suspended under section 32 of the Act; or

(b) in the opinion of the Director-General —