

Agricultural Pests Act
(CHAPTER 5)

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AGRICULTURAL PESTS ACT

(CHAPTER 5)

(Original Enactment: Act 25 of 1918)

REVISED EDITION 1985

(30th March 1987)

An Act to provide for the protection of trees, plants and cultivated products from disease and pests.

Short title

1.—(1) This Act may be cited as the Agricultural Pests Act.

(2) Section 17(2) shall not come into force until such date as the President may by notification in the *Gazette* prescribe in that behalf, and its operation may thereafter be suspended by the President by a further notification in the *Gazette* for such periods as he thinks fit.

Interpretation

2. In this Act, unless there is something repugnant in the subject or context —

“agricultural officer” means the Senior Primary Production Officer;

“diseased” means attacked by or affected with any pests;

“inspecting officer” includes the Senior Primary Production Officer and any officer appointed under section 3 to be an inspecting officer under this Act and also any officer to whom an inspecting officer has delegated by writing under his hand the exercise or performance of any power or duty conferred or imposed by this Act on an inspecting officer, to the extent of the powers or duties so delegated;

“owner”, with reference to any land, includes all lessees or tenants of the land, and “occupier” includes, with reference to any land, all persons in actual occupation or charge thereof;

“pest” includes every insect, invertebrate animal, rodent, plant and fungus which is destructive or injurious, or apt to be destructive or injurious, to cultivated plants;

“plant” means any tree, shrub or vegetation, whether living or dead, and includes the stem, root, leaf, flower or fruit and any product or part thereof whatsoever, whether severed or attached;

“supervising committee” means the committee referred to in section 4.

Appointment of officers and delegation of powers

3.—(1) The Minister may appoint by name or office, and, when appointed, remove, so many inspecting officers and other officers as he considers necessary for carrying out the purposes of this Act.

(2) The appointment of inspecting officers shall be notified in the *Gazette*.

(3) The Minister may also, if he thinks fit, limit the area within which such officers or any of them shall exercise the powers and perform the duties assigned to them by this Act or any rules made thereunder.

(4) With the previous written approval of the agricultural officer, which may be given generally or be restricted to specified cases, an inspecting officer may, by writing under his hand, delegate to any officer subordinate to him the exercise and performance of any powers or duties assigned to an inspecting officer by this Act or any rules made thereunder, and that subordinate officer may thereupon exercise and perform the powers and duties so delegated.

(5) All officers appointed under this section, and all officers to whom powers or duties have been delegated under this section when acting within the scope of the powers or duties so delegated, shall be deemed to be public servants within the meaning of the Penal Code [Cap. 224].

Supervising committee

4.—(1) For the purposes of this Act, there shall be a supervising committee consisting of not less than 3 persons, of whom one shall be the agricultural officer and the others shall be nominated by the Minister.

(2) Of the persons to be so nominated not more than half shall be officers employed in the public service of Singapore or of Malaysia.

(3) All nominations under this section shall be notified in the *Gazette*.

(4) The agricultural officer shall be the chairman of the supervising committee.

(5) Members of the supervising committee nominated by the Minister shall, unless expressly nominated for a shorter term, ordinarily retain their membership thereof for a period of 5 years, but may resign their membership at any time and may at any time be removed from the committee by the Minister by notification in the *Gazette*.

Entry, inspection and removal

5.—(1) Every inspecting officer may, within the area (if any) limited by his appointment, enter at all reasonable times, with or without assistants, upon any land and premises and may remain there so long as is reasonably necessary for the purposes of this section and may —

- (a) inspect and examine the land and premises and all plants thereon for the purpose of ascertaining whether any of the plants are diseased or whether the land and premises or any plant thereon is in a condition favourable to the introduction or spread of any pest; and

- (b) remove by cutting, digging or otherwise such portions of any plant as he thinks expedient to remove for purposes of examination or investigation.

(2) The owner and the occupier of the land and premises shall permit every inspecting officer to have access thereto for those purposes and shall supply to the officer all such information as is requested by him and is reasonably necessary for those purposes.

Power to direct destruction or treatment of plants or pests or treatment of land and premises

6.—(1) If on or as a result of any inspection or examination of land and premises or plants by an inspecting officer it appears to the officer that any plant is diseased, the officer may, by notice in writing under his hand, addressed to the owner or occupier of the land and premises whereon the plant is, direct him to take within a time to be stated in the notice such measures as may appear to the inspecting officer necessary or expedient for 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 or any plant or of any pest or of any tools or utensils used for agricultural or industrial purposes on the land and premises. Such treatment may include the cessation of obtaining or abstracting any produce from any plants on the land and premises.

(2) If on or as a result of any inspection or examination of land and premises or plants by an inspecting officer it appears to the officer that any land and premises or plant is in a condition favourable to the introduction or spread of any pest, the officer may, by notice in writing under his hand addressed to the owner or occupier of the land and premises whereon that condition exists, direct him to take within a time to be stated in the notice such measures as are in the notice specified for the treatment of the land and premises or plant or of any tools or utensils used for agricultural or industrial purposes on the land and premises with a view to bringing them into a condition not favourable to the introduction or spread of any pest.

Application to supervising committee

7.—(1) If any owner or occupier of land and premises on whom a notice under section 6 has been served is of the opinion that any act or thing required by the notice to be performed or done is unreasonable or unnecessary, he may, by an application in writing addressed to the supervising committee and despatched by registered post to or otherwise delivered at the office of the agricultural officer, within 7 days from the service of the notice and setting forth the grounds on which his application is based, apply to the committee for an order cancelling or varying the notice, and shall forthwith notify the inspecting officer by whom the notice was signed that the application has been made.

(2) The committee may, on receipt of the application, suspend the operation of the