

CAP. 77.

CYPRUS

PHYLLOXERA PREVENTION

CHAPTER 77 OF THE LAWS

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1959

CHAPTER 77.

PHYLLOXERA PREVENTION.

ARRANGEMENT OF SECTIONS.

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TO ENABLE THE GOVERNMENT TO TAKE FURTHER MEASURES
OF PRECAUTION AGAINST THE INTRODUCTION OF
PHYLLOXERA AND THE SPREAD OF THE SAME.

1949 Cap.
133.

[18th August, 1890.]

Short title.

1. This Law may be cited as the Phylloxera Prevention Law.

Declaration
of place
being
infected or
suspected.

2. The Governor in Council may from time to time and at all times when it shall seem to him to be necessary 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 phylloxera.

Power of
Governor in
Council to
make orders.

3. The Governor in Council may also 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 vines and other 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 replant with vines the

whole or any portion of any infected district, area or place ;

- (d) for prohibiting or regulating the movement of persons, animals, earth, soil, dung, vine props, vegetable products or other things into, in or out of a district, area or place declared to be a place infected or suspected of being infected with phylloxera ;
- (e) generally for the purpose of in any manner preventing the introduction into the Colony or the spreading therein of phylloxera ;
- (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 and of the same effect as though they had been incorporated in this Law.

4. The Governor in Council may from time to time and at any time declare, subject to such conditions as he may think fit, any district or area, or place within any area, as being no longer infected or as being no longer suspected of being infected with phylloxera ; 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 district, area or place within any area, cease to have effect.

Declaration of freedom from infection.

5. 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 vines, plants or other 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 phylloxera.

Power to enter on lands and search for phylloxera.

6. Any owner or occupier of any land on which there may be vines that may reasonably be suspected of being affected with phylloxera, or any person having the charge or management of any such vines, shall with all practicable speed give notice of the fact of the vines being so affected to the Commissioner of the district wherein the vines so affected are situate ; and if without lawful excuse (proof

Of notice of disease and penalties when such notice is not given.

whereof shall lie on him) he fails to give such notice he shall be liable to a fine not exceeding thirty pounds.

Compensation for vine and other vegetable products destroyed.

7. When any vines or other vegetable products shall have been destroyed under the authority of this Law, the Commissioner of the district shall thereupon pay out of the Department of the Accountant-General to the owner of the vines or products compensation for such destruction, such compensation to be assessed by a valuer or valuers to be appointed by the Governor for that purpose :

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

Power to provide money for expenses.

8. In order to provide the money that may be required for carrying into effect the provisions of this Law the Governor in Council, as soon as any place shall have been declared to be infected with phylloxera under the provisions of this Law, may order that there be charged and collected yearly an addition to the export duty on raisins of not more than eight per centum thereof, as the Governor in Council shall from time to time direct.

Power to prohibit importation of articles.

9. For the purpose of preventing the introduction into the Colony or the spreading therein of phylloxera, and for the purpose of making better provision for preventing the importation of goods deemed likely to convey phylloxera germs and coming directly or originally from countries or places believed to be infected with phylloxera, 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 the Governor may from time to time vary or rescind any such order.

Penalty for contravention of order.

10. 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 guilty of an offence and shall be liable to a fine not exceeding fifty pounds or to imprisonment for any term not exceeding twelve months ; and all such goods or articles shall be forfeited, together with the packages containing them and everything packed therewith.

11. Any contravention of any order made under section 3, 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 a first offence five pounds, and for any subsequent offence twenty pounds, and also by imprisonment (either in substitution for or in addition to the fines above specified), for any term not exceeding for the first offence three months, and for any subsequent offence twelve months.

Penalty for
contraven-
tion of orders
and obstruc-
tion of
officers.

12. The whole or any portion of any fine inflicted under this Law may be awarded by the Court imposing it in its discretion to the person by whose means the conviction has been obtained.

Reward to
informers.

