

Control of Plants (Import of Fresh Fruits and Vegetables) Rules

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**CONTROL OF PLANTS ACT
(CHAPTER 57A, SECTION 46)**

**CONTROL OF PLANTS (IMPORT OF FRESH FRUITS AND VEGETABLES)
RULES**

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REVISED EDITION 1994

(18th February 1994)

[18th February 1994]

Citation

1. These Rules may be cited as the Control of Plants (Import of Fresh Fruits and Vegetables) Rules.

Definitions

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

“consignment” means a consignment of any single type of fresh fruit or vegetable which originates from one producer;

“importer” means any person who imports any fresh fruit or vegetable for sale or supply and includes his employee, agent or any other person acting under his

control or direction;

“licence” means a licence issued by the Director under rule 4 authorising the holder thereof to import any fresh fruit or vegetable for sale or supply in Singapore;

“licensee” means the holder of a licence issued under rule 4;

“permit” means a permit which, by virtue of an order made by the Minister under section 7 of the Act in respect of any fresh fruit or vegetable from any specified country, territory, place or farm, is required for the import for sale or supply in Singapore of such fresh fruit or vegetable;

“permitted pesticide” means any pesticide which is specified in the Tenth Schedule to the Food Regulations;

“prohibited pesticide” means any pesticide which is not specified in the Tenth Schedule to the Food Regulations.

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Application for licence or permit to import fresh fruits or vegetables

3.—(1) Every application for a licence or permit shall be made in such form as the Director may provide and shall specify such particulars as the Director may require.

(2) Every application for a licence or permit shall be accompanied by the appropriate fee specified in the Schedule.

Issue of licence or permit

4.—(1) Upon receiving an application under rule 3, the Director may, subject to paragraph (2) and such conditions as he may think fit to impose, issue a licence or permit to the applicant.

(2) The Director shall not issue a licence or permit to any applicant unless the applicant is carrying on business in Singapore and is registered under the Business Registration Act [Cap. 32] or in the case of a company, incorporated under the Companies Act [Cap. 50].

(3) Every licence or permit shall be in such form as the Director may determine.

(4) Notwithstanding paragraph (1), the Director may refuse to issue a licence or permit without assigning any reason.

(5) The Director may at any time add to, vary or revoke, any of the conditions subject to which a licence or permit has been issued.

Duration of licence or permit

5.—(1) Subject to rule 10, every licence shall be valid for a period not exceeding one year and may be renewed upon its expiry.

(2) Every permit shall be valid for a period of one month or such other period as the Director may determine.

Renewal of licence

6.—(1) Every application for the renewal of a licence may be made at any time during the one month immediately preceding its expiry.

(2) Every application for the renewal of a licence shall be made in such form as the Director may provide and shall be accompanied by the appropriate fee specified in the Schedule.

(3) Upon receiving an application for the renewal of a licence, the Director may renew the licence subject to such terms and conditions as he may think fit to impose, or may refuse to renew the licence without assigning any reason.

Replacement of lost or defaced licence

7.—(1) Where a licence has been lost or defaced before its expiry, the licensee may apply to the Director for the issue of a duplicate licence.

(2) Upon receiving an application under paragraph (1) and the payment of the appropriate fee specified in the Schedule, the Director shall issue a duplicate licence to the licensee and the duplicate licence so issued shall have the same effect as the original thereof.

(3) Any licensee to whom a duplicate licence has been issued in replacement of a licence which he has lost shall, upon discovering the original licence, forthwith return the duplicate licence to the Director.

(4) No duplicate licence shall be issued in place of a defaced licence unless the defaced licence is surrendered to the Director for cancellation.

(5) No refund shall be made for the fee paid —

- (a) for a certified true copy upon its return to the Director under paragraph (3);
or
- (b) for a licence surrendered to the Director under paragraph (4).

Licence or permit not transferable

8. No licensee or holder of a permit shall transfer or assign the benefit of his licence

or permit to any other person.

Alteration of licence or permit

9. Any person who without lawful authority alters any licence or permit issued under these Rules or knowingly makes use of any licence or permit so altered shall be guilty of an offence.

Revocation or suspension of licence or permit

10.—(1) The Director may revoke or suspend any licence or permit where the licensee or holder of the permit has —

- (a) failed to comply with any of the conditions subject to which his licence or permit has been issued; or
- (b) been convicted of an offence under the Act or these Rules.

(2) On the revocation or suspension of a licence or permit, the Director shall notify the licensee or holder of the permit, as the case may be, of the revocation or suspension and in the case of a suspension, he shall specify in the notice the period of the suspension.

(3) On the receipt of a notification under paragraph (2), the licensee or holder of the permit, as the case may be, shall forthwith surrender his licence or permit to the Director.

(4) Where a licence or permit has been surrendered to the Director on its suspension under paragraph (3), the Director shall, upon the expiry of the period of the suspension, return the licence or permit to the person to whom the licence or permit was issued if the licence or permit has not at that time expired.

Where consignment is not imported by licensed importer or accompanied by permit

11.—(1) Where an agricultural officer is satisfied that any consignment which has arrived but which has not yet entered Singapore has not been imported by a licensed importer or is not accompanied by a valid permit where one is required in respect of the consignment, the agricultural officer may prohibit the entry of the consignment into Singapore.

(2) Where an agricultural officer is satisfied that any consignment which has entered Singapore has not been imported by a licensed importer or is not accompanied by a valid permit where one is required in respect of the consignment, the agricultural officer may —

- (a) detain the consignment and direct the importer of the consignment to export, destroy or otherwise dispose of the consignment; or