



**Tuvalu**

**PLANTS (SPRAYING OF AIRCRAFT)  
REGULATIONS**

**2008 Revised Edition**

**CAP. 44.30.5**





Tuvalu

## PLANTS (SPRAYING OF AIRCRAFT) REGULATIONS

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PLANTS (SPRAYING OF AIRCRAFT) REGULATIONS, CERTIFICATE BY  
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Tuvalu

# PLANTS (SPRAYING OF AIRCRAFT) REGULATIONS

## MADE UNDER THE PLANTS ACT<sup>1</sup>

### 1 Citation

These Regulations may be cited as the Plants (Spraying of Aircraft) Regulations.

### 2 Interpretation

In these Regulations —

“**aircraft**” means an aircraft arriving in Tuvalu from a place outside Tuvalu.

### 3 Spraying of aircraft

- (1) Where an aircraft arrives in Tuvalu from a place outside Tuvalu —
  - (a) the cockpit and passenger compartments;
  - (b) the hold and baggage compartments; and
  - (c) any other part of the aircraft decided on by a quarantine officer,shall be sprayed with insecticide as directed by, and to the satisfaction of, a quarantine officer.
- (2) Spraying of the cockpit and passenger compartments of the aircraft under sub-regulation (1) may be carried out in flight immediately before landing in Tuvalu.
- (3) Where spraying of the cockpit and passenger compartments is carried out before landing under sub-regulation (2) a quarantine officer may require the captain of the aircraft to sign and deliver to him a certificate in the form of the Schedule.
- (4) Spraying of the cockpit and passenger compartments before landing under sub-regulation (2) is without prejudice to the power of a quarantine officer to order further spraying in any case where —
  - (a) the captain of the aircraft refuses or delays or fails to sign or deliver a certificate; or

- (b) the quarantine officer is not satisfied.

#### **4 Complying with instructions of quarantine officer**

(1)

- (a) The Captain and crew of an aircraft; and
  - (b) any ground staff and other person handling an aircraft,
- shall comply with the instructions of a quarantine officer for —
- (i) the spraying of the aircraft in accordance with Regulation 3; and
  - (ii) the opening or closing of doors and hatches of the aircraft.

- (2) Where a person to whom sub-regulation (1) applies refuses or delays or fails to comply with the instructions of a quarantine officer under sub-regulation (1) he is guilty of an offence punishable in terms of Regulation 8(2).

#### **5 No leaving aircraft etc.**

No person shall —

- (a) enter or leave an aircraft; or
- (b) unload any baggage, cargo or other thing from an aircraft,

until the quarantine officer has indicated that the spraying of the aircraft and any subsequent waiting period have both been completed to his satisfaction.

#### **6 Obstruction of quarantine officer**

No person shall prevent, hinder or obstruct a quarantine officer in the performance of his functions under these Regulations.

#### **7 False information**

A person who, in respect of any matter falling within the scope of these Regulations, —

- (a) wilfully makes a statement which he knows to be false; or
- (b) recklessly makes a statement which is false in a material particular,

is guilty of an offence punishable in terms of Regulation 8(2).

#### **8 Offences and penalties**

- (1) A person who contravenes Regulation 5 or 6 is guilty of an offence and is liable to imprisonment for 6 months and to a fine of \$500.
- (2) A person who is guilty of an offence under Regulation 4(2) or 7 is liable to imprisonment for 6 months and to a fine of \$500.

**SCHEDULE**

Regulation 3(3)

**PLANTS (SPRAYING OF AIRCRAFT) REGULATIONS, CERTIFICATE BY  
CAPTAIN OF AIRCRAFT**

Flight No.: .....From: .....on .....

(date) .....

I certify that the cockpit and passenger compartments of aircraft registration No.: .....have been sprayed with insecticide (provided by a quarantine officer) at .....(time) immediately prior to landing in Tuvalu.

..... (Signature)

..... (Name of Captain in block letters)

**Note:** Making a false or reckless statement in this certificate is a criminal offence under regulation 7 and is liable to a penalty of 6 months imprisonment and a fine of \$500 under Regulation 8(2).

## ENDNOTES

<sup>1</sup> LN 10/1986

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