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THE CACAO DISEASES ORDINANCE.

Western Samoa.

No. 4, 1925.



## An Ordinance

made by the Administrator of the Territory of Western Samoa, with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoa Act, 1921.

- Title** 1. This Ordinance may be cited as "The Cacao Diseases Ordinance, 1925."
- Definition** 2. In this Ordinance if not inconsistent with the context "Occupier" means and includes, Owner, Manager, Lessee, or other person for the time being in charge of the land, and "Land of the Occupier" means land so owned, managed, or leased by or in charge of the Occupier. "Inspector" means any Officer of the Administration of Western Samoa authorised to inspect land. "Trees" means cacao trees, or branches, twigs, or any part thereof. "Infected Tree" means a tree which in the opinion of the Director of Agriculture or of the Inspector, is infected with disease. "Shells" means the empty shells of the cacao pods.
- Power of Inspector** 3. The Inspector may at any time and from time to time enter upon and inspect any lands for the purpose of ascertaining that the provisions of this Ordinance are being observed, and may place identification marks on any trees.

4. Upon receipt of notice in writing signed by the Inspector or Director of Agriculture the Occupier shall within the period specified in such notice :—

Notice by Inspector

- (a) Treat all infected trees on the land of the Occupier in accordance with the instructions and requirements of the Inspector or Director of Agriculture, as specified in such notice, and if ordered to do so by such notice, destroy the same forthwith by burning.
- (b) Forthwith destroy by burning or treat in such other manner as directed by the Inspector or Director of Agriculture by such notice, all trees on the land of the occupier which have been cut down and all shells lying or being on the land of the occupier.

5. In the event of the occupier being dissatisfied with the decision of the Inspector upon any matter arising out of this Ordinance he shall have the right to appeal to the Director of Agriculture whose decision shall be final. Such appeal shall be delivered in writing to the Director of Agriculture within three days of the receipt by the occupier of the notice from the Inspector as provided in clause 4 hereof.

Appeal from decision of Inspector

6. It shall be deemed an offence under this Ordinance to :—

- (a) Scatter shells or allow shells to remain among the trees unless such shells are first treated with a reliable fungicide approved by the Inspector or Director of Agriculture.
- (b) To leave in contact with rivers, streams or surface water, any trees, branches, twigs, shells, or any portion of the cacao-tree.
- (c) To remove or alter any identification mark placed on a tree by the Inspector.
- (d) To neglect or fail to comply with the provisions of this Ordinance or any notice given by the Inspector or the Director of Agriculture in accordance therewith.

Offences

7. Any person who is guilty of an offence under this Ordinance shall be liable on conviction by the High Court to a fine not exceeding £25 and in addition to such penalty any work which has been ordered to be done may be carried out by the Director of Agriculture and all or any part of the costs and charges incurred may be ordered by the Court to be paid by the occupier of the land.

Penalty

8. Any notice to be given under this Ordinance shall be deemed to have been duly given to and received by the occupier, if it is given to him personally or posted to him at his usual place of abode, or posted in a conspicuous place upon the land of the occupier.

Service of Notice

9. All Ordinances or Regulations dealing with the diseases of cacao, which are in force at the time of the passing of this Ordinance are hereby repealed.

Repeal

Assented to this nineteenth day of  
November, 1925.

[L.S.] J. W. HUTCHEN,  
Acting Administrator.