

**CHAPTER 112****THE COTTON SEED CONTROL ACT**

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## Section

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## COTTON SEED CONTROL

*(12th October, 1932.)**1011932.*

**1.** This Act may be cited as the Cotton Seed Control Act. **Short title.**

**2.** In this Act— **Interpretation.**

"Agricultural Officer" means the officer for the time being in charge of the Agricultural Department and

any other officer of that Department and any person authorized in writing by that officer for the time being in charge of that Department to carry out any of the provisions of this Act.

"rogue plant" means any cotton plant not being in the opinion of the Agricultural Officer true to Sea Island type.

Cotton seed for planting to be inspected and approved by Agricultural Officer.

**3.** (1) All cotton seed intended for planting shall be inspected by the Agricultural Officer and approved as fit for planting; and after approval by the Agricultural Officer shall be bagged, packed or put in some other container and such bag, package or other container shall be marked by the Agricultural Officer.

(2) The Agricultural Officer may order selection by hand of cotton seed before approving of the same for planting.

Cotton seed not approved for planting to be exported or destroyed.

**4.** (1) No seed not approved for planting under section (3) shall be removed from any cotton factory for any purpose whatsoever except—

(a) for export within twenty-four hours of delivery from factory;

(b) after destruction by heat composting or conversion into meal;

(c) delivery to an oil factory for the purpose of oil extraction during any period of each year which the Governor-General may declare by proclamation in the **Gazette**:

Provided that for good and sufficient reason the Agricultural Officer may grant (in writing) an extension of time beyond any period so proclaimed.

(2) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

Approved cotton seed to be planted.

**5.** Any person who sows or plants or causes to be sown or planted or distributes or causes to be distributed for the purpose of planting any cotton seed not approved of as fit for planting by the Agricultural Officer shall be guilty of an offence.

**6.** The Agricultural Officer on the request of any person, and on being satisfied that such person cannot otherwise obtain cotton seed for planting, may obtain a supply of cotton seed from any person possessing cotton seed fit for planting on the following terms—

**Agricultural Officer may acquire cotton seed for planting.**

(a) that the person having the said cotton seed in his possession does not require the same for the purpose of planting;

(b) that three clear days' notice in writing be given to such person by the Agricultural Officer informing him that the Agricultural Officer requires the said cotton seed, and stating the quantity required;

(c) that compensation is paid at the prevailing market price for such cotton seed;

(d) any person refusing to deliver cotton seed for planting when required to do so in accordance with the provisions of this section shall be guilty of an offence.

**7.** The Agricultural Officer may without notice and with or without assistants uproot or in any other manner destroy any rogue plant found growing in any place.

**Power given Agricultural Department to destroy rogue plants.**

**8.** The Agricultural Officer shall not be deemed to be a trespasser by reason of any entry or destruction or action taken or thing done under this Act, or be liable for any damage occasioned by carrying out any of the provisions of this Act, unless the same was occasioned maliciously and without reasonable cause, or through his personal negligence.

**Protection of person acting under Act.**

**9.** Any person who shall in any manner obstruct or impede any person in the execution of any of the powers conferred by this Act shall be guilty of an offence

**Obstruction of person acting under Act.**

**10.** Any person who is guilty of an offence against this Act shall be liable on summary conviction to a fine not exceeding three thousand dollars.

**Penalty.**