

Government of Pakistan
MINISTRY OF FOOD, AGRICULTURE AND CO-OPERATIVES
DEPARTMENT OF PLANT PROTECTION

PLANT QUARANTINE
ACT, 1967

PAKISTAN PLANT QUARANTINE ACT, 1976

WHEREAS it is expedient to give effect in Pakistan to the International Plant Protection Convention, 1951, and to provide for matters connected therewith.

It is hereby enacted as follows:-

1. **Short title, extent and commencement.** – (1) This Act may be called the Pakistan Plant Quarantine Act, 1976.

2) it extends to the whole of Pakistan.

3) It shall come into force at once.

2. **Definition.** – In this Act, unless there is anything repugnant in the subject or context. –

- a) “convention” means the International Plant Protection Convention, 1951;
- b) “crop” includes all agricultural or horticultural crops and all trees, bushes, grass or plants;
- c) “Import” means the bringing or taking by sea, land or air across and customs frontier as defined by the Federal Government and includes transportation by any means from one Province to another or from one place to another within a Province;
- d) “Infection” means infection by any insect, fungus, or other pest injurious to a crop or plant;
- e) “Pest” means any living stage of any or all insects, mites, nematodes, slugs, snails, protozoa, or other invertebrate animals, fungi, bacteria, or other parasitic plants or reproductive parts thereof, virus or any organism, or any infectious substance which may directly or indirectly injure or cause disease to any crop or plant; and
- f) “Plant” means all species of plants or parts thereof whether living or dead including stems, branches, tubers, bulbs, corns, stock, bud-wood, cuttings, layers, slips, suckers, roots, green scum on stagnant pools, leaves, flowers, fruits and seeds.

3. **Power to prohibit or regulate import of certain articles.** – (1) The Federal Government may by notification in the official Gazette, prohibit, restrict or otherwise regulate, subject to such conditions as it may think fit to impose, import of any article or class of articles likely to cause infection to any crop or plant, or of any pest generally or any class of pests.

(2) A notification under this section may specify any article or class of articles or any pest or class of pests either generally or in any particular manner, whether with reference to the country of origin, or the route by which imported or otherwise.

(3) Any condition imposed under a notification under this section may require:-

- a) Compliance with the provisions of the Convention;
- b) Examination by authorized persons of goods, articles of plant origin and pests brought in or to be taken out;
- c) Obtaining of certificate of non-infection ; and

- d) Treatment or detention, confiscation and destruction of infected goods or articles of plant origin.

4. **Operation of notification under section 3.** – A notification under section 3 shall operate as if it has been issued under section 16 of the customs Act, 1969 (IV of 1969), and the officers of customs shall have the same powers in respect of any goods, articles of plant origin or pests in respect of which such a notification has been issued as they have for the time being in respect of any article the importation of which is prohibited or restricted under the said Act, and all the provisions of that Act, shall have effect accordingly.

5. **Goods and articles import or transportation of which prohibited not to be carried.** – When a notification has been issued under section 3, then notwithstanding anything contained in any other law for the time being in force, the person responsible for the booking of goods or parcels at any port, railway station, airport or other place:-

- i. Where the notification prohibits import, shall refuse to receive for carriage at, or to forward, or knowingly allow to be carried by sea, air, land, rail or other carrier from that port, station airport or place anything of which the import has been prohibited; and
- ii. Where the notification imposes any condition upon, import, shall so refuse unless the prescribed documents showing that the conditions have been fulfilled are produced.

6. **Penalty.**-Whoever contravenes or attempts to contravene any of the provisions of this Act, or of any rules made or notification issued thereunder, shall, without prejudice to any confiscation or penalty to which he may be liable under the provisions of the Customs Act, 1969 (IV of 1969), as applied by Section 4, be punishable with fine which may extend to five hundred rupees and, upon any subsequent conviction, with imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both.

7. **Cognizance of offence.**-No Court shall take cognizance of any offence under this Act except upon complaint in writing made by any officer authorized by the Federal Government in this behalf.

8. **Indemnity.**-No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

9. **Delegation of powers.**-The Federal Government may delegate to a Provincial Government, or to any officer or authority such Government, any of its powers under this Act insofar as it relates to the prohibition or restriction of bringing or taking into or out of any place from or to another place within a Province or to the transportation from one place to another within a Province or to the sale of goods or articles of plants origin imported in contravention of any of this provisions of this Act.

10. **Power to make rules.**-(1) The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: -

- a) The method and manner of examination and treatment of goods and articles of plant origin likely to cause infection to any crop or plant;

- b) The form of certificate of non-infection;
- c) The documents to be produced before goods or articles of plant origin are accepted for carriage ; and
- d) The fees to be levied under this Act.

11. **Repeal.** – The Destructive Insects and Pests Act, 1914 (II of 1914), is hereby repealed.

Government of Pakistan
MINISTRY OF FOOD, AGRICULTURE AND CO-OPERATIVES
DEPARTMENT OF PLANT PROTECTION
(Plant Quarantine Division)

PAKISTAN PLANT QUARANTINE
RULES, 1967

(PLANT QUARANTINE)

MINISTRY OF FOOD, AGRICULTURE AND CO-OPERATIVES

(Agriculture Division)

Islamabad, the 2nd January, 1967

In exercise of the powers conferred by section 3, sub-section (i) (ii) and (iii) and sections 4 and 5 of the Plant Quarantine Act, 1976 and in supersession of all other rules, orders and notifications in this behalf, the Federal Government is pleased to make the following rules, namely: -

1. (1) These rules may be called the Pakistan Plant Quarantine Rules, 1967.
- (2) They shall come into force at once.
2. **Definition.** – In these rules, unless there is anything repugnant in the subject or context.
 - a) “act” means the Pakistan Plant Quarantine Act, 1976.
 - b) “American cotton” all cotton produced in any part of the Western hemisphere (North, South and Central America and adjoining islands);
 - c) “bale” means any pressed package of cotton of whatever size or density;
 - d) “cotton” includes ginned cotton and droppings, strippings, fly and other waste products of a cotton mill other than yarn waste, but does not include cotton seed or unginned cotton;
 - e) “department” means the Department of Plant Protection under Ministry of Food, Agriculture and Co-operatives (Agriculture Division);
 - f) “director” means the Director of the Department;
 - g) “disease” means any pathological abnormal condition of a plant caused by insects, mites, nematodes, protozoa, fungi, bacteria and viruses, recognizable by the presence of symptoms or of the organism inciting it;
 - h) “disinfestations or disinfection” means any scientific treatment applied for the purpose of destroying or reducing any infection or infestation that may occur on, in or amongst plant materials;
 - i) “exporter” includes any person who, whether as owner, consignor, agent to broker, is in possession of, or in any way entitled to the custody or control of the plant;
 - j) “form” means a form annexed to these rules;
 - k) “importer” means includes any person who, whether as owner, consignee, agent or broker, is in possession of, or in any was entitled to, the custody or control of the plant;
 - l) “official certificate” means a certificate of plant health granted by the appropriate officer or authority in the country or origin;
 - m) “plant pest” means any living animal or plant in any stage of its development known, suspected or liable to be harmful to the existence or growth of economic plants or to plant materials, whether by direct infestation or attach or by causing or spreading diseases in economic plants and known to infest land or water, thereby preventing or obstructing its possible agricultural uses;

- n) “plant or plant material” means all species of plants or parts thereof, whether living or dead, including stems, branches, tubers, bulbs, corns, stocks, budwood, cuttings, layers, slips suckers, roots, leaves, flowers, fruits, seeds, seedlings and any other product of plant origin which has not been processed, such as bark, husk and peelings;
 - o) “Plant Quarantine Officer” means any person authorized in writing by the Director to act on his behalf;
 - p) “Plant Quarantine Division” means the Plant Quarantine Division of the Department;
 - q) “prescribed port or point of entry” means the authorized routes, namely, Karachi Harbour, Karachi Airport, Lahore Airport, Lahore Railway Station, Waga (Lahore) border Jamrud (Peshawar) Land Border, Peshawar Airport, Chaman (Quetta) Land border, Quetta Airport or any other authorized land, sea, air routes as may be declared by the Director;
 - r) “entomologist (Quarantine)” means the Entomologist (Plant Quarantine) of the Department;
 - s) “round bale” means a bale not exceeding 270 lbs. In weight; and
 - t) “square bale” means a bale exceeding 270 lbs. in weight.
2. All provisions referring to plant or plant materials shall apply also to all packing material used in packing or wrapping such plant or plant material.

IMPORT

3. **Import of plant or plant material.** – No person shall import any plant or plant material which may be a source or medium of infestation or infection by diseases and plant pests destructive to agriculture or medium for the introduction of noxious weeds, except under a valid import permit obtained prior to such importation in Form I issued by the Director or the Entomologist (Quarantine) and except through the ports or points of entry.

4. **Plant material for which special permit is required.** – Notwithstanding anything contained in rule 3, plant or plant material likely to carry new complex of pests or diseases may be imported into Pakistan in limited quantities by special permit in Form I for the purpose of introducing new varieties and propagating stock from countries which maintain regular plant quarantine and inspection service.

Provided that the importation of all plant material falling under this category shall be made only through Karachi Harbour, Karachi Airport, and shall be subject to any restriction imposed on the permit to import the same.

5. **Application for permit to import plant material.** – (1) Before any plant or plant material is imported, an application for permit shall be submitted to the Director or to the Entomologist (Quarantine).

(2) All such applications shall be signed by the person who intends to import the plant or plant material or his duly authorized agent and shall specify:-

- a) the kind and quantity of plant or plant material;
- b) the country and locality of origin;
- c) destination;
- d) the name and address of the consignor and the consignee;
- e) means of transport;
- f) the prescribed port or point of entry;
- g) purpose for which the plant or plant material is proposed to be imported e.g., consumption propagation or processing.

6. **Notice of arrival by the importer.** – The importer shall inform the Director or the Plant Quarantine Officer, of the probable date of arrival of the plant or plant material at the prescribed port or point of entry and shall, on arrival of the plant or plant material, notify to the Director the number of the permit, name of ship or vessel, date of arrival, country of origin and locality where grown, and the character and quantity of the plant or plant material.

7. **Refusal and revocation of permits.** – A permit to import plant or plant material may be revoked if, in the opinion of the Director or the Entomologist (Quarantine), the importer has willfully contravened any provision of these rules or there is reason to believe that the plant or plant material will be imported in violation of the provision of these rules.

8. **Foreign Certificate of Inspection.** – (1) A plant or plant material the shipment of which originates from a country maintaining a plant quarantine service shall be accompanied by an official certificate.

(2) In the case of countries which do not maintain a plant quarantine service, the certificate of inspection of the plant or plant material must be accompanied by a declaration of the exporter or shipper concerned to the effect that the plant or

plant material does not originate from a place where injurious insects or plant diseases were prevalent and has not been kept or stored in places infested with injurious insects or infected by diseases and plant pests, and that all treatment, fumigation, disinfestations required prior to shipment has been done under technical supervision.

- (3) Persons who import any plant or plant material shall submit the official certificate of the declaration of the exporter or shipper to the effect mentioned in sub-rule (2) to the Plant Quarantine Officer for his perusal and records but this will, however, not preclude inspection by the Plant Quarantine Officer, if deemed necessary.
- (4) The shipper or consignee shall submit an affidavit to the Plant Quarantine Officer to the effect that the required official certificate or declaration mentioned in sub-rule (2) will be presented within 30 days from the receipt of the shipment.
- (5) Shipments arriving without a valid official certificate or declaration mentioned in sub-rule (2) and without permit shall either be confiscated and destroyed after making an order in Form II or returned to the port of origin at the expense of the importer.
- (6) Shipments arriving at any prescribed port or point of entry accompanied with an official certificate or declaration but without import permit or vice versa may be released at the Director's discretion after post-entry examination and issuance of an import permit.
- (7) Small consignments of plant or plant material brought as passenger's accompanied or unaccompanied baggage with or without official certificate or declaration and import permit may be released only if they conform to the requirements of these rules and after examination by the Plant Quarantine Officer and issuance of an import permit.

9. Freedom of plant material from Sand, Soil or Earth. – An imported plant or plant material shall be free from sand, soil, saw dust or earth and the plant roots, rhizomes and tubers shall be washed thoroughly when possible and re-packed in such sand, soil and earth as is certified by the duly authorized officer of the exporting country to have been sterilized and rendered safe.

10. Packing material. – All packing material employed in the importation of nursery stock and other plants, including any material of plant origin used for packing purposes, shall be examined and approved by the Plant Quarantine Officer as to their safety for such use.

11. Plant material imported by post. – Plant or plant material imported through the post shall be inspected by the Plant Quarantine Officer upon notification or their presence at the Post Office. The plant or plant material shall be handled in the same manner as those coming through authorized routes and maybe released or confiscated after inspection and treatment through the Postal authorities.

12. Importation of insects and other animals, pests, plant diseases and cultures for scientific and allied purposes. – (1) No person shall import from any country any harmful, living insects, animals, birds, fungi, fungal cultures, obnoxious weed plants or their propagating material except in accordance with the following provisions, namely:-

Any living stage of the numerous small invertebrate animals elongated invertebrates lacking appendages, commonly referred to as worms, for example, nematodes, any form of protozoa ; any form of fungi such as rusts, smuts and moulds, any form of bacteria ;

any form of viruses, or any form of similar or allied organisms which may directly or indirectly affect, injure or cause disease in plants, unless:-

- a) the proposed importation is to be used for scientific, educational, commercial or industrial purposes only;
 - b) an application is submitted to the Director stating the names and addresses of the consignor and consignee, the scientific name of pests or diseases, the institution or place of origin, quantity, number of containers, the purpose of the importation and the name and address of the person by whom or the institution where the material will be used;
 - c) the importation is only to be routed through Karachi harbour, and Karachi Airport.
 - d) The forwarding lable issued with the permit designating the route through which the importation is permitted has been forwarded by the importer to the shipper and attached to the outside of each consignments; and
 - e) Every importation authorized under this sub-rule is subject to inspection at the prescribed port or point of entry and may be held for further examination and refused entry or destroyed if, in the opinion of the Plant Quarantine Officer, such importation is found to include insects or other organisms not specifically covered by the permit.
- (2) No person shall import exotic beneficial insects, birds, animals both vertebrate and invertebrate (Mollusca, Crustacea Myriopoda, Insecta) for scientific, educational, industrial or medicinal purposes except under, and in accordance with the terms of or an authority from the Director.
- (3) No person shall import useful exotic plant species including useful micro-organisms and their propagating materials unless he has obtained the prior permission of the Director and the articles imported are covered by an official certificate.

13. Jurisdiction and Authority of Quarantine Officer. – (1) Were on inspection, any imported plant or plant material is found to be infested or in-fected with any plant pests or diseases the plant or plant material and containers thereof shall be destroyed in the presence of the Plant Quarantine Officer or returned to the shipper after treatment, at the discretion of the Director, and where any carrier is found to be infested with any pests or is suspected to be so infested it shall be treated to the extent and in the manner deemed necessary by the Plant Quarantine Officer. When any action is necessary due notice shall be given to the owner or his agent and any risks associated with such treatment shall be the responsibility of the owner.

(2) No person shall obstruct an Officer of the Department in the due discharge of his duties; and no person shall refuse to permit the making of any examination required under these rules or refuse to carry out the instructions of an Officer relative to the effective control of any insect, pests and diseases.

IMPORT RESTRICTIONS OR PROHIBITIONS

14. Potato. – (1) Potatoes shall not be imported into Pakistan by any means from any country, where the three serious pests, namely, Black wart (**Synchytrium**

endobioticum), Golden Nematode (**Globodera rostochiensis**), Colorado potato beetle (**Leptinotarsa decemlineata**) have either been prevalent or reported to have occurred unless they are accompanied by official certificate from the country of origin declaring that the crop from which the consignment is derived was not grown in the vicinity of unhealthy potato crops and was inspected by a duly authorized official Phytopathological Service of the country of origin and found free from all injurious insect, pests and diseases and that no case of the insect, pests and diseases mentioned above was recorded within 2 kilometers radius of the place where the potato crop was grown during the past twelve months.

(2) In order to guard against the importation of the pests and diseases mentioned in sub-rule (1), the Director shall take the following precautions, namely:-

- (a) as far as possible, import only of seed potatoes resistant to wart disease shall be permitted;
- (b) the importation of seed potatoes shall be permitted from those countries where the aforesaid pests and diseases are not present;
- (c) import only seed potatoes certified by the Phytopathological Service of the exporting country to have been produced in areas within the country free from the pests and diseases shall be permitted ;
- (d) seed consignments should be free from shoots, leaves, roots and soil sticking to tubers ;
- (e) import of potato seeds should be restricted only to certified seed free from virus diseases except virus X; and
- (f) import of shoots, leaves and green parts of potato shall not be permitted.

15. **Rubber.** – (1) Any plant of the genus *Hevea* shall not be imported into Pakistan, unless:-

- (a) the importation is made for scientific purposes ;
- (b) written permission has been granted for each consignment of plants by the Department and the importation is in accordance with such special conditions as may be imposed by the Director or the Entomologist (Quarantine) in granting such permission ;
- (c) the plant has been disinfected and freed of any original soil in the country of origin and is free from pests and diseases, and consignment of plants is accompanied or covered by an official certificate specifying clearly that the above requirements has been fulfilled; and
- (d) each consignment is addressed to the Director or any person authorized by him.

(2) The importation into Pakistan of any plant of the genus *Hevea* capable of further growth or propagation (excluding seed) is prohibited from the American tropics or from any other country in which South American leaf blight (*Dothidella ulei*) is present, unless, in addition to the requirements of sub-rule (1), such plant has been grown for an adequate period at a plant quarantine station for *Hevea* at a place approved by the Director and situated outside the American tropics and any other country in which South American leaf blight (***Dothidella ulei***) is present, and each consignment of such plants is

accompanied or covered by an official certificate to the effect that the above requirements have been fulfilled, and signed by the Officer-in-Charge for such quarantine station.

(3) The importation into Pakistan of any seed of any plant of the genus *Hevea* is prohibited from the American tropics or from any other country in which South American leaf blight (***Dothidella ulei***) is present unless, in addition to the requirements of sub-rule (1), such seed, having been examined and again disinfected at a place approved by the Director and situated outside the American tropic and any other country in which South American leaf blight (***Dothidella ulei***) is present, has been repacked with new packing materials in new containers and unless each consignment of such seed is accompanied or covered by an official certificate to the effect that the above requirements have been fulfilled and signed by the Officer-in-Charge of these operations.

(4) The importation into Pakistan of any plant or plant material of the genus *Hevea* not capable of further growth or propagation (such as fresh or dried herbarium specimens) is prohibited, unless, in addition to the requirements of clauses (a), (b) and (d) of sub-rule, (1), the Director is satisfied that such plant or plant material is required for a legitimate special purpose and that such plant or plant material has been sterilized in the country of origin by a method satisfactory to the Director.

(5) The importation into Pakistan of any plant or plant material other than the genus *Hevea*, capable of further growth or propagation and originating in the American tropic or in any other country in which South American leaf blight (***Dothidella ulei***) is present, is prohibited unless written permission has been granted for each consignment of such plant or plant material by the Director and the importation is in accordance with such special conditions as may be imposed by the Director in granting such permission.

(6) The Department shall ensure that any plant of the genus *Hevea* imported through it for further growth or propagation is grown under control for such periods as will ensure that it is free from all pests and diseases before it is released.