

## CHAPTER 92.

## COTTON SEED CONTROL.

(1st September, 1936.

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17/1936

1. This Ordinance may be cited as the Cotton Seed Control Ordinance. Short title.
2. In this Ordinance—  
 “Agricultural officer” includes the officer in charge of the Agricultural Department or any person authorised by him to carry out any of the provisions of this Ordinance, or any other officer of the Agricultural Department;  
 “rogue plant” means any cotton plant not being in the opinion of the Agricultural Officer true to type. Interpretation.
3. The production and treatment of cotton seed intended for planting in Montserrat shall be directly controlled by the Agricultural officer. Control of cotton seed intended for planting.
4. To secure the successful propagation of special cotton seed intended for future planting the Agricultural officer may, with the consent of the Administrator in Council, enter into an agreement with any grower who agrees to undertake the growing of seed under the following conditions :— Agreement.
- (1) The initial seed shall be supplied to the grower by the Agricultural officer free of charge.
- (2) The grower shall undertake (a) to sow the seed only on such lands as are approved by the Agricultural officer, (b) to cultivate and manure the lands in question in such a manner as shall be agreed upon, and specified in the agreement, (c) to pick the seed cotton produced from the seed in question, to keep and store it in a safe manner and separately from any other seed cotton, and to deliver it to such cotton ginnery, as may be approved by the Administrator in Council, and at such time as may be specified in the agreement.

(3) The Agricultural officer, may with the consent of the Administrator-in-Council, enter into an agreement with the management of a cotton ginnery, approved by the Administrator-in-Council, for the receipt and ginning of the said seed cotton and for the subsequent safe storage of the cotton seed derived therefrom.

(4) The seed cotton shall be ginned at the ginnery approved by the Administrator-in-Council in the preceding subsection, and under the direction and supervision and to the satisfaction of the Agricultural officer who shall take every reasonable precaution to ensure that the seed is free from contamination and is safely stored until required for distribution. The cost of the ginning shall be paid by the grower.

(5) The lint shall be the property of the grower.

(6) The seed produced shall from the time of its formation in the boll become the property of the Agricultural officer, and shall never be deemed to have been the property of the grower.

(7) The grower shall be compensated for producing the seed at the rate of one per cent per pound of seed produced, unless this rate is altered by order by the Administrator-in-Council.

(8) The price of cotton seed for planting sold by the Agricultural officer shall be fixed by the Administrator in Council from time to time as the occasion may require.

Procedure whereby cotton seed not grown under control of Agricultural officer may be planted.

5. Cotton seed produced in any manner not in accordance with the provisions of sections 3 and 4 shall not be planted except as hereinafter provided.

Agricultural officer given power to select seeds from certain areas.

6. If there is not a sufficient quantity of seed produced in accordance with the provisions of sections 3 and 4, the Agricultural officer is hereby authorised to select and obtain cotton seed for planting from any area which produces cotton found on analysis to be pure, and to direct the treatment of such seed subsequent to picking.

Procedure when Agricultural officer intends to select seed from private areas.

7. When the Agricultural officer intends to select and obtain cotton seed for planting by virtue of the provisions of section 6 he shall do so only provided that—

(1) Three clear days notice in writing be given to the owner of the cotton in the area so selected by the Agricultural

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officer informing him that the Agricultural officer requires the said cotton seed, and stating the quantity required.

(2) Compensation be paid for all cotton seed so selected and obtained at the rate of one cent per pound, unless this rate is altered by order by the Administrator in Council. The Administrator in Council may however authorise reasonable additional compensation if in the after-treatment of such seed subsequent to picking, any special precautions have to be taken to prevent contamination with other seed.

8. (1) All sums recovered from the sale of cotton seed shall be paid into a separate deposit account at the Treasury to create a Cotton Research Fund.

Cotton  
Research Fund.

(2) All expenses incurred in connection with the carrying out of the provisions of this Ordinance shall be a charge upon this Fund, including such sums as may have been advanced from General Revenue for that purpose, prior to the accumulation of sufficient money in the Fund.

(3) The Administrator in Council may authorise the payment of any sum from the Fund hereby created for the purposes of—

- (a) carrying out of the provisions of this Ordinance.
- (b) promotion of research work in the cotton industry.

9. (1) All cotton seed not approved for planting shall be exported or destroyed by heat, composting or conversion into meal or delivered to an oil factory for the purpose of oil extraction not later than a date to be fixed by the Administrator in Council by Proclamation: Provided that for good and sufficient reason the Agricultural officer may in writing grant an extension of time.

Administrator  
in Council to  
fix date by  
which all  
cotton seed  
must be  
destroyed or  
otherwise  
disposed of.  
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(2) Cotton seed delivered to an oil factory for the purpose of oil extraction shall be crushed not later than a date fixed by the Administrator in Council by Proclamation Provided that for good and sufficient reason the Agricultural officer may in writing grant an extension of time. In the event of an extension of time being granted the said cotton seed remaining on hand after the date so fixed by the Administrator in Council shall not be removed from such factory for any purpose whatsoever.

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

Agricultural officer may destroy rogue plants.

**10.** The Agricultural officer may without notice and with or without assistance uproot or in any other manner destroy any rogue plant found growing in any place.

Protection of person acting under Ordinance.

**11.** The Agricultural officer shall not be deemed a trespasser by reason of any entry or destruction or action taken or thing done under this Ordinance or be liable for any damage occasioned by carrying out any of the provisions of this Ordinance, unless the same was occasioned maliciously and without a reasonable cause.

Obstruction of person acting under Ordinance.

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

Penalty.

**13.** Any person who is guilty of an offence against this Ordinance shall be liable on summary conviction to a penalty not exceeding one hundred and twenty dollars.