

Plant Protection Rules, 2031(1975)

Date of Publication in Nepal Gazette:

2031.11.5(17 February 1975)

In exercise of the powers conferred by Section 9 of the Plant Protection Act, 2029(1973), His Majesty's Government has framed the following Rules.

1. Short title and commencement:

- (1) These rules may be called as the "Plant Protection Rules, 2031 (1975)".
- (2) These Rules shall come into force immediately.

2. Definitions:

Unless the subject or context otherwise requires, in these Rules:

- (a) "Plant Quarantine Officer" means the chief officer appointed by His Majesty's Government for the protection of plants.
- (b) "certificate" means the official phytosanitary certificate to be issued by the native or foreign competent body.
- (c) "disease" means abnormal condition of plants created by protozoa, fungus, bacteria or virus, vicolpaza or other organisms/pests.
- (d) "pest" means all kinds of insects including mites.
- (e) "treatment" includes fumigation, hot water treatment, seeds treatment and scientific treatment to be done to remove any infectious disease on plants.

3. License to be obtained to import plant or plant product and fees to be paid:

- (1) A person who intends to import any plant or plant product has to make an application in the format referred to in Schedule-1, accompanied by the fees of Ten Rupees, to the Office of Plant Quarantine Officer.

Provided that the certificate has also to be submitted along with an application to be made for importation.

- (2) On receipt of an application referred to in Sub-rule (1), the Plant Quarantine Officer shall, if he/she does not see any obstacle to the issuance of the license, issue the license in the format as referred to in Schedule-2.

Provided that the license shall not be required to be obtained to import any already processed food, fruits and green leaves packed or canned or dried on the sun and coco-tea already prepared for consumption and tobacco.

4. Submission of declaration form:

- (1) A person who intends to import a plant or plant product shall fill up the declaration form in the format as referred to in Schedule-3 and submit it to the Office of Plant Quarantine Officer.

- (2) The declaration form referred to in Sub-rule (1) shall also be accompanied by a duplicate copy of the declaration form to be provided by the exporting country.

5. Inspection and treatment:

- (1) When a plant or plant product imported from any country arrives at the point of entry, the Plant Quarantine Officer or a person

designated by him/her shall inspect such plant or plant product at the checkpoint.

- (2) The plant or plant product imported pursuant to Sub-rule (1) shall be treated at a laboratory as per necessity or such plant or plant product shall be allowed to be imported only if such plant or plant product is found free from disease and pest on inspection thereof at the laboratory.
- (3) Where a plant or plant product is treated pursuant to Sub-rule (2), the importer shall pay the treatment fee as prescribed in Schedule-4.

6. Importation of goods to be used for package:

- (1) When a plant or plant product to be used for package is offered for importation, such plant or plant product shall be inspected at the point of entry and allowed to be imported only if such plant or plant product is found free from disease and pest.
- (2) A plant or plant product to be used for package as referred to in Sub-rule (1) shall be allowed to be imported only if the official certificate indicates that such plant or plant product has been sterilized and is free from disease and pest.

7. Certificate to be obtained to export plant and plant product:

- (1) A person who intends to export a plant and plant product from the Kingdom of Nepal to any country has to make an application to the Plant Quarantine Officer.
- (2) An application to be made pursuant to Sub-rule (1) shall also be accompanied by the description in the format as referred to in Schedule-5.

- (3) On receipt of an application referred to in Sub-rule (1) and the description referred to in Sub-rule (2), the Plant Quarantine Officer shall, if he/she does not see any obstacle to the issuance of the phytosanitary certificate, issue such certificate in the format as referred to in Schedule-6.

Nepal Law Commission

Schedule-1

(Relating to Sub-rule (1) of Rule 3)

Application for License

His Majesty's Government,
Ministry of Food, Agriculture and Irrigation,
Department of Agriculture,
Plant Quarantine Section,
Khumaltar, Lalitpur, Nepal.

The Plant Quarantine Officer.

I, hereby, make this application for the license to import the following plant/plant product. I agree to observe the terms and conditions regarding importation under the Plant Protection Act, 2029(1973).

1. Name of plant or plant product:
2. Botanical name:
3. Variety:
4. Quantity:
5. Point of entry for importation:
6. Country of export:
7. Special reason for importation:

Importer's signature and address:

Schedule-2

(Relating to Sub-rule (2) of Rule 3)

His Majesty's Government,
Ministry of Food, Agriculture and Irrigation,
Department of Agriculture,
Plant Quarantine Section,

Khumaltar, Lalitpur, Nepal.

License No.

Date:

Import License

This License has been issued to Mr./Mrs./Ms.-----, to import -----plant and plant product, produced in -----, from the -----point of entry.

The importer of the plant and plant product has to observe the following terms and conditions:

1. This License shall remain valid for a period of Three months from the date of its issuance.
2. No plant or plant product may be imported by attaching it inside a envelope.

Copy to:

- 1.
- 2.
- 3.

Plant Quarantine Officer

Schedule-3

(Relating to Sub-rule (1) of Rule 4)

Declaration Form

to be filled up by a person intending to import plant or plant product

1. Name of person intending to import plant or plant product:
2. Name of plant or plant product:
3. Botanical name:
4. Variety:
5. Part to be imported:
6. Number/quantity:
7. Point of entry:
8. Country of export:
9. Special reason for importation:

Date:

Importer's signature and address:

Schedule-4

(Relating to Sub-rule (3) of Rule 5)

Treatment fee: as prescribed by the concerned officer.

(a) Fumigation fee:

Per cubic fumigation Rs. 2/-

(b) Seeds treatment:

Per 5 kilogram seeds Rs. 1/-

Nepal Law Commission

Schedule-5

(Relating to Sub-rule (2) of Rule 7)

Description to be submitted along with the application by a person intending to export a plant or plant product:

- (1) Name and address of exporter:
- (2) Plant and plant product to be exported to:
- (3) Name and address the Person:
- (4) Number and description of package:
- (5) Distinguishing mark of package:
- (6) Place of Production:
- (7) Means of conveyance:
- (8) Point of entry:
- (9) Name and quantity of product:
- (10) Botanical name:

Date:

Exporter's signature:

Schedule-6

(Relating to Sub-rule (3) of Rule 7)

His Majesty's Government
Ministry of Food, Agriculture and Irrigation
Department of Agriculture
Division of Plant Pathology
Plant Quarantine Project

PHYTOSANITARY CERTIFICATE

This is to certify that the parts of plant, plants or plant products described below or representative samples of them were thoroughly examined on (date)-----by (name)-----an authorized officer of the -----and were found to the best of his knowledge to be substantially free from injurious diseases and pests and that the consignment is believed to conform with the current phytosanitary regulations of the importing country both as stated in the additional declaration hereon and otherwise.

Fumigation or disinfectant treatment:

Date:

Duration of exposure:

Treatment:

Chemical and concentration:

Additional declaration:

Signature:

Designation:

Seal:

Description of Consignment

Name and address of exporter:

Name and address of consignee:

Number and description of packages:

Distinguishing mark:

Origin:

Means of conveyance:

Point of entry:

Quantity and name of produce:

Botanical name: