

CHAPTER 390

CULTIVATION OF TREES

1950-22

This Act came into operation on 13th March, 1951.

Amended by:

1957-55

1958-55

1967/168

Law Revision Orders

The following Law Revision Order or Orders authorized the insertion and removal of pages as the case may be under the Law Revision Act Cap.2 now repealed:

1985

Notes:

References in this Act to fruit trees and fruit tree subsidy payment inserted by Act 1957-55 are not yet in force.

Guide to symbols in historical notes:

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument

CHAPTER 390

CULTIVATION OF TREES 1950-22

Arrangement of Sections

1. Short title
2. Interpretation
3. Duties of Chief Agricultural Officer
4. Tax contribution payments
5. Subsidy payments
6. Fruit tree subsidy payment
7. Application for tax contribution subsidy and fruit tree subsidy payments
8. Payments to be made by Parliament
9. Power to inspect
10. Trees not to be cut down, except under licence
11. Order amending definition of approved trees
12. Commencement

**BARBADOS**

CULTIVATION OF TREES

1950-22

An Act for promoting the cultivation of trees, and for purposes in connection therewith.

[Commencement: 13th March, 1951]

Short title

1. This Act may be cited as the *Cultivation of Trees Act*.

Interpretation

2. For the purposes of this Act, the expression
“approved trees” means mahogany and casuarina trees and such other species of trees as the Chief Agricultural Officer may from time to time by order made under section 11 declare to be an approved tree within the meaning of this Act;
“owner” means the person for the time being receiving the rack-rent of the land in connection with which the word is used, whether on his own account or as agent or trustee for any other person, or who would so receive the same if the land were let at a rack-rent.

Duties of Chief Agricultural Officer

3. The Chief Agricultural Officer shall be charged with the general duty of promoting the interest and development of arboriculture and shall exercise and perform any powers and duties which are conferred or imposed on him under this Act.

Tax contribution payments

4.(1) Every owner of land on which approved trees, not being fruit trees of a species declared by the Chief Agricultural Officer as eligible for the fruit tree subsidy payment under section 6, are being grown shall be entitled to receive at the end of each accounting year a payment (hereinafter referred to as a “ tax contribution payment ”) equivalent to the amount of taxes payable by him in respect of such land in respect of that year.

(2) No owner shall be entitled to receive a tax contribution payment under subsection (2) unless the Chief Agricultural Officer issues a certificate to the effect that

- (a) the trees are being grown in such numbers and at such distances from each other as he has prescribed or approved;
- (b) the trees are being cultivated in accordance with the rules and practice of good arboriculture;
- (c) the area of land on which the trees are being grown is not less than half an acre.

[1957-55]

Subsidy payments

5.(1) Where any approved trees growing on land in respect of which a tax contribution payment is payable under section 4, not being fruit trees of a species declared by the Chief Agricultural Officer as eligible for the fruit tree subsidy payment under section 6, have been planted during the financial year to which

the tax contribution payment relates, the owner of such land shall be entitled to receive at the end of the financial year next following the year in which they were planted an additional payment (hereinafter referred to as a “subsidy payment”) at the rate of fifteen cents for every tree so planted.

(2) No owner shall be entitled to receive a subsidy payment under subsection (1) unless the Chief Agricultural Officer issues a certificate to the effect that the trees are satisfactorily established.

[1957-55]

Fruit tree subsidy payment

6.(1) Every owner of land on which approved trees being fruit trees are being grown shall be entitled to receive at the end of each financial year a payment (hereinafter called a “fruit tree subsidy payment”) in respect of each fruit tree.

(2) No owner shall be entitled to receive a fruit tree subsidy payment under this section in respect of any fruit tree unless the Chief Agricultural Officer issues a certificate to the effect that the fruit tree

- (a) is one of a species eligible for the payment;
- (b) is planted at a site and in a manner approved by him;
- (c) has reached the age of qualifying a tree of that species for the payment;
and
- (d) is in a condition approved by him.

(3) No owner shall be entitled to receive a fruit tree subsidy payment in respect of any fruit tree in respect of which a fruit tree subsidy payment has been given in any preceding financial year.

(4) For the purposes of this section, the Chief Agricultural Officer may by order declare

- (a) the species of fruit trees which shall be eligible for the payment;

(b) in respect of each species so declared eligible, the age at which a tree of that species shall qualify for the payment and the amount of the payment which shall be made in respect of a tree of that species.

(5) Any order made under this section shall come into operation on the first day of the financial year next following the financial year in which it is made.

[1957-55]

[This section is not yet in force.]

Application for tax contribution subsidy and fruit tree subsidy payments

7. No tax contribution payment, fruit tree subsidy payment or subsidy payment shall be made unless an application therefor containing such particulars and verified in such manner as the Chief Agricultural Officer may prescribe has been made to the Chief Agricultural Officer by the person claiming the tax contribution payment, fruit tree subsidy payment or subsidy payment and has been approved by the Chief Agricultural Officer.

[1957-55]

Payments to be made by Parliament

8. Any sums required for the payment of tax contribution payments, fruit tree subsidy payments and subsidy payments shall be paid from moneys voted for the purpose by Parliament.

[1957-55; 1967/168]

Power to inspect

9.(1) The Chief Agricultural Officer, or any person authorised in writing by him, may at all reasonable times enter on and inspect any land which is being used for the purpose of growing approved trees.

(2) Any person obstructing the Chief Agricultural Officer, or any person authorised in writing by him in the exercise of his powers under subsection (1) shall be guilty of an offence and liable on summary conviction to a fine of fifty dollars in the case of a first offence or a hundred dollars in the case of a second or any subsequent offence.

Trees not to be cut down, except under licence

10.(1) No person may, except by licence of the Chief Agricultural Officer, cut down or cause to be cut down an approved tree growing on land in respect of which a tax contribution payment has at any time been made under this Act or being a tree in respect of which a fruit tree subsidy payment has at any time been made under this Act.

(2) Any licence under subsection (1) may be granted subject to such conditions as may be prescribed by the Chief Agricultural Officer.

(3) Any person who contravenes the provisions of this section or the conditions of any licence granted under this section shall be guilty of an offence and liable on summary conviction to a fine of fifty dollars in the case of a first offence or a hundred dollars in the case of a second or any subsequent offence.

[1957-55]

Order amending definition of approved trees

11.(1) The Chief Agricultural Officer may from time to time by order add any particular species of tree to, or delete any particular species of tree from, the definition of approved trees contained in section 2: but where a species of tree is deleted, the order shall not have effect as respects any tree of that species which the Chief Agricultural Officer certifies was satisfactorily established at the date of the coming into operation of the order.

(2) Any order made under this section shall come into operation on the first day of the financial year next following the financial year in which it is made.

Commencement

12. Section 6 and all references in sections 4, 5, 7, 8 and 10 to fruit trees and fruit tree subsidy payments shall come into operation on such date as the Governor-General may appoint by proclamation.