

4. All fruit intended for export from the Island of Rarotonga shall be conveyed by the owner or shipper thereof to and stored at the sheds and wharves at the port of Avarua prior to shipment. All fruit intended for export from any other of the Cook Islands shall be conveyed by the owner or shipper thereof to and stored at such place or places as may be appointed for that purpose by the Resident Commissioner by notice in the *Cook Islands Gazette*.

5. It shall be the duty of every owner or shipper of fruit intended for export, and of every person or company having the custody or control of such fruit, to allow the Inspector to inspect such fruit at such place or places as is or are mentioned in section 4 of this Ordinance, or at such other place or places as the Inspector may require.

6. If the Inspector is of opinion that any fruit is unfit for export by reason of the same being infected, or by reason of the said fruit not being otherwise in a fit condition for export, or by reason of the same being badly or improperly packed or marked, he shall forthwith give notice in writing to the owner or shipper of such fruit, or to the person or company having the custody or control of the same, that such fruit will not be passed by the Inspector as fit for export: Provided, always, that any person, aggrieved by notice from the Inspector that any fruit will not be passed as fit for export, may forthwith appeal in writing to the Resident Commissioner, whose decision in the matter shall be final.

7. The Inspector shall give in respect of all fruit passed by him, or by the Resident Commissioner on appeal as fit for export, a certificate or certificates that such fruit has been duly passed as fit for export. No person shall export any fruit unless such certificate has been given in respect of such fruit. There shall be paid by the owner or shipper of such fruit, or by the person or company having custody or control thereof, such fee or charge for such inspection and certificate as may be prescribed by regulation under this Ordinance.

8. On the erection of a fumigator, all such fruit as may be prescribed by regulation under this Ordinance shall be placed in such fumigator for fumigation prior to export. The owner or shipper of such fruit, or the person or company having the custody or control of the same, shall pay such charges for fumigation as may be prescribed by regulation under this Ordinance.

9. The Inspector may require any fruit unfit for export by reason of the same being infected to be forthwith destroyed in such manner as the Inspector may deem necessary, and thereupon the owner or shipper of such fruit, or the person or company having the custody or control of the same, shall destroy the same accordingly, or the Inspector may cause the same to be destroyed, and the cost of such destruction shall be paid by the owner or shipper of such fruit, or by the person or company having the custody or control of the same.

10. (1.) The Inspector may at any time enter upon any plantation or on board any ship for the purpose of inspecting any plants or fruit, or the packages containing the same, or with which the same may have come into contact, and shall have all such powers and authorities (including power to dig up plants, open packages, and otherwise) as he deems necessary for enabling him to enforce the provisions of this Ordinance.

(2.) If the Inspector declares such plants, fruit, or packages to be diseased or infected with disease he shall give notice thereof to the owner or person in charge of the same, who shall forthwith take such measures and do such acts as are necessary in order to eradicate or prevent the spread of the disease.

(3.) If such owner or person fails so to do to the satisfaction of the Inspector, such Inspector may do the same at the expense in all things of such owner or person, who, nevertheless, shall not thereby be relieved from his other liabilities under this Ordinance.

(4.) In the exercise of the powers conferred upon him by this section the Inspector may remove, treat, disinfect, destroy, or otherwise dispose of such plants, fruit, or packages in such manner as he thinks fit.

11. Any plant, fruit, fungus, parasite, insect, or other thing, or any box, sack, or other package, which, in the opinion of the Inspector, is likely to introduce insect-pests or disease into the Cook Islands, on being introduced or attempted to be introduced either from abroad or from one island to another, may be seized by the Inspector or other authorised officer, or an officer of Customs, and may be disinfected, destroyed, or otherwise disposed of as such Inspector or officer deems fit, at the expense of the owner or person in charge thereof.

12. The Resident Commissioner may from time to time appoint Local Inspectors for any particular island or district, whose duty shall be to see that all directions given by the Inspector under this Ordinance are duly carried out, and generally to assist the Inspector in enforcing the provisions of this Ordinance.

13. Every person commits an offence who directly or indirectly obstructs, hinders, or interrupts, or threatens, or assaults, or uses abusive or improper language to an Inspector whilst in the performance of his duty under this Ordinance.

14. Every person offending against any of the provisions of this Ordinance, or of any regulation made hereunder, is liable to a penalty not exceeding £10 for every such offence.

15. All penalties under this Ordinance shall be recovered in a summary way before a European Judge of the High Court of the Cook Islands, or before a European Resident Magistrate at the island where such offence was committed, and upon prosecution by the Inspector. All penalties and other moneys recovered or received under this Ordinance shall be paid into the Cook Islands Treasury, and shall form part of the general revenue of the Cook Islands.

16. The Resident Commissioner may from time to time make regulations and do all things necessary to secure the proper administration of this Ordinance, and for fixing any fees or charges payable thereunder. All such regulations shall be gazetted in the *Cook Islands Gazette*, and shall have the force of law, and any breach thereof shall be punishable under this Ordinance.

17. This Ordinance shall apply to the Island of Rarotonga, but may be made applicable either as to the whole of such Ordinance, or as to any section or sections thereof, to any other island or islands by notice in the *Cook Islands Gazette* signed by the Resident Commissioner.