

BERMUDA STATUTORY INSTRUMENT

SR&O 22/1967

AGRICULTURE (SOIL EROSION) REGULATIONS 1967

[made under the Agriculture Act 1930 [title 25 item 1] and brought into operation on 1 October 1967]

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Interpretation

- 1 In these Regulations unless the context otherwise requires—
"animal" means any bovine animal, swine, sheep, goat or horse;
"land" means undeveloped land permanently above the surface of water covered with soil capable of supporting vegetation;
"permit" means a permission in writing issued by the Minister under regulation 4 or regulation 5, as the case may be.

Grazing of livestock

- 2 No person shall keep or cause or permit any other person to keep animals otherwise than in accordance with these Regulations or in accordance with a permit issued under regulation 4:

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Provided that where animals are kept on an area which is defined in a licence issued to a zero grazing unit in accordance with the Agriculture (Control of Animal Diseases) Regulations 1947 [*title 25 item 1(d)*], and such keeping is in accordance with the terms of such licence and those Regulations, the person keeping such animals or causing or permitting such keeping shall be deemed to act in compliance with these Regulations.

Minimum area of land for each animal grazed

3 Subject to regulation 4 each animal kept shall be allowed not less than 1,000 square yards of land on which to move freely about and where more than one animal is kept within defined limits the area within those limits shall contain not less than 1,000 square yards of land upon which the animals can freely move about in respect of each animal kept therein.

Smaller area may be allowed

4 The Minister in any particular case may give permission in writing to any person authorizing him to keep or permit keeping on any land specified in the permit such number of animals in excess of that permitted under regulation 3 as may be specified in the permit subject to such conditions as may therein be specified.

Restriction on importing animals

5 No person shall import animals into Bermuda without the permission in writing of the Minister, and the Minister, in considering whether or not to grant such permission upon an application being duly made, may take into consideration any or all of the following matters—

- (a) the type of animal to be imported;
- (b) the need for such animal or its produce in Bermuda;
- (c) the number of such animals already in Bermuda;
- (d) the place where it is proposed that the animal shall be kept and, in particular, whether there is sufficient land and adequate facilities for keeping animals or more animals at such place; and
- (e) the number of animals already kept by the applicant and the manner in which such animals are kept.

Application for permit under regulation 4 or 5

6 (1) An application for a permit under regulation 4 or regulation 5 shall be in writing and shall specify—

- (a) in the case of an application for a permit under regulation 4, the following—

- (i) the name and address of the applicant;
 - (ii) the area of land in respect of which the application is made;
 - (iii) the number and type of animal which it is proposed to keep upon such land; and
- (b) in the case of an application for a permit under regulation 5, the following—
- (i) the name and address of the applicant;
 - (ii) the number and type of animal which it is proposed to import;
 - (iii) the place where it is proposed the animals should be kept;
 - (iv) the number and type of animals already kept by the applicant, if any, and the place at which they are kept.

(2) The Minister, after considering the application, any representations by persons interested in the application, and a report by the Director on the application shall either grant or refuse the application or grant the application subject to such conditions and for such duration as the Minister thinks fit.

(3) The Members shall notify the applicant in writing of his decision and where the decision is to grant the application subject to conditions or for a limited duration, such conditions or duration of the permit shall be specified therein.

(4) The Minister may at any time revoke or vary a permit within his complete discretion but, before revoking or varying a permit otherwise than on the application of the person to whom the permit was issued, the Minister shall give such person an opportunity of making representations which shall be considered by the Minister before revoking or varying the permit.

Offences

7 Any person who contravenes or fails to comply with any provision of these Regulations or with any permit or condition of a permit lawfully granted or made by the Minister commits an offence against these Regulations and shall be triable and punishable as provided by the Agriculture Act 1930 [*title 25 item 1*]:

Provided that where a person engaged or employed in administration of these Regulations omits to perform any duty imposed upon him as such, the omission shall not constitute an offence against these Regulations.

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Revocation of permit on conviction

- 8 Upon the conviction of a person for an offence against these Regulations, any permit issued to such person shall be deemed to be revoked as from the date of the conviction.

[Amended by

1968 : 166]