

RHINOCEROS BEETLE RULES 1964

1 Name

These are the Rhinoceros Beetle Rules 1964.

2 Application

These Rules shall be in force in all parts of Tokelau.

3 Interpretation

In these Rules —

“beetle” means the coconut beetle (*Oryctes rhinoceros* L);

“destroy”, in relation to any vegetable or animal matter, means to burn any such matter on the land on which it is found, or elsewhere as may be approved by the Faipule or by an Inspector, or to submerge completely in the sea or lagoon adjacent to that land, or elsewhere as may be so approved, or otherwise to prevent any such matter from continuing to be, or from becoming, a breeding or harbouring place for beetle;

“Inspector” means any person appointed or employed by the Taupulega to inspect plantations or other places for the purposes of these Rules;

“notice” means any communication, oral or written;

“occupier”, in relation to any land, means any person in actual occupation of the land; and includes any person entitled by native custom to occupy that land.

4 Eradication of beetle

Every occupier of land shall do whatever is necessary and reasonable from time to time to eradicate beetle from his land and in particular, and without limiting the generality of the foregoing provisions of this rule, shall —

- (i) clear the land and keep it clear of and destroy all dead and decaying trees standing or lying thereon;
- (ii) destroy all stumps and logs of coconut palms or of other trees on the land, and all such posts, fences, bridges, and other structures as are situated thereon and are made from coconut logs as the Faipule or any Inspector, by notice, directs;

- (iii) destroy all refuse, rubbish, or other such matter on the land as he may, by notice, be directed to destroy by the Faipule or by any Inspector;
- (iv) obey any instructions which may, by notice, be given by the Faipule or by any Inspector for the destruction of any compost pit or other accumulation of animal or vegetable matter on the land, or for the treatment of any such pit or accumulation of any such matter or of any living palm or other tree, to prevent it from continuing to be, or from becoming, a breeding or harbouring place for beetle;
- (v) assist the Faipule or any Inspector, on request, to locate any site or place which is, or is likely to become, a breeding or harbouring place for beetle, and to destroy or treat any such Site or place as may, by notice, be directed by the Faipule or by any Inspector.

5 Powers of Faipule and Inspectors

- (1) Any Faipule or Inspector may for the purposes of these Rules enter upon any land, whether or not it is enclosed, at any time during the period between sunrise and sunset.
- (2) Where the occupier of any land neglects for the space of 24 hours to comply with any instruction given to him by notice by the Faipule or by any Inspector, the Faipule may thereupon, at any time between sunrise and sunset, enter upon the land, whether or not it is enclosed, together with any person or persons under his control, and proceed forthwith to do all things that may be necessary to comply wholly with those instructions, but no such action shall be a bar to any proceedings against the occupier under rule 6.

6 Offences and penalties

- (1) Every person commits an offence who obstructs or hinders the Faipule or any Inspector, or any person under the control of the Faipule or of any Inspector, in the exercise of any power or function conferred upon him by these Rules, or who fails to comply with any provision of rule 4.
- (2) Every person who commits an offence against these Rules shall on conviction be liable to imprisonment for a term not exceeding 6 months or to a fine not exceeding 0.5 penalty units.