

**DEPARTMENT OF AGRICULTURE AND FISHERIES
(REORGANIZATION) ACT 2002**



**BERMUDA
2002 : 18**

**DEPARTMENT OF AGRICULTURE AND FISHERIES
(REORGANIZATION) ACT 2002**

[Date of Assent: 19 July 2002]

[Operative Date: 1 April 2002]

WHEREAS it is expedient to amend certain enactments consequent on the reorganization of the Department of Agriculture and Fisheries.

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:—

Citation

1 This Act may be cited as the Department of Agriculture and Fisheries (Reorganization) Act 2002 .

Amendment of certain enactments

2 The enactments set out in the Schedule are amended as set out therein.

Commencement

3 This Act shall be deemed to have come into operation on 1 April, 2002.

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SCHEDULE

(section 2)

- 1 The Agriculture Act 1930 is amended—
- (a) in section 1—
 - (i) by deleting the definition of "the Department" and substituting the following—

"the Department" means the Department of Environmental Protection;
 - (ii) by deleting the definition of "the Minister" and substituting the following—

"the Minister" means the Minister responsible for the environment;"
 - (b) in section 2—
 - (i) in subsection (1), by deleting "eleven" and substituting "twelve", and
 - (ii) by adding the following—

"(7) The Director and the Director of Conservation Services (or their designates) shall be ex officio members of the Board."
 - (c) in the heading to section 5, by deleting "**Agriculture and Fisheries**" and substituting "**Environmental Protection**";
 - (d) in section 5 —
 - (i) in subsection (1), by deleting "of agriculture and fisheries which shall be known as the Department of Agriculture and Fisheries" and substituting "concerning the protection of the environment which shall be known as the Department of Environmental Protection";
 - (ii) in subsection (2) by deleting —
 - (A) "a public officer who shall be known as", and
 - (B) "of the Department of Agriculture and Fisheries".
- 2 The Importation of Milk (Prohibition) Act 1997 is amended in section 2 in the definition of "Minister" by deleting "Agriculture" and substituting "the environment".

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3 The Importation of Fruits, Vegetables and Flowers Act 1961 is amended in section 1 by deleting "agriculture" and substituting "the environment".

4 The Fisheries Act 1972 is amended—

- (a) in section 1, by deleting the definition of "the Minister" and substituting the following:

""the Minister" means the Minister responsible for the environment;"

- (b) in section 2, by deleting "Agriculture and Fisheries" and substituting "Environmental Protection";

- (c) by deleting paragraph 1 of the Third Schedule and substituting the following—

"1 The Board shall consist of not more than twelve members and—

- (a) the Director of Environmental Protection (or his designate) shall be ex officio a member and shall be executive secretary to the Board; and

- (b) the Director of Conservation Services (or his designate) shall be ex officio a member."

5 The Fisheries Regulations 1972 are amended in paragraph 1(1) by deleting the definition of "Department" and substituting the following—

""Department" means the Department of Environmental Protection;"

6 The Fisheries (Anti-Fouling Paints Prohibition) Regulations 1989 are amended in paragraph 2 by deleting "Agriculture and Fisheries" and substituting "Environmental Protection".

7 The Care and Protection of Animals Act 1975 is amended in section 1—

- (a) in the definition of "the Department" by deleting "Agriculture and Fisheries" and substituting "Environmental Protection";

- (b) by deleting the definition of "the Minister" and substituting the following—

""the Minister" means the Minister responsible for the environment;"

8 The Dogs Act 1978 is amended in section 1—

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- (a) in the definition of "the Department" by deleting "responsible for Agriculture" and substituting "of Environmental Protection";
- (b) by deleting the definition of "the Minister" and substituting the following—
"the Minister" means the Minister responsible for the environment;".

9 The Endangered Animals and Plants Act 1976 is amended in section 1—

- (a) in the definition of "the Department" by deleting "Agriculture and Fisheries" and substituting "Environmental Protection";
- (b) by deleting the definition of "the Minister" and substituting the following—
"the Minister" means the Minister responsible for the environment;".

10 The Customs Tariff Act 1970 is amended in the Fifth Schedule—

- (a) by deleting "Agriculture, Fisheries and Parks" and substituting "Environmental Protection";
- (b) by deleting "Ministry of Agriculture and Fisheries" and substituting "Ministry of the Environment".

11 The Agriculture (Sale of Vegetable Seeds) Regulations 1937 are revoked.

12 The Coral Reef Preserves Act 1966 is amended in subsections (1) and (2) of section 5 by deleting "Agriculture and Fisheries" and substituting "Conservation Services".

13 The Protection of Birds Act 1975 is amended in section 1—

- (a) in the definition of "Department" by deleting "Parks" and substituting "Conservation Services".
- (b) in the definition of "Minister" by deleting "parks" and substituting "the environment".

14 The Development and Planning (Tree Preservation Order) Regulations 1975 are amended in paragraphs 1, 2, 3, 7 and 8 in Form 1 and in paragraphs 1, 2, 3 and 8 in Form 2 by deleting "Agriculture" and substituting "Environmental Protection".

15 The Bermuda Housing Act 1980 is amended in section 64 by deleting "Agriculture" and substituting "Environmental Protection".