

# CHAPTER 5 AGRICULTURAL CROPS (COMPENSATION) ACT

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• Act • Subsidiary Legislation •

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## ACT

Act No.9 of 1967

### Amended by

SRO 32 of 1995

### ARRANGEMENT OF SECTIONS

1. Short title.
  2. Damage to agricultural crops.
  3. Disagreement as to amount of compensation.
  4. Power to amend Schedule.
- Schedule

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## CHAPTER 5 AGRICULTURAL CROPS (COMPENSATION) ACT

### An Act to make provision for the amount of compensation payable for damage to agricultural crops and other trees.

[Act No. 9 of 1967 amended by SRO 32 of 1995.]

[11th March, 1967.]

#### 1. Short title

This Act may be cited as the Agricultural Crops (Compensation) Act.

#### 2. Damage to agricultural crops

The amount of compensation payable for damage to agricultural crops and other trees shall be as follows—

- (a) where the damage amounts to total destruction, the compensation shall be calculated at the rates set out in the Schedule;
- (b) where the damage does not amount to total destruction, the compensation shall be calculated on that proportion of the amount for total destruction directly attributable to the damage as may be determined by assessors appointed by the parties within four days of the occurrence of the damage.

#### 3. Disagreement as to amount of compensation

Where the parties or their assessors disagree as to the amount of compensation payable, either party may make application in writing to the Director of Lands and Surveys within seven days of the occurrence of the damage to determine the compensation payable by arbitration, and thereafter the provisions of the Agricultural Small Tenancies Act, Chapter 10, shall apply, *mutatis mutandis*.

#### 4. Power to amend Schedule

The Minister, if he or she considers it expedient to do so, may by Order amend the Schedule.

**Schedule**  
**AGRICULTURAL CROPS (COMPENSATION) ACT**

Note that the values quoted are the maximum recommended to be charged. Persons doing the valuation should use their discretion based on the situation as seen.

All values are quoted in E.C. dollars.

<i>Nutmeg</i>	<i>Bearing or mature (15 years +)</i>	<i>Immature (5 - 15 years)</i>	<i>Plants</i>
Nutmeg (Marcott)	\$160.00	\$50.00	\$9.00
Nutmeg (Seedling)	\$300.00	\$100.00	\$6.00
<b>COCOA</b>	(10 years +)	(1 - 9 years)	(< 1 year)
Cocoa (Clones)	\$200.00	\$100.00	\$5.00
Cocoa (Seedling)	\$200.00	\$100.00	\$5.00

**FRUITS AND OTHER TREE CROPS**

<i>Name</i>	<i>Bearing or mature (over 5 years)</i>	<i>Immature (1 - 5 years)</i>	<i>Plants (under 1 year)</i>
Ackee	\$50.00	\$15.00 - \$50.00	\$15.00
Atemoya	\$75.00	\$15.00 - \$50.00	\$15.00
Avocado	\$200.00	\$15.00 - \$75.00*	\$15.00
Breadfruit	\$200.00	\$15.00 - \$75.00	\$15.00
Breadnut	\$150.00	\$15.00 - \$75.00	\$15.00
Cashew Nut	\$150.00	\$15.00 - \$75.00	\$15.00
Chenip	\$350.00	\$15.00 - \$75.00	\$15.00
Coconut	\$100.00	\$15.00 - \$75.00	\$15.00
Coffee	\$30.00	\$10.00 - \$30.00*	\$5.00
Condicion	\$50.00	\$10.00 - \$30.00	\$15.00
Custard Apple	\$60.00	\$15.00 - \$50.00	\$15.00
Damson	\$50.00	\$10.00 - \$30.00	\$15.00
French Cashew	\$50.00	\$10.00 - \$30.00	\$15.00
Golden Apple	\$350.00	\$15.00 - \$75.00	\$15.00
Governor Plum	\$50.00	\$10.00 - \$30.00	\$15.00
Grape (Vines)	\$20.00	\$10.00	\$3.50
Guava	\$40.00	\$10.00 - \$20.00	\$10.00
Mammie Apple	\$150.00	\$15.00 - \$75.00	\$15.00
Mango (Seedling)	\$250.00	\$15.00 - \$75.00	\$15.00
Mango (Grafted)	\$250.00	\$15.00 - \$75.00	\$15.00
Mauby	\$100.00	\$15.00 - \$75.00	\$15.00
Passion Fruit	\$20.00	\$10.00	\$3.50
Pawpaw (Table)	\$40.00	\$10.00	\$3.00
Plum (Red & Yellow)	\$75.00	\$10.00 - \$50.00*	\$10.00
Sapodilla	\$250.00	\$15.00 - \$75.00	\$15.00
Star Apple	\$125.00	\$15.00 - \$75.00	\$15.00

Sugar Apple	\$50.00	\$15.00 – \$50.00*	\$15.00
Tamarind	\$200.00	\$15.00 – \$75.00	\$15.00
West Indian Cherry	\$50.00	\$10.00 – \$30.00	\$10.00
Miscellaneous	\$50.00	\$10.00 – \$30.00	\$15.00

\*Note.—The following guidelines should be followed in determining value of fruit trees between 1 – 5 years—

Range	Year 1	Year 2	Year 3	Year 4	Year 5
\$15.00 – \$50.00	\$15.00	\$23.75	\$32.50	\$41.25	\$50.00
\$15.00 – \$75.00	\$15.00	\$30.00	\$45.00	\$60.00	\$75.00
\$10.00 – \$30.00	\$10.00	\$15.00	\$20.00	\$25.00	\$30.00
\$10.00 – \$50.00	\$10.00	\$20.00	\$30.00	\$40.00	\$50.00

### SPICES, CITRUS AND BANANAS

Spices	Bearing (over 5 years)	Immature (1 – 5 years)	Plants (under 1 year)
Bay Leaf	\$40.00	\$15.00	\$4.00
Cinnamon	\$40.00	\$15.00	\$4.00
Cloves	\$150.00	\$30.00	\$8.00
Mountain Spice	\$40.00	\$15.00	\$4.00
Pimento	\$150.00	\$30.00	\$8.00
Sapot	\$40.00	\$15.00	\$4.00
Tonka Bean	\$40.00	\$15.00	\$4.00
<b>CITRUS – ALL TYPES</b>	\$150.00	\$15.00 – \$75.00	\$15.00
<b>BANANA FAMILY</b> (Price per plant)	(7 months to harvest)	(3 – 7 months)	(1 – 3 months)
Banana	\$12.00	\$6.50	\$4.00
Bluggoes	\$10.50	\$5.75	\$1.80
Greendie	\$8.00	\$4.00	\$2.00
Gros Michel	\$20.00	\$10.00	\$3.00
Pelipita	\$6.00	\$3.00	\$1.00
Plantain	\$30.00	\$12.00	\$5.00
Rock Fig	\$8 00	\$4.00	\$2.00

Note.—Limit to a maximum of three mature plants per stool when determining values.

### ORNAMENTALS

Name	Bearing(over 5 years)	Immature(1 – 5 years)	Plants (under 1 year)
Cassia	\$25.00	\$22.00	\$1.65
Casurina	\$45.00	\$30.00	\$3.15
Flamboyant	\$40.00	\$30.00	\$3.15
Immotell	\$75.00	\$25.00	\$1.65
Wild Tamarind	\$45.00	\$25.00	\$1.65
Black Tulip	\$140.00	\$40.00	\$10.00
Costos	\$100.00	\$45.00	\$4.00

<i>Name</i>	<i>Bearing (over 5 years)</i>	<i>Immature (1 – 5 years)</i>	<i>Plants (under 1 year)</i>
H. Sexy Pink	\$140.00	\$40.00	\$10.00
H. Golden Opal	\$60.00	\$20.00	\$4.00
H. Collisina	\$140.00	\$40.00	\$10.00
H. Rostrata	\$140.00	\$40.00	\$10.00
H. Wagneriana	\$140.00	\$40.00	\$10.00
H. Golden Torch	\$50.00	\$15.00	\$2.00
H. Richmond Red	\$140.00	\$40.00	\$10.00
H. Flame Red	\$140.00	\$40.00	\$10.00
Heliconia Caribea	\$140.00	\$40.00	\$10.00
Musa Coccina	\$150.00	\$70.00	\$5.00
Musa Onatto	\$150.00	\$70.00	\$5.00
Musa Veluctina	\$150.00	\$70.00	\$5.00
Perfume Ginger	\$140.00	\$40.00	\$10.00
Pineapple Ginger	\$140.00	\$40.00	\$10.00
Pink Ginger Lily	\$80.00	\$20.00	\$4.00
Red Ginger Lily	\$80.00	\$20.00	\$4.00
Shampoo Ginger	\$140.00	\$40.00	\$10.00
Torch Lily	\$140.00	\$40.00	\$10.00

#### **VINES AND ROOT AND STEM TUBERS**

<i>Vines</i>	<i>Bearing</i>	<i>Immature</i>	<i>Plants</i>
Butternut Squash	\$5.00	\$3.00	\$0.50
Cantaloupe	\$6.00	\$3.00	\$0.50
Melon (Vine)	\$20.00	\$5.00	\$0.50
Melon (Fruit)	\$10.00	-	-
Pumpkin Vine	\$20.00	\$5.00	\$0.50
Pumpkins (Fruits)	\$5.00	-	-
Cucumber	\$6.00	\$3.00	\$0.50

#### **ROOT AND STEM TUBERS**

<i>Names</i>	<i>Bearing</i>	<i>Non-bearing or immature</i>	<i>Plants</i>
Beet	\$1.00	\$0.75	\$0.25
Carrot	\$0.75	\$0.50	\$0.25
Cassava	\$2.50	\$1.25	\$0.25
Cut Yam (Bush Yam)	\$3.00	\$2.00	\$0.20
Dasheen (Holes)	\$2.50	\$1.40	\$0.50
Eddoes (Holes)	\$2.50	\$1.50	\$0.50
Ginger	\$3.00	\$2.00	\$0.25
Ground Nut	\$2.50	\$1.20	\$0.25
Onion	\$0.35	\$0.20	\$0.10
Sweet Potatoes (Holes)	\$1.00*	\$0.60 (1 – 3 months)	\$0.20
Tannias (Holes)	\$3.00	\$2.50	\$0.50

Yarn (Lisbon etc)	\$4.50	\$2.50	\$0.50
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\* A hole comprises one (1) vine.

#### GRASS BARRIERS AND HEDGES:

\$1.00 per running foot.

#### LEGUMES AND LEGUMES MIXED AND LEAFY VEGETABLES

<i>Legumes and legumes mixed</i>	<i>Bearing</i>	<i>Immature</i>	<i>Plants</i>
Corn and Peas together (Max. 4 per hole)	\$4.00	\$2.20	\$1.00
Peas Stool (Solid Stand)	\$4.00	\$2.20	\$1.00
Corn Stool (Solid Stand)	\$4.00	\$2.20	\$1.00
String Beans (Stool, 3 plants)	\$5.00	\$3.00	\$1.00
Beans (Bush type) (Stool, 3 plants)	\$5.00	\$3.00	\$1.00
<b>LEAFY VEGETABLES</b>			
Broccoli	\$3.00	\$1.50	\$0.50
Cabbage	\$3.00	\$1.00	\$0.50
Cauliflower	\$3.00	\$1.50	\$0.50
<i>Legumes and legumes mixed</i>	<i>Bearing</i>	<i>Immature</i>	<i>Plants</i>
Celery	\$3.00	\$1.50	\$0.50
Lettuce	\$1.50	\$0.75	\$0.50
Parsley	\$2.50	\$1.00	\$0.50
Thyme	\$4.00	\$2.00	\$0.50
Water Cress (Sq. Ft.)	\$3.00	\$1.50	\$0.50
Chives	\$3.00	\$1.50	\$0.50

#### OTHER VEGETABLES AND SUGAR CANE

<i>Other Vegetables</i>	<i>Bearing</i>	<i>Immature</i>	<i>Plants</i>
Egg Plant	\$6.00	\$3.00	\$0.50
Hot Pepper	\$6.00	\$2.00	\$0.50
Okra	\$2.50	\$1.25	\$0.50
Sorrel	\$1.50	\$0.75	\$0.50
Sweet Pepper	\$5.00	\$2.50	\$0.50
Tomatoes	\$10.00	\$4.00	\$0.50
<b>SUGAR CANE</b>			
Per Square Foot	\$0.75	\$0.50	-

*Note.*—FOR SUGAR CANE = The values quoted are based on row planting, 5 feet between rows, and sets of 30 cm (1 foot) long within the rows. The actual rows should be measured, excluding spaces between rows.

Where cane is interplanted with other crops, those crops should be valued separately.

The economic life of a field is expected to be 6 years (5 crops). After that period, there should be no compensation if the farmer has to give up the land.

#### COMPENSATION SCHEDULES FOR FOREST TREES

<i>Category 1</i>	<i>Botanical Name</i>	<i>Mature (E.C. \$)</i>	<i>Immature (E.C. \$)</i>	<i>Plants (E.C. \$)</i>
Logany	Swietenia mahogani	3.50 per bd.ft	100.00 per tree	5.00

	Swietenia macrophylla	3.50 per bd.ft	100.00 per tree	5.00
Cedar	Cedrella odorata	3.50 per bd.ft	100.00 per tree	5.00
ok	Tectonia grandis	3.50 per bd.ft	100.00 per tree	5.00
nan	Samanea saman	3.50 per bd.ft	100.00 per tree	3.00
ul		3.50 per bd.ft	100.00 per tree	3.00
nmier	Dacrydas exceiss	3.50 per bd.ft	100.00 per tree	3.00
istmas Trees	Cupressua lusitanica	30.00 per tree over 8 ft	5.00 per ft – 8 ft	5.00
et	Manilkara bidentata	3.50 per bd.ft	100.00 per tree	5.00
egory 2				
Mahoe	Hibiscus eiatu	1.50 per bd.ft	50.00	3.00
alyptus	Eucalyptus spp	1.50 per bd.ft	50.00	5.00
oa	Calliophyllum lucibum	1.50 per bd.ft	50.00	3.00
doux	Inga venoss	1.50 per bd.ft	50.00	3.00
uba	Simaruba amara	1.50 per bd.ft	50.00	4.00
ana	Hieronyma caribaea	1.50 per bd.ft	50.00	3.00
grove		1.50 per bd.ft	50.00	2.00
icidia	Gliricidia sepium	1.00 per bd.ft	30.00	1.00
ond	Richeria turbinata	1.50 per bd.ft	50.00	3.00
sia	Cassia spp	1.50 per bd.ft	10.00 (50.00) per tree	1.00 (5.00)
te Cedar	Tabebuia heterophylla (pallida)	1.50 per bd.ft	40.00	1.00
	Pinus spp	1.50 per bd.ft	50.00	5.00
takayo	Albizia caribaea	1.00 per bd.ft	40.00 per tree	
egory 3				
ny Piece	Pouteria multiflora	1.00 per bd.ft	25.00	1.00
et		1.00 per bd.ft	20.00	
abash	Creacenia cujete	1.00 per bd.ft	20.00	1.00
Plum	Spondias mombin	1.00 per bd.ft	20.00	1.00
land Gommier	Bursera simaruba	.50 per bd.ft	10.00	1.00
dbox	Hura crepitans	1.00 per bd.ft	15.00	1.00
cotton	Caiba pentandra	1.75 per bd.ft	35.00	1.00
olay		1.25 per bd.ft	10.00	1.00
ibande				
caena	Leucaena leucocephalyia	35.00 trees over 15 ft	10.00 (20.00) up to 15 ft	1.00 (3.00)
ers not Specified		1.00 per bd.ft	20.00	1.00
egory 4				
lboo	Bambusa vulgaris	0.50 per ft	0.50 per ft	

1. —For forest trees—

Where there are two prices for immature trees and plants, the figure in bracket indicates the price for plants raised in the nursery.

Unless otherwise stated in the individual columns: seedlings refer to nursery plants and those planted in the field up to one (1) year old. Immature trees refer to plants between one year old and 5.5 inches Diameter at Breast Height (DBH) where DBH is measured at 4 feet 7 inches from the ground. Mature trees are those greater than 5 feet 5 inches DBH.

All mature trees will be cut into logs. The length of the log and its diameter at midpoint will be measured. The volume

of the recoverable lumber is estimated using Scribner's formula—

$$V = (0.7D^2 - 4) L/16$$

Where V= Volume D = Mid diameter of log L = Length of log.

Figures quoted are maximum. The person assessing the damage may use their discretion, for example, deformed stems, rotten trunk and conservation impact.

ABOVE SCHEDULE WAS PREPARED BY A COMMITTEE COMPRISING REPRESENTATIVES FROM THE MINISTRY OF ICULTURE: AGRONOMY, EXTENSION, FORESTRY AND LANDS AND SURVEYS VISIONS; THE COMMODITY BOARDS: OA, NUTMEG, BANANAS AND COMMERCIAL FARMERS.

## **CHAPTER 5 AGRICULTURAL CROPS (COMPENSATION) ACT**

### **SUBSIDIARY LEGISLATION**

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*No Subsidiary Legislation*

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