

PLANT DISEASES REGULATIONS*

Citation.

1. These Regulations may be cited as the Plant Diseases Regulations.

2. The Plant Diseases (Fruit Fly) Regulations (being Regulations 1948 No. 6) are repealed.

Definitions.

3.—(1.) In these Regulations, unless the contrary intention appears—

“owner” includes occupier, lessee, licensee, manager or other person entitled to the possession of any land whether on his own account or as agent, trustee or attorney;

“plantation” means any land, place or premises, and includes an orchard, nursery, bush-house, glass-house or garden of any kind whereon or wherein any tree or plant is grown;

“tree” includes the sucker of a tree;

“waste fruit” means fruit which for any reason is not intended to be used for human or animal consumption, which has fallen from any tree or plant and is lying on the ground or which is infected with pest or plant disease.

(2.) Any reference in these Regulations to a Schedule shall be read as a reference to a Schedule to these Regulations.

Weekly destruction of waste fruit.

4. The owner of any plantation or premises (including markets, shops and residences) shall, if not otherwise required to do so under any other provision of these Regulations, destroy, once each week, by boiling for not less than ten minutes, or by burning, all waste fruit on the plantation or premises.

Neglected trees or plants.

5. Where any trees or plants appear to an inspector to have been neglected or uncultivated and are, in his opinion, likely to spread pest or plant disease, the inspector may, by notice in accordance with the form in the Schedule, require the owner of the plantation on which the trees or plants are growing to grub, fell, stack and burn them within the time specified in the notice.

Destruction of fruit of neglected trees or plants.

6. The owner of any plantation on which neglected or uncultivated trees or plants are growing shall, if an inspector requires him so to do, destroy by burning, or by immersion for ten minutes in boiling water, the fruit of those trees.

Treatment to eradicate pest or plant disease.

7. Every owner of any plantation upon which any tree or plant is growing shall, if an inspector requires him so to do at intervals not exceeding seven days during the period prescribed in the notice apply to the foliage of any such trees or plants at least six fluid ounces of a spray prepared in accordance with a formula approved by an inspector.

Powers of an inspector.

8. An inspector may—

(a) enter, inspect or search any plantation, or any place or any vehicle, where or in which trees or plants or goods are found,

Regulations 1949, No. 1, in force under the *Plant Diseases Ordinance 1918-1959*; made on 17th January, 1949; notified in *Northern Territory Government Gazette* on 26th January, 1949; xpressed to come into operation forthwith.

stored, sold, held or exposed for sale, or conveyed, or where or in which he reasonably suspects trees or plants or goods are being stored, may be found, held or conveyed, and open cases and packages and take such samples as he considers necessary for the purposes of these Regulations;

- (b) examine or order into quarantine for examination or for such treatment as he thinks fit—
 - (i) any trees or plants either in transit or held or exposed for sale or disposal in any way, which, in his opinion are or are likely to be affected with any pest or plant disease; or
 - (ii) any trees, plants or goods which contain or appear to contain any pest or pest agent, plant disease or plant disease agent;
- (c) by written notice to the owner of any place order the destruction or treatment, within the time or in the manner stated in the notice, of any trees or plants which are affected or suspected of being affected with any pest or plant disease, or of any trees, plants, soil or goods which, in his opinion, contain or appear to contain any pest or pest agent, plant disease or plant disease agent, or constitute an obstacle to the control of any pest or plant disease, or which, in his opinion, may be a source of danger to other trees or plants, soil or goods and ought to be treated or destroyed;
- (d) by written notice to the owner of a plantation or place order all packages in which trees or plants, soil or goods have been contained to be treated or disposed of in the time and in the manner stated in the notice; and
- (e) seize and treat or destroy any plants, trees or goods which in his opinion are affected with pest or plant disease or are by him suspected of being affected with pest or plant disease.

9. A person shall not expose for sale or sell any trees, plants, fruit or vegetables which are affected with any pest or plant disease.

Sale of fruit or vegetables affected with pest.

10.—(1.) Any notice to be given under these Regulations to any person shall be in writing and may be served on that person either personally, or left at, or posted by registered letter to, his usual or last known place of abode in the Territory, or, if the person or his address is unknown, or if he has no place of business or abode in the Territory, service may be effected by affixing the notice in a conspicuous place on the plantation or place to which the notice relates.

Notices.

(2.) Any notice may by writing so served, be revoked, suspended or varied by the person authorized to give the notice.

11.—(1.) Where any person fails to comply with the requirements of any notice given under these Regulations, the Administrator may authorize an inspector to take such measures to carry out the requirements of the notice as the Administrator thinks fit.

Default by Owner.

(2.) The cost of taking any such measures may be recoverable from that person as a debt due to the Commonwealth by action instituted by an inspector in any court of competent jurisdiction.

(3.) Any amount recoverable under this section shall include a proportionate part of the salary or wages of any person taking the measures, having regard to the time occupied by him in taking the measures and in travelling for that purpose, and the necessary expenses in connexion with the travelling.

Offence.

12. Any person who—

- (a) hinders or obstructs any person in the performance of any duty or obligation imposed upon him by these Regulations;
- (b) does or attempts to do any act in contravention of the provision of these Regulations or any notice given thereunder; or
- (c) neglects to perform any duty or obligation imposed on him under these Regulations shall be guilty of an offence.

Penalty: Fifty pounds (£50).

THE SCHEDULE.

THE NORTHERN TERRITORY OF AUSTRALIA.
Plant Diseases Regulations.

NOTICE TO DESTROY NEGLECTED OR UNCULTIVATED TREES.

To	of	Town
the owner of block	Section	
of		
on which are growing trees and plants described hereunder which appear to have been neglected or uncultivated and which, in my opinion, by reason of that neglect are likely to spread pest or plant disease.		

Take notice that I require you to fell, stack and burn those trees and plants within days from the date of this notice.

DESCRIPTION OF TREES AND PLANTS

Dated this	day of	, 19 .
		Inspector.