



NOXIOUS INSECTS AMENDMENT ACT 1985

No. 71 of 1985

TABLE OF PROVISIONS

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|--|---|
| 1. Short title. | 7. Amendment of section 6 of Principal Act (Restrictions on removal of goods, &c., from infested areas or infested premises). |
| 2. Principal Act. | 8. Amendment of section 7 of Principal Act (Powers of inspectors). |
| 3. Amendment of long title to Principal Act. | 9. Amendment of section 8 of Principal Act (Duties of occupiers). |
| 4. Amendment of section 1 of Principal Act (Short title). | 10. Amendment of section 9 of Principal Act (Protection of officers, &c.). |
| 5. Amendment of section 2 of Principal Act (Interpretation). | 11. Amendment of section 10 of Principal Act (Offences). |
| 6. Amendment of section 5 of Principal Act (Restrictions on introduction of goods, &c.). | 12. Amendment of section 11 of Principal Act (Regulations). |

AN ACT to amend the Noxious Insects Act 1951.

[Royal Assent 17 October 1985]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Noxious Insects Amendment Act 1985*. Short title.

Principal Act. **2**—In this Act, the *Noxious Insects Act* 1951* is referred to as the Principal Act.

Amendment of long title to Principal Act. **3**—The long title to the Principal Act is amended by inserting “*and noxious molluscs*” after “*insects*”.

Amendment of section 1 of Principal Act (Short title). **4**—Section 1 of the Principal Act is amended by inserting “*and Molluscs*” after “*Insects*”.

Amendment of section 2 of Principal Act (Interpretation). **5**—Section 2 of the Principal Act is amended as follows:—

(a) by inserting “or noxious mollusc” after “noxious insect” in the definition of “infested”;

(b) by inserting after the definition of “noxious insect” the following definition:—

“noxious mollusc” means—

(a) *Lymnea columella*, *Lymnea viridis*, or *Lymnea truncatula*; and

(b) any member of the Phylum Mollusca which is declared by the Governor, by proclamation, to be a noxious mollusc for the purposes of this Act, and includes the eggs and the immature and developmental stages of any noxious mollusc referred to in paragraph (a) or (b);

(c) by inserting after the definition of “plant” the following definition:—

“premises” includes any land, whether covered by buildings or not, including any place underground and any land covered by water and any body of water on land;

Amendment of section 5 of Principal Act (Restrictions on introduction of goods, &c.). **6**—Section 5 of the Principal Act is amended by inserting “or noxious mollusc” after “noxious insect”, wherever occurring.

Amendment of section 6 of Principal Act (Restrictions on removal of goods, &c., from infested areas or infested premises). **7**—Section 6 of the Principal Act is amended by inserting in subsection (1) “or noxious mollusc” after “noxious insect”.

* No. 65 of 1951. For this Act, as amended to 1959, see the Reprint of Statutes (1826-1959), Vol. 4, p. 482. Subsequently amended by No. 55 of 1965, No. 99 of 1982, No. 29 of 1984, and No. 51 of 1985.

8—Section 7 of the Principal Act is amended as follows:—

Amendment of
section 7 of
Principal Act
(Powers of
inspectors).

- (a) by inserting in paragraph (c) of subsection (1) “ or noxious molluscs ” after “ noxious insects ”, wherever occurring;
- (b) by omitting from that paragraph “ thereof ” and inserting “ of those noxious insects ”;
- (c) by inserting in paragraph (d) of that subsection “ or the presence or absence of any noxious mollusc ” after “ thereof ”, firstly occurring;
- (d) by inserting in that paragraph “ or any noxious mollusc ” after “ thereof ”, secondly occurring.

9—Section 8 of the Principal Act is amended as follows:—

Amendment of
section 8 of
Principal Act
(Duties of
occupiers).

- (a) by inserting in subsection (1) “ or noxious mollusc ” after “ noxious insect ”, wherever occurring;
- (b) by omitting from that subsection “ thereof ”, firstly occurring, and substituting “ of that noxious insect or noxious mollusc ”;
- (c) by omitting from that subsection “ thereof ”, secondly occurring, and substituting “ of that noxious insect ”;
- (d) by inserting after “ noxious insect ” in subsection (2) “ or noxious mollusc ”;
- (e) by inserting in that subsection after “ insect ”, secondly and thirdly occurring, “ or mollusc ”;
- (f) by omitting from that subsection “ thereof ” and substituting “ of the appearance of that insect or mollusc ”.

10—Section 9 of the Principal Act is amended as follows:—

Amendment of
section 9 of
Principal Act
(Protection of
officers, &c.).

- (a) by inserting after “ noxious insects ” in subsection (2) “ or noxious molluscs ”;
- (b) by omitting from that subsection “ thereby ” and substituting “ by those noxious insects or noxious molluscs ”.

11—Section 10 of the Principal Act is amended as follows:—

Amendment of
section 10 of
Principal Act
(Offences).

- (a) by inserting in paragraph (a) “ or noxious mollusc ” after “ noxious insect ”;
- (b) by inserting in paragraph (d) “ or noxious mollusc ” after “ noxious insect ”;

- (c) by omitting from that paragraph “ thereof ”, firstly occurring, and substituting “ of that noxious insect or noxious mollusc ”;
- (d) by omitting from that paragraph “ thereof ”, secondly occurring, and substituting “ of that noxious insect ”;
- (e) by omitting “ Two hundred dollars ” and substituting “ \$2 000 ”.

Amendment of
section 11 of
Principal Act
(Regulations).

12—Section 11 of the Principal Act is amended as follows:—

- (a) by inserting in paragraph (b) of subsection (1) “ or noxious mollusc ” after “ noxious insect ”;
- (b) by inserting in paragraph (d) of subsection (1) “ or noxious molluscs ” after “ noxious insects ”;
- (c) by omitting from that paragraph “ thereof ”, firstly occurring, and substituting “ of those noxious insects or noxious molluscs ”;
- (d) by omitting from that paragraph “ thereof ”, secondly occurring, and substituting “ of those noxious insects ”;
- (e) by omitting from paragraph (g) of that subsection “ two hundred dollars ” and substituting “ \$500 ”;
- (f) by inserting in paragraph (a) of subsection (3) “ or noxious molluscs ” after “ noxious insects ”.