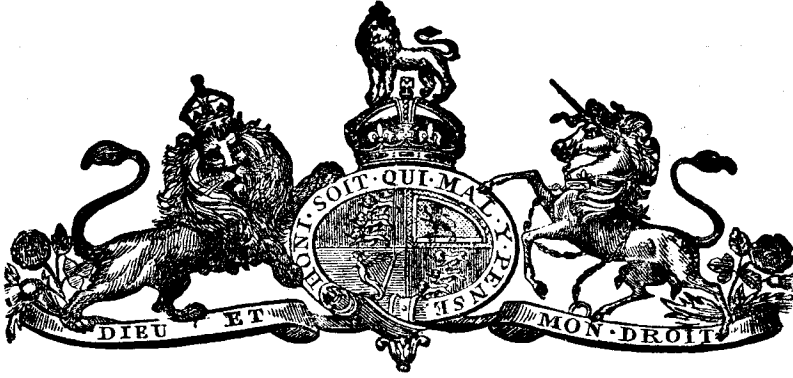


T A S M A N I A



1915.

ANNO SEXTO

GEORGII V. REGIS.

No. 51.

ANALYSIS.

- | | |
|---|--|
| <ul style="list-style-type: none"> 1. Short title. 2. Interpretation. 3. Administration.
Officers. 4. Amendment of Section 14 of 55 Vict.
No. 45. 5. Governor may suspend operation of
any Act, &c., so far as relates to
Scale. | <ul style="list-style-type: none"> 6. Regulations under this Act. 7. Exemption of plants, &c., which are
not liable to the attack of the
Scale. 8. Recovery of penalties. 9. Expenses of administration. |
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AN ACT to provide for the Eradication of San José Scale, and for other purposes.

A.D. 1915.

[21 January, 1916.]

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 San José Scale Act, 1915.”

Short title.

4d.]

San José Scale.

A.D. 1915.

Interpretation.

2 In this Act—

“Director of Agriculture” includes any person who acts in the place of the Director of Agriculture :

“Minister” means the responsible Minister of the Crown, for the time being, controlling the Department of Agriculture :

“Scale” means the insect known as *Aspidiotus perniciosus*, or commonly known as the “San José Scale.”

Administration.

3—(1) The Department of Agriculture and Stock is hereby—under the Minister—charged with the administration and enforcement of this Act and the regulations.

Officers.

(2) Such and so many inspectors and officers as are necessary for the effectual execution of this Act and the regulations may from time to time be appointed for the purposes of this Act and the regulations, under and in conformity with the provisions of any Act for the time being in force regulating the Public Service of this State.

Amendment of
Section 14 of
55 Vict. No. 45.

4 Section Fourteen of “The Codlin Moth Amendment Act, 1891,” is hereby amended by inserting therein immediately after the word “elected” occurring in the Sixth line thereof the following words:—

“Such regulations shall not be or be deemed to be restricted or limited in their scope to orchards (whether such orchards are or are not within the meaning of the said Act”).

Governor may
suspend operation
of any Act, &c.,
so far as relates
to Scale.

5 The Governor may, from time to time and for such period as he thinks advisable, by proclamation, suspend the operation of any Act, regulations or by-laws, or power to make regulations or by-laws, so far as the same respectively relate to the Scale, within any locality or place whatsoever within the State specified in the proclamation in which it has been made to appear to his satisfaction that the Scale exists—

- i. If the Director of Agriculture reports in writing to the Minister that adequate means are not being taken in such locality or place for the suppression or eradication of the Scale or the prevention of the spread thereof, and that it is a menace to the fruit industry, or is likely to become so, and the Governor is of opinion that such is the case : or
- ii. If any fruit board or municipal council requests the Minister to assume jurisdiction under the provisions of this Act within such locality or place.

Regulations
under this Act.

6—(1) It shall be lawful for the Governor from time to time to make—

- i. Regulations prescribing the powers and duties of inspectors and officers appointed under this Act :
- ii. Such regulations as he may deem necessary for suppressing, or eradicating, or preventing the spread of the Scale, including regulations for, and enforcing the cutting down or

San José Scale.

destruction of any trees, shrubs, plants, grafts, cuttings, scions, buds, growth, vegetation, or fruit infected with the Scale : A.D. 1915.

- iii. Regulations for regulating and fixing for contravention of any specified regulation, penalties not exceeding the sum of Five Pounds, or a continuing penalty not exceeding One Pound per diem.

(2) Such regulations may be made to apply to, and have operation anywhere within any locality or place mentioned in any proclamation made by the Governor under Section Five of this Act, and shall not be or be deemed to be restricted or limited in their scope to orchards (whether such orchards are or are not within the meaning of any Act, regulation, or by-law).

7 The Governor, upon it being made to appear to his satisfaction that any class of trees, shrubs, plants, growth, or vegetation is not liable to the attack of the Scale, may exempt the same, and grafts, cuttings, buds, or fruit thereof from the operation of any regulation under this Act. Exemption of plants &c., which are not liable to the attack of the Scale.

8 All informations for offences against the regulations shall be heard and determined, and all penalties imposed by such regulations shall be recovered in a summary way by and before any police magistrate or any Two or more justices in the mode prescribed by "The Magistrates Summary Procedure Act." Recovery of penalties. 19 Vict. No. 8.

9 The expenses of administering and enforcing this Act and the regulations, including any compensation payable under any regulation, shall be defrayed out of moneys from time to time appropriated by Parliament for the purpose. Expenses of administration.



