

PLANT DISEASES.

No. 31 of 1965.

AN ACT to amend the Plant Diseases Act,
1914-1962.

[Assented to 21st October, 1965.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Plant Diseases Act Amendment Act, 1965*.

Short title
and citation.

(2) In this Act the Plant Diseases Act, 1914-1962, is referred to as the principal Act.

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approved
for reprint
9th June,
1959, as
amended by
Acts Nos.
34 of 1960
and 53 of
1962.

(3) The principal Act as amended by this Act may be cited as the Plant Diseases Act, 1914-1965.

S. 8
amended.

2. Section eight of the principal Act is amended—

- (a) by substituting for the word, “Any” being the first word in subsection (4), the passage, “Subject to subsection (5) of this section, any”;
- (b) by substituting for the words, “one month” in lines one and two of subsection (4), the words, “two months”; and
- (c) by repealing subsection (5) and re-enacting it as follows—

(5) (a) Where a person fails or neglects for two months to register an orchard as required by this section, the Director of Agriculture shall serve or cause to be served on that person a notice in the prescribed form, alleging that the person has committed an offence under this section.

(b) If within twenty-one days after the date of the service of the notice on the person, he—

- (i) admits that he has committed the offence;
- (ii) registers the orchard under this Act; and
- (iii) pays, to the Director, in addition to the fee prescribed for the registration of the orchard, a modified penalty of ten shillings for the offence,

proceedings shall not be taken in any Court of Petty Sessions against the person in respect of the offence, and the production of an acknowledgment from, or on behalf of, the Director of Agriculture of the payment of the modified penalty is a defence to any charge of the offence in respect of which the modified penalty is paid.

(c) Where a person on whom a notice has been served under this subsection fails to comply with paragraph (b) thereof, proceedings may be taken against him for the offence alleged in the notice to have been committed by him under subsection (4) of this section, and he is liable to the penalty therein provided for that offence. .

3. Section forty-one of the principal Act is ^{S. 41} repealed.
repealed.