

## AGRICULTURAL PRODUCTS.

13<sup>c</sup> Elizabeth II., No. XII.

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No. 12 of 1964.

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**AN ACT to amend the Agricultural Products Act, 1929-1963.**

[Assented to 2nd October, 1964.]

**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:—

Short title  
and citation.

1. (1) This Act may be cited as the *Agricultural Products Act Amendment Act, 1964.*

(2) In this Act the Agricultural Products Act, 1929-1963, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Agricultural Products Act, 1929-1964.

2. Section four of the principal Act is amended— S. 4  
amended.

(a) by adding after the word, "package", being the last word in subsection (1), the passage, "and in any case the inspector may take, without payment therefor, samples of the agricultural products in sufficient quantity to permit the inspector to determine whether the agricultural products in his opinion, comply with the requirements of this Act";

"This Act" includes regulations.  
See s. 4  
Act No. 30  
of 1918.

(b) by adding after subsection (4) the following subsection—

(4a) (a) Without prejudice to the operation of section three of this Act, where an inspector has reasonable grounds for believing that with respect to any agricultural product, being any citrus fruit, grapes or other prescribed agricultural product, there is a contravention of, or failure to comply with, any provision of this Act, he may, if he is of opinion that—

(i) the agricultural product can be made to comply with the requirements of the Act, order the owner or person for the time being in charge of the agricultural product to take, at the expense of the owner thereof, such measures or do all such things with respect thereto, as the inspector determines to be necessary to comply with those requirements; or

(ii) the agricultural product cannot be made to comply with those requirements, order that the agricultural product or portion thereof, be destroyed or otherwise disposed of as prescribed.

(b) Where an inspector orders any package to be repacked or any agricultural product to be destroyed or otherwise disposed of pursuant to this subsection, he shall as soon as possible give notice of such order to the owner.

(c) No agricultural product shall be destroyed pursuant to this subsection without the approval in writing of the Minister or a person authorised in writing by the Minister to give the approval. ;

(c) by adding after subsection (5) the following subsections—

(6) Any inspector or person acting under the direction or supervision of an inspector is not liable for any loss or damage resulting from or caused by the performance or exercise of any of the powers conferred by this section upon an inspector.

(7) A person who fails to comply with an order of an inspector given pursuant to this section commits an offence.

Penalty: Twenty pounds. .

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