

NOXIOUS WEEDS.

15° Geo. VI., No. VII.

No. 7 of 1951.

AN ACT to amend the Noxious Weeds Act, 1950.

[Assented to 12th October, 1951.]

BE it enacted by the King'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. This Act may be cited as the *Noxious Weeds Act Amendment Act, 1951*, and shall be read as one with the Noxious Weeds Act, 1950 (Act No. 60 of 1950) referred to in this Act as the principal Act. Short title.

2. The principal Act, as amended by this Act, may be cited as the Noxious Weeds Act, 1950-1951. Citation of principal Act as amended by this Act.

3. Subsection (3) of section two of the principal Act is amended by substituting for the figures "1949" in line two the figures "1950". S. 2 amended.

S. 5 amended.

4. Section five of the principal Act is amended by—

- (a) adding before the interpretation, "Department" the following interpretation—

"declaration" means a declaration made by the Protection Board and published in the *Gazette* and the verb "to declare" and inflexions and other derivatives have correlative meanings;
- (b) substituting for the figures, "1948" appearing firstly in line three of paragraph (e) and secondly in line two of paragraph (f) of the interpretation, "holding" and thirdly in line six of subparagraph (iii) of paragraph (b) of the interpretation, "owner", the figures, "1950";
- (c) substituting for the words, "proclaimed to be a noxious weed" in lines one and two of the interpretation, "primary noxious weed," the words, "declared to be a primary noxious weed";
- (d) deleting the words, "by the Minister" in line three of the interpretation, "secondary noxious weed".

S. 6 amended.

5. Section six of the principal Act is amended by—

- (a) substituting for the word, "Department" in lines two and three of subsection (1) the words, "Protection Board";
- (b) adding the following subsection—

(3a) The Protection Board may, in the same manner and to the same extent as is provided in the last preceding subsection for the delegation by the Minister of all or any of his powers and functions under or by virtue of this Act, delegate to the Chief Weed Control Officer all or any of its powers and functions exercisable under or by virtue of this Act and the provisions of the last preceding subsection shall apply in respect of the powers and functions of the Protection

Board and the delegation to and the exercise by the Chief Weed Control Officer of any of those powers and functions as if those provisions were repeated at length *mutatis mutandis* in this subsection.

6. Section seven of the principal Act is amended S. 7 amended.
by—

- (a) substituting for the word “Governor” appearing firstly in line one of subsection (1) and secondly in line one of subsection (2) the words, “Protection Board”;
- (b) substituting for the word, “proclamation” wherever it appears, the word, “declaration”;
- (c) substituting for the word, “promulgated” in line three of subsection (2), the word, “made”.

7. Section nine of the principal Act is amended S. 9 amended.
by substituting for the word, “proclamation” in line three, the word, “declaration”.

8. Subsection (1) of section twenty-one of the principal Act is amended by substituting for all words in lines one and two, the words, “Where a declaration” S. 21 amended..

9. Section twenty-seven of the principal Act is amended by— S. 27 amended.

- (a) substituting for the word, “proclamation” wherever it appears in subsection (1) and (10), the word, “declaration”;
- (b) substituting in subsection (10) for the word, “Governor” appearing firstly in line one and secondly in line seven and for the word, “he” in line six and for the word, “him” in line ten, the words “Protection Board”;
- (c) substituting for the word, “promulgated” in line nine of subsection (10), the word, “made”.

S. 29
amended.

10. Section twenty-nine of the principal Act is amended by substituting for the word, "Minister" in line six, the words, "Protection Board".

Ss. 38, 40 and
44 amended.

11. The principal Act is amended by substituting the figures, "1950" for the figures, "1946" in line five of subsection (2) of section thirty-eight, the figures, "1946" in line five of subparagraph (ii) of paragraph (b) of subsection (1) of section forty, the figures, "1948" in line three of section forty-four.

S. 46
amended.

12. Section forty-six of the principal Act is amended by—

- (a) substituting for the words, "The Minister" in line one and the word, "him" in line three, the words, "the Protection Board";
- (b) substituting for the figures, "1947" in line four of subsection (4), the figures, "1950".

S. 48
amended.

13. Subsection (2) of section forty-eight of the principal Act is amended by adding after the word, "Minister" in line two the words, "or the Protection Board".

S. 49
amended.

14. Section forty-nine of the principal Act is amended by substituting for the word, "Minister" in line one, the word, "Governor".

S. 52
amended.

15. Section fifty-two of the principal Act is amended by substituting for the figures, "1948" in line three of subparagraph (i) of paragraph (a) of subsection (2), the figures, "1950".

S. 56
amended.

16. Section fifty-six of the principal Act is amended by—

- (a) substituting for the word "Minister" appearing firstly in line one of subsection (1), secondly in line one of subsection (2) and thirdly in line one of subsection (3), the words, "Protection Board";
- (b) substituting for the word, "promulgated" in line three of subsection (2), the word, "made".

17. Section sixty of the principal Act is amended by substituting for the word, "promulgated" in lines one and two, the word, "made". ^{S. 60}
amended.

18. Section sixty-six of the principal Act is amended by substituting for the word, "Minister" appearing firstly in line eleven and secondly in line twelve of subsection (1) and thirdly in line two of subsection (2), the words, "Protection Board". ^{S. 66}
amended.

19. Section sixty-seven of the principal Act is amended by substituting for the word, "Minister" in line three, the word, "Governor". ^{S. 67}
amended.