

PLANT DISEASES (REGISTRATION FEES).

3° and 4° GEO. VI., No. XXXIX.

No. 39 of 1939.

AN ACT to authorise temporarily the prescribing of higher registration fees for the registration of orchards under the *Plant Diseases Act, 1914-1935*.

[Assented to 20th December, 1939.]

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

Short title.

1. This Act may be cited as the *Plant Diseases (Registration Fees) Act, 1939*, and shall be read in conjunction with the *Plant Diseases Act, 1914-1935* (No. 23 of 1914 as amended), hereinafter referred to as the principal Act.

Power to prescribe higher registration fees.

2. (1) Notwithstanding anything to the contrary contained in the proviso to paragraph (c) of subsection (2) of section thirty-five of the principal Act (as amended by section four of the Act No. 10 of 1935) it shall be lawful for the Governor, while this Act is in operation, by regulation made under section thirty-five of the principal Act, to fix as the registration fee to be paid for the registration of an orchard, the area of which is not less than one acre, a sum not exceeding two shillings and sixpence for every acre comprised in the area of such orchard, but so that the total registration fee payable for

the registration of any orchard shall not exceed the sum of two pounds ten shillings: Provided that, where two or more orchards owned by the same owner are situated within the district of one road board, the total registration fees for the registration of such orchards shall not exceed the sum of two pounds ten shillings.

(2) Nothing in subsection (1) of this section shall affect the fixation of the registration fee under the principal Act in respect of the registration of an orchard, the area of which is less than one acre.

(3) For the purposes of any regulation made under the authority of this section the term "one acre" means—

- (a) in the case of an orchard where only fruit trees are growing—one hundred fruit trees;
- (b) in the case of an orchard where only fruit vines are growing—an actual acre according to measurements;
- (c) in the case of an orchard where both fruit trees and fruit vines are growing, every four fruit vines shall count as one fruit tree.

3. (1) This Act shall have effect and shall be deemed to have had effect as from and including the first day of January, one thousand nine hundred and forty. Operation.

(2) Every regulation made under the authority of section two of this Act shall have effect and be deemed to have had effect as from and including the said first day of January, one thousand nine hundred and forty, unless by such regulation some other date is expressly fixed as the date upon which such regulation shall come into operation.

4. This Act shall continue in operation until the thirty-first day of December, one thousand nine hundred and forty-two, and no longer. Duration of Act.