



Western Australia

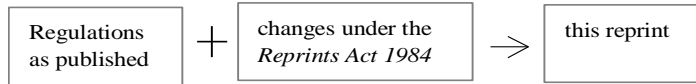
Agriculture and Related Resources Protection Act 1976

**Agriculture and Related
Resources Protection
(Interference with Experiments)
Regulations 1980**

Reprint 1: The regulations as at 5 December 2003

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions that would amend the text if they were to come into operation. The table refers to another endnote setting out the text of the amendments in full.

Notes amongst text (italicised and within square brackets)

Editorial notes show if something has been omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything omitted can be found in an earlier reprint (if there is one) or the regulations as published.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the
Reprints Act 1984 as
at 5 December 2003

Western Australia

**Agriculture and Related Resources
Protection (Interference with Experiments)
Regulations 1980**

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Agriculture and Related Resources Protection Act 1976

Agriculture and Related Resources Protection (Interference with Experiments) Regulations 1980

1. Citation

These regulations may be cited as the *Agriculture and Related Resources Protection (Interference with Experiments) Regulations 1980*¹.

2. Interpretation

In these regulations, unless the contrary intention appears —

“**entry permit**” means permit issued under regulation 5(1);

“**experimental area**” means experimental area for the time being designated by notice under regulation 3;

“**regulation**” means one of these regulations;

“**subregulation**” means subregulation of the regulation wherein the word is used;

“**the Act**” means the *Agriculture and Related Resources Protection Act 1976* as amended.

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3. Experimental areas

- (1) The Protection Board may, by notice, designate as an experimental area a location or reserve that is to be used for the purposes of conducting experiments on or in relation to declared plants or declared animals, and may, by subsequent notice, revoke any such notice.
- (2) A notice under subregulation (1) designating a location or reserve as an experimental area —
 - (a) shall specify —
 - (i) the situation and extent and, where practicable, the boundaries and size of the experimental area;
 - (ii) the nature of experiments to be conducted thereon;
 - (iii) the declared plants or declared animals in respect of which experiments are to be conducted thereon; and
 - (iv) the day on and from which the notice takes and has effect;
 - (b) shall be published in the *Government Gazette* and a newspaper circulating in the part of the State in which the location or reserve to which the notice relates is situated; and
 - (c) takes effect on and from the day specified for that purpose in the notice, being a day not before the notice is published in accordance with paragraph (b), and continues to have effect until revoked.

4. Restricted entry

A person shall not enter onto an experimental area unless he is —

- (a) an officer or employee of the Protection Board, or an authorised person;
- (b) a person whose presence is necessary to an experiment within the experimental area;

- (c) the owner or occupier of land comprised in the experimental area, or a person acting with the authority of the owner or occupier of, such land;
- (d) where the experimental area includes land under the control of a council or other body, a member, officer, or employee of the council or other body;
- (e) a police officer acting in the lawful execution of his duties; or
- (f) the holder of an appropriate entry permit issued pursuant to regulation 5.

Penalty: Not less than \$20, nor more than \$100.

5. Entry permit

- (1) The Protection Board may issue a permit to enter an experimental area or a part thereof to any person as it sees fit.
- (2) An entry permit shall specify —
 - (a) the person to whom it is issued;
 - (b) the experimental area or part thereof in respect of which it applies;
 - (c) any conditions to which it is subject;
 - (d) the period for which it applies.

6. Application for entry permit

A person may apply in writing to the Protection Board for an entry permit, setting out details of the entry permit sought and giving reasons in support of the application.

7. Authority to be produced

Before exercising any power conferred under these regulations in relation to any person —

- (a) an authorised person shall, if required to do so, produce his written authority; and

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- (b) an inspector shall, if required to do so, produce the certificate of his appointment as an inspector.

8. Certain requirements

- (1) An inspector or authorised person may require a person on an experimental area to state whether or not he claims to be a person who was entitled to enter onto the experimental area and, if he does so claim, the capacity in which he claims to have been entitled to enter onto the experimental area.
- (2) Where in response to a requirement under subregulation (1) a person claims to be the holder of an entry permit, the inspector or authorised person who made the requirement may further require that the entry permit be produced for inspection.
- (3) Where —
 - (a) a person refuses or wilfully fails to comply with a requirement of an inspector or authorised person made under subregulation (1) or (2); or
 - (b) an inspector or authorised person reasonably believes that a person entered into an experimental area without being entitled to do so,

without affecting any penalty to which the person may be liable by reason of his entering onto the experimental area or by reason of anything done by the person on the experimental area the inspector or authorised person may require that person to leave the experimental area forthwith.

9. Interference

- (1) A person other than a person who is, or is acting under the direction or with the authority of, the person in charge of an experiment shall not interfere with or cause interference with the experiment, whether by an act on the experimental area on which the experiment is being conducted, or otherwise.

Penalty: Not less than \$100, nor more than \$500.

- (2) An inspector or authorised person may require a person who is contravening subregulation (1) to forthwith discontinue such contravention or take such measures to ensure that such contravention does not continue as the inspector or authorised person may require.

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Agriculture and Related Resources Protection (Interference with Experiments) Regulations 1980

Notes

- ¹ This is a reprint as at 5 December 2003 of the *Agriculture and Related Resources Protection (Interference with Experiments) Regulations 1980*. The following table contains information about these regulations and any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Agriculture and Related Resources Protection (Interference with Experiments) Regulations 1980</i>	4 Jul 1980 p. 2196-7	4 Jul 1980
Reprint 1: The <i>Agriculture and Related Resources Protection (Interference with Experiments) Regulations 1980</i> as at 5 Dec 2003		

***Agriculture and Related Resources Protection (Interference
with Experiments) Regulations 1980***

By Authority: JOHN A. STRIJK, Government Printer