

PLANT DISEASES.

No. 64 of 1979.

AN ACT to amend section 12A, section 12C and section 39 of, and to repeal the Schedule to, the Plant Diseases Act, 1914-1978.

[Assented to 21st November, 1979.]

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, 1979*.

Short title
and
citation.

Reprinted
as approved
for reprint
8th July
1971, as
amended by
Acts Nos. 94
of 1972 (as
amended by
Act No. 19
of 1973), 3
of 1974
and 52 of
1978.

(2) In this Act the Plant Diseases Act, 1914-1978, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Plant Diseases Act, 1914-1979.

Commence-
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Section 12A
amended.

3. Section 12A of the principal Act is amended—

(a) by deleting the words “a municipal district”, in lines two and three of the second paragraph, and inserting in lieu thereof the passage “”, and shall be deemed always to have meant, such one or more of the municipal districts”; and

(b) by deleting the words “that municipal district”, in line four of the second paragraph, and inserting in lieu thereof the words “a municipal district or of two or more municipal districts”.

Section 12C
amended.

4. Section 12C of the principal Act is amended, as to paragraph (a) of subsection (1) thereof, by deleting the words “an officer nominated by the municipality to act as Secretary”, in lines four, five, and six of that paragraph, and inserting in lieu thereof the passage “a person to act as Secretary, who shall, where the poll was taken at the request of a municipality, be an officer nominated by that municipality”.

Section 12C
amended.

5. Section 12C of the principal Act is amended, as to paragraph (d) of subsection (1) thereof—

(a) by adding after the word “from”, in line one of the item commencing with the word “secondly” in subparagraph (i), the words “service fees levied or” ;

- (b) by deleting item (I) of subparagraph (v) and inserting in lieu thereof a new item as follows—
- (I) fix an annual service fee to be levied at a uniform rate in respect of every orchard within such district and a scale of charges for services rendered by or on behalf of the Committee in respect of the baiting or spraying to be carried out, which service fee and scale of charges shall not exceed such amounts as are respectively prescribed by regulation; ;
- (c) as to item (II) of subparagraph (v)—
- (i) by deleting the words “of the charges”, in line two of that item;
- (ii) by adding after the word “orchard”, in line three of that item, the words “of the service fee levied and the charges estimated” ; and
- (iii) by deleting the words “carried out”, in lines four and five of that item, and inserting in lieu thereof the words “to be carried out in the relevant accounting period” ;
- (d) as to item (IV) of subparagraph (v), by deleting the words “one half of those charges at the commencement of that period and the balance of those charges not earlier than four months thereafter”, in lines five to ten of that item, and inserting in lieu thereof the words “at the commencement of that period the service fee and the whole of such charges estimated as applicable to that period” ;
- (e) as to subparagraph (vi)—
- (i) by deleting the words “to pay such charges”, in line four of that subparagraph, and inserting in lieu thereof the words “within thirty days thereafter to pay such service fee and charges estimated” ;

- (ii) by deleting the word “charge”, in line seven of that subparagraph, and inserting in lieu thereof the word “demand” ; and
- (iii) by adding before the word “charges”, in line ten of that subparagraph, the words “service fee or” .

Section 39
amended.

6. Section 39 of the principal Act is amended, as to paragraph (c) of subsection (2) thereof—

- (a) by adding after the word “fees”, in line two of that paragraph, the words “or charges” ; and
- (b) by deleting the words “of such fees”, in line three of that paragraph, and inserting in lieu thereof the passage “, or the permissible limits, of such fees or charges” .

Schedule
repealed.

7. The principal Act is amended by repealing the Schedule thereto.
