

## PLANT DISEASES.

No. 52 of 1978.

AN ACT to amend the Plant Diseases Act, 1914-1974.

[Assented to 6th September, 1978.]

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, 1978.*

Short title  
and  
citation.

(2) In this Act the Plant Diseases Act, 1914-1974 is referred to as the principal Act.

Reprinted  
as approved  
for reprint  
8th July,  
1971 as  
amended by  
Acts Nos.  
19 of 1973  
and 3 of  
1974.

(3) The principal Act as amended by this Act may be cited as the Plant Diseases Act, 1914-1978.

Section 12C  
amended.

2. Section 12C of the principal Act is amended—

(a) as to subsection (1)—

(i) by deleting paragraph (a) and substituting the following paragraph—

(a) The Minister shall, by notice in the *Gazette*, appoint and name a Committee (including an officer nominated by the municipality to act as Secretary) to administer, subject to this Act, the fruit fly foliage baiting scheme within such district, and to control and prevent the fruit fly pest therein, for a minimum period of three years from such date as the Minister shall specify in the notice, and the Committee shall continue after the expiration of that period so to administer the scheme and so to control and prevent the fruit fly pest in the district until—

(i) the holding of a poll, directed by the Minister where the scheme has gone, or seems likely to go, into abeyance or has not been operating effectively or where requested by not less than ten per centum of the number of persons who would, if a poll were held, be entitled to vote, to determine whether the scheme should continue; or

- (ii) the Minister directs that the scheme be wound up as provided by section twelve E of this Act where the scheme has ceased operating and is unlikely, in the opinion of the Minister, to commence operation again. ;
  - (ii) by adding after the words "Where a poll is", in line one, of paragraph (aa) the words "directed or";
  - (iii) by adding after the words "who shall be" in line four, of paragraph (b) the words "selected by the Minister where the holding of the poll was directed by the Minister or"; and
  - (iv) by adding after the word "poll", in line six of paragraph (b), the words "where such was the case"; and
- (b) by repealing and re-enacting subsection (3) as follows—
- (3) The Minister may, by notice published in the *Gazette*, change the name of the Committee to that set forth in the notice—
    - (a) where he has directed the holding of a poll; or
    - (b) where the incorporated Fruit Growers' Association or the municipality that requested the taking of the poll that resulted in the appointment and naming of a Committee by the Minister under this section, requests the Minister in writing to change the name of the Committee. .