



Western Australia

Noxious Weeds Regulations 1973

Compare between:

[26 Nov 1982, 00-c0-03] and [10 Dec 2002, 00-d0-07]

NOXIOUS WEEDS ACT 1950

Noxious Weeds Regulations 1973

~~His Excellency the Governor in Executive Council, acting under the provisions of section 49 of the *Noxious Weeds Act 1950*, has been pleased to make the regulations set out in the Schedule hereunder.~~

1. Citation

These regulations may be cited as the *Noxious Weeds Regulations 1973*.

2. Revocation

The *Noxious Weeds Act Regulations 1951*, published in the *Government Gazette* on the 9th November, 1951, as amended from time to time by notices so published thereafter, are hereby revoked.

3. Interpretation

The Interpretations set out in subsection (1) of section 26B of the *Noxious Weeds Act 1950*, apply to these regulations.

4. Harvesting seeds when noxious weeds are present

- (1) A person shall not harvest pasture seeds from land upon which there are primary noxious weeds.
- (2) A person shall not use, sell or supply, offer to sell or supply, or have in his possession, custody, or control pasture seeds harvested from land upon which, at the time of harvest, there were primary noxious weeds.

- (3) In this regulation “**pasture seeds**” means seeds of pasture species and includes clovers (*Trifolium* spp.), medics (*Medicago* spp.), serradella (*Ornithopus* spp.) and rye grasses (*Lolium* spp.).

5. Notice when noxious weeds are present

- (1) Where there are primary noxious weeds upon any land a notice in writing may be served on the owner or occupier of the land by an inspector directing him not to move from the land —
- (a) any stock;
 - (b) any restricted animal that is not shorn immediately prior to being removed from the land;
 - (c) any hay, chaff, fodder or grain made or produced from any crop grown on the land; or
 - (d) any vehicle or machine which has been used for agricultural, excavation or earthmoving purposes on the land.
- (2) Where a notice is served in accordance with subregulation (1) of this regulation the owner or occupier of any land so served shall not move or permit to be moved from that land any stock or other thing referred to in that notice without first having obtained authority in writing so to do from the Chief Weed Control Officer.
- (3) Any owner or occupier of any land who contravenes this regulation is guilty of an offence.

~~[6, 7, 8, 9, 10, 11, 12 and 13.]~~ Repealed in Gazette
29 October 1982 p.4357.]

14. Offence

A person who contravenes any of these regulations commits an offence.

Penalty: Two hundred dollars.

Appendix

Form No. 1

Western Australia

Noxious Weeds Act 1950

Regulation 6

Declaration for Entry of Stock, Coats, Fodder, Sacks, Woolpacks, and
Machinery into Western Australia.

To be prepared in duplicate —

Original: to accompany consignment.

Duplicate: to appropriate entry point —

Regional Weed Control Officer, Kalgoorlie.

Regional Weed Control Officer, Perth.

Regional Weed Control Officer, Kununurra.

Section 1: COMPLETE FOR STOCK

Part A:

(a) Full name:I, (a)

(b) Address:.....of (b)

(c) Name of.....in the State of (c)

State: am *the owner/agent of the owner/person importing/agent of
the person importing — *the sheep/cattle/horses/other
animals specified in the Schedule, intended to be brought
into Western Australia.

* Strike out whichever is inapplicable.

Part B:

The owner of the property of origin to complete this part and
the declaration under Section 3 below.

(a) Full name:I, (a)

(b) Address:.....of (b)

(c) Name ofin the State of (c)

State: am the * owner/manager/authorised person of the place or
property of origin on or in which * the
sheep/cattle/horses/other animals specified in the Schedule,
intended to be brought into Western Australia, were last held
for ninety days.

* Strike out whichever is inapplicable.

App.

Section 2: COMPLETE FOR COATS/FODDER/SACKS/
WOOLPACKS AND MACHINERY

(a) Full name:I, (a)
(b) Address:.....of (b)
(c) Name ofin the State of (c)
State:.....am the * owner/the agent of the owner in the place of origin
of the * coats/fodder/sacks/woolpacks/machinery, intended
to be brought into the State of Western Australia.

Note: ...Declarations for machinery are only required
when a Government inspector requires, by a
notice in writing, that such declarations be
furnished.

* Strike out whichever is inapplicable.

Section 3: COMPLETE FOR ALL CONSIGNMENTS

The *sheep/cattle/horses/other animals/coats/fodder/

(d) Full namesacks/wool- packs/machinery are owned by (d)
of owner:.....

(e) Address

of owner:.....of (e)

(f) Name of

State:.....in the State of (f)

To the best of my knowledge and belief, the
*sheep/cattle/horses/other animals/coats/fodder/
sacks/woolpacks/machinery are free from plants declared as
noxious weeds in Western Australia.

* Strike out whichever is inapplicable.

THE SCHEDULE

Description (type of stock, fodder, animal, coats, etc.)

.....

.....

Identification (sex, brands etc.).....

.....

Number

.....

Method of Transport

Date of Proposed Entry into Western Australia
Place of Proposed Entry into Western Australia
Consigned to
Address of Consignee /
Destination in Western Australia
The sheep (if any) were last shorn on
Agent (if any) acting on behalf of importer
.....

And I make this declaration by virtue of

(g) Insert Act(g)
of Parliament
under which.....Declared at
declaration is.....in the State of
made..... this

day of 19
before me

.....
Justice of the Peace.
(or authorised person)

.....
Signature of
Declarant.

App.

REVERSE OF FORM No. 1
CERTIFICATE BY INSPECTOR
COMPLETE FOR STOCK ONLY

I,.....
being an inspector in the Department of Agriculture in the
State of.....
do hereby certify that I have examined the *sheep/cattle/
horses/other animals referred to in the statutory declaration
of
on the reverse side of this form and have found the * sheep/
cattle/horses/other animals free from noxious weeds,
including *Xanthium* spp. (Bathurst burr, Noogoora burr, etc.)
and Horehound (*Marrubium vulgare* L.).
I have no reason to doubt the correctness of any of the
particulars declared in the said statutory declaration.
Dated at this day
of 19
.....
Government Inspector.

* Strike out whichever is inapplicable.

NOTICE

Under the *Noxious Weeds Act*, the following conditions apply to animals
consigned to Western Australia:

- (1) Sheep, cattle and horses shall be despatched within seven days of
inspection, unless a period not exceeding 14 days has been approved
by the Agriculture Protection Board.
- (2) The animals, after inspection, shall be held in yards which, along
with their immediate environs, are free from noxious weeds,
particularly Noogoora burr, Bathurst burr and Horehound.
- (3) Removal of the animals from the place of inspection shall be carried
out by road transport, or by rail.
- (4) If, on arrival in Western Australia, the length of wool on any part of
the body of a sheep exceeds twenty (20) millimetres, the animal will
be required to be shorn unless exempted by a certificate in writing
from a Government inspector.

Form No. 2

Western Australia

Noxious Weeds Act 1950

(Regulation 6)

NOTICE OF INSPECTION

(a) Full name:To (a) Mr

(b) Address:.....of (b)

.....
being the * owner/consignor/consignee/person in possession
of the consignment described below, you are hereby notified
that they have been detained by a Government Inspector.

Consignment

Description

Identification

Number

Origin

Consignee

Signed

Inspector.

Date

* Delete whichever is inapplicable.

The above items have been found to contain prohibited
material, namely

STOCK

The above animals shall remain under the control of a

(c) Date:Government Inspector until (c)

(d) Delete ifin which period they must be (d) shorn and cleaned or
satisfactorilydestroyed.

inapplicable:

Signed

Inspector.

Date

App.

OTHER CONSIGNMENTS

The above consignments shall remain under the control

(e) Date:of a Government inspector until (e)
in which period it must be satisfactorily cleaned or
destroyed.

Note: A person unwilling to comply with the requirement of
this notice may, with the approval of a Government
inspector, export the consignment from the State, or return it
to a part of the State approved by a Government inspector,
within the time specified in the notice.

RELEASE

The above consignments are * free from noxious weeds/not
free of noxious weeds, but approval is given for

(f) Specify place: ..export from Western Australia or return to (f).....
within Western Australia.

Signed
Inspector.

Date

* Delete whichever is inapplicable.

[Appendix amended in Gazette 14 September 1973 p.3478.]

Notes

- ^{1.} This is a compilation of the *Noxious Weeds Regulations 1973* and includes the amendments referred to in the following Table.
[If this compilation has been reprinted amendments prior to the latest reprint are not referred to in this Table.]

Compilation table

Citation	Gazettal	Commencement
<i>Noxious Weeds Regulations 1973</i>	17 Aug 1973 pp.3129-33	17 Aug 1973
<i>Amendment regulations</i>	14 Sep 1973 p.3478	
<i>Agriculture and Related Resources (Declared Plants and Restricted Animals) Regulations 1982 r. 3</i>	29 Oct 1982 p.4357	26 Nov 1982 (see regulation 2)
<u>These regulations were repealed by the Noxious Weeds Repeal Regulations 2002 r. 2 as at 10 Dec 2002 (see Gazette 10 Dec 2002 p. 5743)</u>		