

Western Australia

## **Noxious Weeds Regulations 1973**

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# Noxious Weeds Regulations 1973

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## CONTENTS

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1.	Citation	1
2.	Revocation	1
3.	Interpretation	1
4.	Harvesting seeds when noxious weeds are present	1
5.	Notice when noxious weeds are present	2
14.	Offence	2

## Appendix

### Notes

### Compilation table



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.

**r. 5**

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- (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.

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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 of .....in 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.

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

(a) Full name: .....I, (a) .....  
(b) Address:.....of (b) .....  
(c) Name of .....in 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.

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Section 3: COMPLETE FOR ALL CONSIGNMENTS

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

(d) Full name .....sacks/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.

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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 if .....in which period they must be (d) shorn and cleaned or satisfactorily .....destroyed.

inapplicable:

Signed .....

Inspector.

Date .....

App.

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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.

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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.]*

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## **Notes**

- <sup>1.</sup> 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**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<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)