

AGRICULTURAL SEEDS (AMENDMENT) ACT.

Act No. 51, 1961.

An Act to make certain provisions with respect to certified seed; to amend the Agricultural Seeds Act, 1921, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 11th December, 1961.] Elizabeth II,
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BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Agricultural Seeds (Amendment) Act, 1961".

(2) Short title,
citation and
commence-
ment.

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No. 51, 1961 (2) The Agricultural Seeds Act, 1921, as amended by subsequent Acts and by this Act, may be cited as the Agricultural Seeds Act, 1921-1961.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 15, 1921. **2.** The Agricultural Seeds Act, 1921, as amended by subsequent Acts, is amended—

Sec. 2. (Definitions.) (a) by inserting in section two next after the definition of "Agrostologist" the following new definition :—

"Certified seed" means agricultural seed which has been produced and packed pursuant to—

(a) a seed certification scheme conducted by the Department of Agriculture or a seed certification scheme which is by virtue of section 7A of this Act an approved seed certification scheme; or

(b) any seed certification scheme, other than a seed certification scheme referred to in paragraph (a) of this definition, and which the Minister has approved as being certified seed.

New secs. 7A-7E. (b) by inserting next after section seven the following new heading and sections :—

Further provisions as to certified seed.

Approved seed certification schemes. 7A. The Minister may by notification published in the Gazette declare any seed certification scheme to be an approved seed certification scheme for the purposes of this Act and may in like manner vary or revoke any such declaration.

Use of "certified", "certificated" and other words in advertisements for agricultural seed. 7B. Any person who advertises agricultural seed and in such advertisement uses the word "certified" or the word "certificated" or words of like import, to describe such seed, or uses any prescribed words

which

which state, suggest or imply that such seed has been produced pursuant to a seed certification scheme shall, unless such seed is certified seed within the meaning of this Act, and unless there is clearly stated on or in such advertisement the name of the State, Territory or country in which such seed has been produced, be guilty of an offence against this Act.

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7C. Any person who sells any agricultural seed as certified seed or as certificated seed or by words of like import or by any prescribed words which state, suggest or imply that such seed has been produced pursuant to a seed certification scheme shall, unless such seed is certified seed within the meaning of this Act, and unless—

Sale of agricultural seed as certified seed.

- (a) such seed is contained in the parcel in which it was packed pursuant to the seed certification scheme under which it was produced and the seal and label affixed to such parcel in pursuance of such scheme are intact; or
- (b) such seed is contained in the parcel in which it has been repacked from the parcel in which it was packed pursuant to the seed certification scheme under which it was produced and such parcel in which such repacked seed is contained has affixed thereto the label required to be so affixed by section 7D of this Act,

be guilty of an offence against this Act.

7D. (1) (a) Any person who repacks for sale certified seed from a parcel in which it has been packed pursuant to the seed certification scheme under which it was produced shall securely and conspicuously affix to each parcel into which such

Repacking of certified seed.

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seed is repacked a label on which is legibly written the words "Repacked by" followed by the name and address of such person and such other particulars in respect of such seed as may be prescribed :

Provided that it shall not be necessary to affix such label if the whole of the particulars required by this subsection to be written thereon are written in or on the statement or label required to be written on or attached to such parcel by subsection one of section four of this Act.

(b) Any such person who fails to comply with the requirements of this subsection shall be guilty of an offence against this Act.

(2) (a) Any person who repacks for sale certified seed as aforesaid shall in respect of the acquisition and disposal by him of such certified seed keep such records in such form and manner as may be prescribed.

(b) Any such person shall upon being required so to do by an inspector or a person authorised in that behalf by the Minister produce any such records kept by him for inspection by such inspector or person so authorised and permit such inspector or person so authorised to take copies thereof and extracts therefrom.

(c) Any person who fails to produce any such records or who refuses to permit the taking of any such copy of or extract from any such records as required under paragraph (b) of this subsection or who when so required produces any records which are false or misleading in any material particular shall be guilty of an offence against this Act.

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7E. Any person who sells any agricultural seed in a parcel to which a seal is affixed shall, unless— **No. 51, 1961**

- (a) the seed is certified seed and such seal was affixed to such parcel in pursuance of the seed certification scheme pursuant to which such seed was produced; or
- (b) such seal is of a type which has been approved by the Minister,

Un-
authorised
use of seals.

be guilty of an offence against this Act.

- (c) by inserting in paragraph (f) of subsection one of section fifteen after the word "matters" the words "as by this Act are required or permitted to be prescribed or". **Sec. 15.**
**(Regula-
tions.)**

