

[Act 1995 No 44]



New South Wales

Plant Diseases Amendment Bill 1995

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Plant Diseases Act 1924* as follows:

- (a) to clarify the definitions of **disease**, **fruit**, **vegetable** and **pest**,
- (b) to clarify and expand certain powers of inspectors, including those relating to the control and prevention of the spread of diseases and pests,
- (c) to increase penalties for offences under the Act, and to create new offences relating to giving false information to inspectors and the introduction of diseased or infected plants, fruit and vegetables,
- (d) to provide for the issue of penalty notices,
- (e) to make certain changes to the administration of the Act, including transferring from the Governor to the Minister the power to appoint places of entry and quarantine, and transferring from the Minister to the Chief, Division of Plant Industries the power to make directions in respect of seized plants,
- (f) to make other changes of a minor, consequential or ancillary nature.

A detailed explanation of each amendment is set out in the Bill after the amendment concerned.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides that the proposed Act will commence on a day or days to be proclaimed.

Clause 3 gives effect to the Schedule of amendments to the *Plant Diseases Act 1924*.

Clause 4 amends the *Justices Act 1902* to enable penalty notices issued under proposed section 19 of the *Plant Diseases Act 1924* (to be inserted by Schedule 1 (16)) to be brought within the self-enforcing infringement notice scheme.

Clause 5 makes it clear that the explanatory notes contained in the proposed Act do not form part of the proposed Act.

Schedule 1 makes the amendments described in the outline above.