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Wild Flowers and Native Plants Protection  
(Amendment) Bill.

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**EXPLANATORY NOTE.**

THE object of this Bill is to impose further restrictions on the sale of wild flowers and native plants. The Bill prohibits the sale of—

- (a) all protected wild flowers other than Christmas Bush which has been grown on private land;
- (b) all protected native plants other than native plants grown on private land and sold in a growing state.

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[CONFIDENTIAL]

(Rough Draft for Consideration Only.)

No. , 1944.

# A BILL

To make further provision for the protection of wild flowers and native plants; to amend the Wild Flowers and Native Plants Protection Act, 1927-1931, in certain respects; and for purposes connected therewith.

**B**E it enacted by the King'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 "Wild Flowers and Native Plants Protection (Amendment) Act, 1944." Short title and citation.

*Wild Flowers and Native Plants Protection (Amendment).*

(2) The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts and by this Act, may be cited as the Wild Flowers and Native Plants Protection Act, 1927-1944.

5 **2.** The Wild Flowers and Native Plants Protection Act, 1927-1931, is amended—

Amendment  
of Act No.  
2, 1927.

(a) by omitting subsection one of section four and by inserting in lieu thereof the following new subsection:—

Sec. 4.  
(Penalty  
for  
picking.)

10 (1) Any person who during the protected period picks a protected wild flower or protected native plant shall be guilty of an offence.

15 Nothing contained in this subsection shall extend to the picking of any protected wild flower or protected native plant grown upon private land and picked with the consent of the owner or lessee of that land or to the picking of any protected wild flower or protected native plant in pursuance of a license issued under section 5A of this Act.

20 (b) by omitting section five and by inserting in lieu thereof the following new section:—

Sec. 5.  
(Selling  
forbidden.)

5. (1) Any person who sells or offers or exposes for sale during the protected period—

25 (a) any protected wild flower, or  
(b) any protected native plant other than a protected native plant which has been grown on private land and is sold in a growing state suitable for planting,  
30 shall be guilty of an offence.

(2) Paragraph (a) of subsection one of this section shall not apply to or in respect of the flower of the native plant known by the botanical name of *Ceratopetalum gummiferum* (commonly known as Christmas Bush) where that plant has been grown on private land.

35 (c) (i) by inserting at the end of paragraph (a) of subsection two of section seven the words "the sale of which is prohibited by section five of this Act";

Sec. 7.  
(Carriage by  
Railway  
Commissioner and  
Transport  
Trust.)

40 (ii)

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*Wild Flowers and Native Plants Protection (Amendment).*

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- 5 (ii) by omitting from the same subsection the words "This subsection shall not extend" and by inserting in lieu thereof the words "The provisions of paragraphs (b) and (c) of this subsection shall not extend";
- 10 (iii) by omitting from paragraph (b) of subsection four of the same section the word "regulations" and by inserting in lieu thereof the words "by-laws or regulations other than a prosecution for the sale or offering or exposing for sale of a protected wild flower or protected native plant".
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