



ANNO TRICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1986

No. 87 of 1986

An Act to amend the Fruit and Plant Protection Act, 1968.

[Assented to 4 December 1986]

The Parliament of South Australia enacts as follows:

Short title.

1. (1) This Act may be cited as the "Fruit and Plant Protection Act Amendment Act, 1986".

(2) The Fruit and Plant Protection Act, 1968, is in this Act referred to as "the principal Act".

Amendment of
s. 3—
Interpretation.

2. Section 3 of the principal Act is amended—

(a) by striking out from the definition of "disease" "Governor declares by proclamation (which he is hereby empowered to do)" and substituting "Minister, by notice published in the *Gazette*, declares";

and

(b) by striking out from the definition of "pest" "Governor declares by proclamation (which he is hereby empowered to do)" and substituting "Minister, by notice published in the *Gazette*, declares".

Amendment of
s. 19—
Ministerial
notices.

3. Section 19 of the principal Act is amended by inserting after its present contents (now to be designated as subsection (1)) the following subsection:

(2) A notice given by the Minister under this Act may—

(a) be of general or limited application;

(b) incorporate, or operate by reference to, a standard or code of practice of a particular authority or body as in force at a particular time, or as in force from time to time, and with or without modification to the standard or code;

or

(c) exempt, conditionally or unconditionally, any person or class of person from the operation of the notice.

4. Section 20 of the principal Act is amended—

Amendment of
s. 20—
Regulations.

(a) by inserting after paragraph (gb) the following paragraphs:

(gc) exempting or providing for the exemption of, conditionally or unconditionally, any person or class of persons from any provision of this Act;

(gd) conferring any powers, functions or duties on the Minister, the chief inspector or an inspector that may be necessary or expedient for the administration and enforcement of this Act;;

and

(b) by inserting after its present contents as amended by this section (now to be designated as subsection (1)) the following subsection:

(2) A regulation made under this section may—

(a) be of general or limited application;

or

(b) incorporate, or operate by reference to, a standard or code of practice of a particular authority or body as in force at a particular time, or as in force from time to time, and with or without modification to the standard or code.

5. The following schedule is inserted after section 20 of the principal Act:

Insertion of
schedule.

SCHEDULE

Transitional Provisions

1. A proclamation in force under a provision of this Act immediately before the commencement of the Fruit and Plant Protection Act Amendment Act, 1985 (not being a proclamation to which clause 2 applies) has (and shall be deemed to have had from the commencement of that amending Act) the force and effect of a notice under that provision as amended by that amending Act and is subject to variation or revocation by a notice under this Act.

2. A proclamation in force under section 3 of this Act immediately before the commencement of the Fruit and Plant Protection Act Amendment Act, 1986, has the force and effect of a notice under that section and is subject to variation or revocation by a notice under this Act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor