



ANNO VICESIMO QUINTO

GEORGII V REGIS.

A.D. 1934.

No. 2174.

An Act to enact certain provisions for the control of disease in tobacco plants, and for other purposes.

[*Assented to, November 22nd, 1934.*]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. This Act may be cited as the " Tobacco Industry Protection Act, 1934 ". Short title.

2. In this Act—

" inspector " means any officer of the Department of Agriculture : Interpretation.

" sell " includes barter, and " sale " has a corresponding meaning :

" tobacco plant " means any of the following plants, namely, *Nicotiana tabacum*, *Nicotiana rustica*, and *Nicotiana persica* ; and " tobacco seeds " and " tobacco seedlings " mean respectively the seeds and seedlings of any such plants.

3. (1) The occupier of any land on which tobacco plants have been grown shall before the thirty-first day of July next after the end of the season in which those plants were grown, completely destroy by fire or burial all such tobacco plants except the portions of them which have been harvested. Destruction of tobacco plants.

Tobacco Industry Protection Act.—1934.

(2) If any tobacco plants have not been destroyed as required by this section any inspector or any person authorised by an inspector may, whether or not proceedings are instituted against the occupier of the land, enter upon the land on which the tobacco plants are and destroy them or cause them to be destroyed, and the costs of and incidental to such destruction shall be a debt due by the occupier to the inspector and recoverable by action in any court of competent jurisdiction.

(3) Where the tobacco plants were grown by a person other than the occupier of the land on which they were grown, the occupier shall be entitled to recover from the grower any expenses incurred by the occupier under this section.

Sale of seeds.

4. (1) No grower of tobacco shall sell any seeds of the tobacco plant unless those seeds have been taken from plants grown on an area which has been inspected and approved by an inspector during the growing of those plants.

(2) Where tobacco is grown under any share farming agreement all parties to the agreement shall be growers within the meaning of this section.

Sale of seedlings.

5. No person shall sell any tobacco seedlings unless they have been inspected and approved by an inspector before sale.

Power of inspectors.

6. (1) For the purpose of securing the observance of this Act any inspector, or any person authorised by an inspector, may inspect any tobacco plants, tobacco seedlings, or tobacco seeds and for that purpose may enter upon any land or premises.

(2) Any person who obstructs any person in acting under this section shall be guilty of an offence.

Penalty for contravention of Act.

7. Any person who contravenes this Act in any way shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

Summary procedure for offences.

8. Proceedings for offences against this Act shall be disposed of summarily.

Regulations.

9. The Governor may make any regulations necessary or convenient for carrying this Act into effect, and may by any regulation impose penalties not exceeding five pounds for breach of any regulations.

Financial provision.

10. Any moneys required for the purposes of this Act shall be paid out of moneys to be provided by Parliament for those purposes.

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

W. DUGAN, Governor.