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CONSOLIDATED NEWFOUNDLAND AND LABRADOR REGULATION 785/96

Control of Nurseries and Dealers in Nursery Stock Regulations
under the
Plant Protection Act
(O.C. 96-270)

Under the authority of section 14 of the *Plant Protection Act* and the *Subordinate Legislation Revision and Consolidation Act*, the Lieutenant-Governor in Council makes the following regulations.

REGULATIONS

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Short title

- 1.** These regulations may be cited as the *Control of Nurseries and Dealers in Nursery Stock Regulations*.

Nursery registration

2. (1) The owner or operator of a nursery shall annually register that nursery by completing and filing with the department established under the *Executive Council Act* to administer these regulations, in the required form, at or before the expiry date of the certificate on or before the end of the expiry date for the certificate established by the minister.

(2) On registration of the nursery, the minister shall issue a nursery certificate of registration in the required form to the owner and the certificate shall be displayed in a prominent place in the nursery.

87/80 s2

Agent, representative registration

3. (1) A person shall not act or continue to act as an agent, representative or salesperson of a person operating a nursery situated outside of the province unless that person holds a valid and subsisting certificate of registration in the required form.

(2) A person may apply for a certificate of registration under this section shall file with the minister a completed application in the required form.

87/80 s3

Expiry

4. A certificate of registration issued under sections 2 and 3 expires as directed by the minister.

87/80 s5; 237/93 s2

Pests

5. (1) If an inspector finds a pest on or in plants, containers, equipment, machinery, vehicles or soil in several parts of a nursery, orchard or collection of plants, he or she shall immediately report to the minister whether or not it is advisable to the public interest to treat or destroy all the plants, containers, equipment, machinery, vehicles or soil in the nursery, orchard or collection of plants or a part of them.

(2) The minister may, upon receiving a report from an inspector under subsection (1)

(a) order the treatment or destruction of any or all of the plants, containers, equipments, machinery, vehicles or soil in the nursery, orchard, or collection of plants; and

(b) take those measures that he or she considers necessary to protect human, animal or plant health and safety or to protect the environment from a pest.

87/80 s6; 237/93 s2

Forms

6. For the purpose of these regulations, "required form" means the form established by the minister.

Repeal

7. The Control of Nurseries and Dealers in Nursery Stock Regulations, 1980, Newfoundland Regulation 87/80, are repealed.