

Plant Diseases Regulation 2008

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Plant Diseases Act 1924*.

Minister for Primary Industries

Explanatory note

The object of this Regulation is to remake, with some changes, the provisions of the *Plant Diseases Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision with respect to the following:

- (a) the offences under the Act in respect of which a penalty notice (on the spot fine) may be issued and the amounts of penalty for those offences when dealt with in that way,
- (b) savings and formal matters.

This Regulation is made under the *Plant Diseases Act 1924*, including sections 19 and 28 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989* --namely, matters of a machinery nature.

1 Name of Regulation

This Regulation is the *Plant Diseases Regulation 2008*.

2 Commencement

This Regulation commences on 1 September 2008.

This Regulation replaces the *Plant Diseases Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

- (1) In this Regulation: "**the Act**" means the *Plant Diseases Act 1924*.
- (2) Notes in this Regulation do not form part of this Regulation.

4 Penalty notice offences

For the purposes of section 19 of the Act:

- (a) each offence created by a provision of the Act specified in Column 1 of Schedule 1 is declared to be a penalty notice offence, and
- (b) the prescribed penalty for such an offence is the amount specified in Column 2 of Schedule 1.

5 Saving

Any act, matter or thing that, immediately before the repeal of the *Plant Diseases Regulation 2003*, had effect under that Regulation continues to have effect under this Regulation.

Schedule 1 Penalty notice offences

(Clause 4)

Column 1	Column 2
Provision of the Act	Penalty
Section 26 (1) (a)	\$200
Section 26 (1) (b)	\$200
Section 26 (1) (c)	\$200
Section 26 (1) (d)	\$200
Section 26 (1) (e)	\$200
Section 26 (1) (f)	\$200

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
ClI	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	Subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments *Plant Diseases Regulation 2008 (300)*. GG No 88 of 18.7.2008, p 7201. Date of commencement, 1.9.2008, cl 2.