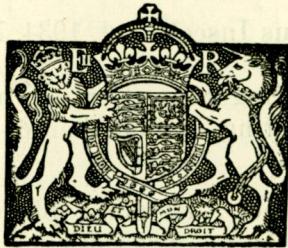


New South Wales



ANNO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 44, 1954.

An Act to make further provision for the suppression and destruction of noxious insects; for this purpose to amend the Noxious Insects Act, 1934, the Pastures Protection Act, 1934, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 14th December, 1954.]

BE it enacted by the Queen'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 "Noxious Insects (Amendment) Act, 1954."

Short title and citation.

Noxious Insects (Amendment).

(2) The Noxious Insects Act, 1934, as amended by this Act, may be cited as the Noxious Insects Act, 1934-1954.

(3) The Pastures Protection Act, 1934, as amended by subsequent Acts and by this Act, may be cited as the Pastures Protection Act, 1934-1954.

Amendment
of Act No.
22, 1934.
Sec. 3.
(Declara-
tion of
noxious
insects.)

2. The Noxious Insects Act, 1934, is amended—

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

(1) The Australian plague locust and the small plague grasshopper shall be noxious insects for the purposes of this Act.

New sec.
7A.

(b) by inserting next after section seven the following new section:—

7A. Where the Under Secretary and Director of the Department of Agriculture gives notice in writing to a board that an outbreak of noxious insects is predicted in the district the board shall—

Duties of
boards in
destruction
of noxious
insects.

(a) in such manner and at such times as may be specified in the notice from the Under Secretary and Director of the Department of Agriculture, give public notice in the district that—

(i) an outbreak of noxious insects is predicted;

(ii) occupiers are required to give notice to the secretary of the board when noxious insects appear on their land;

(iii) occupiers are required continuously to suppress and destroy noxious insects on their land;
and

(iv)

Noxious Insects (Amendment).

(iv) occupiers who require materials for the suppression and destruction of noxious insects may apply to the board for those materials;

(b) from time to time, having regard to the information available to it of the extent or probable extent of the outbreak, determine the quantity of materials required for the suppression and destruction of the noxious insects and inform the Under Secretary and Director of the Department of Agriculture accordingly;

(c) receive and store materials for the suppression and destruction of the noxious insects supplied to the board by the Department of Agriculture and, if the outbreak occurs, establish in the district depots from which supplies of those materials may be obtained free of charge by occupiers;

(d) comply with any direction given to the board by the Minister for or in connection with the suppression or prevention of the predicted outbreak.

(c) (i) by inserting in subsection one of section eight after the word "by" the words "the Minister or"; Sec. 8.
(Power of
entry—
private
lands.)

(ii) by inserting at the end of the same section the following new subsections:—

(3) The Minister or the board may at any time by his or its officers, servants, agents or contractors enter any land within the district, other than land referred to in subsection one of section nine of this Act, and take such measures and carry out such work as the Minister or the board, as the

Noxious Insects (Amendment).

the case may be, deems necessary for or with respect to the suppression and destruction of noxious insects thereon.

(4) Any costs or expenses reasonably incurred by the Minister or the board in the exercise of his or its powers under subsection three of this section, other than the cost of materials for the suppression and destruction of noxious insects, may be recovered in any court of competent jurisdiction by the Minister or the board, as the case may be, from the occupier or owner for the time being of the land in respect of which such powers were exercised as a debt due and owing by him to the Minister or the board, as the case may be.

The amount of any judgment recovered by the Minister or the board under this subsection and of any costs awarded to the Minister or the board in respect of his or its claim shall be a charge on the said land and such charge shall be a charge upon land within the meaning of section one hundred and eighty-seven of the Conveyancing Act, 1919, as amended by subsequent Acts, and may be registered accordingly.

Sec. 9.
(Power of
entry—
Crown
lands, etc.)

- (d) (i) by inserting in subsection one of section nine after the words "authorised by" the words "the Minister or";
- (ii) by omitting subsection two of the same section;

New sec. 9A.

- (e) by inserting next after section nine the following new section:—

Crown and
others not
liable for
damages.

9A. The Crown, the Minister and any other person shall not be liable for compensation or damages by reason of anything done or omitted to be done in the exercise of any power conferred by section eight or nine of this Act or

in

Noxious Insects (Amendment).

in respect of any injury that may directly or indirectly result therefrom unless such thing was done or omitted to be done wilfully, negligently or maliciously.

- (f) (i) by omitting from subsection one of section ten the words "one penny" and by inserting in lieu thereof the word "threepence"; Sec. 10. (Boards to levy a special rate.)
- (ii) by omitting from the same subsection the words "one-sixth of a penny" and by inserting in lieu thereof the words "a half-penny";
- (iii) by inserting at the end of the same section the following new subsection:—
- (3) Any proclamation under this section may be varied or revoked by any subsequent proclamation published in the Gazette.
- (g) (i) by omitting from subsection two of section eleven the words "purchase of materials for the suppression and destruction of noxious insects" and by inserting in lieu thereof the words "purposes specified in paragraphs (a) and (ai) of subsection three of this section"; Sec. 11. (Contribution to be paid into Noxious Insects Destruction Account.)
- (ii) by inserting next after paragraph (a) of subsection three of the same section the following new paragraph:—
- (ai) to meet the costs of suppressing and destroying noxious insects pursuant to subsection three of section eight or subsection one of section nine of this Act and for other purposes connected therewith or incidental thereto;
- (iii) by inserting at the end of the same section the following new subsection:—
- (4) Any moneys received or recovered by the Minister pursuant to subsection four of section eight of this Act for or in respect of costs

Noxious Insects (Amendment).

costs or expenses incurred by him pursuant to subsection three of that section shall be paid into such account.

3. The Pastures Protection Act, 1934-1951, is amended—

Amendment of Act No. 35, 1934.

Sec. 8A.

(Removal of board from office and appointment of administrator.)

- (a) by inserting in paragraph (b) of subsection one of section 8A after the words "under this Act" the words "or the Noxious Insects Act, 1934-1954,";

Sec. 160A.

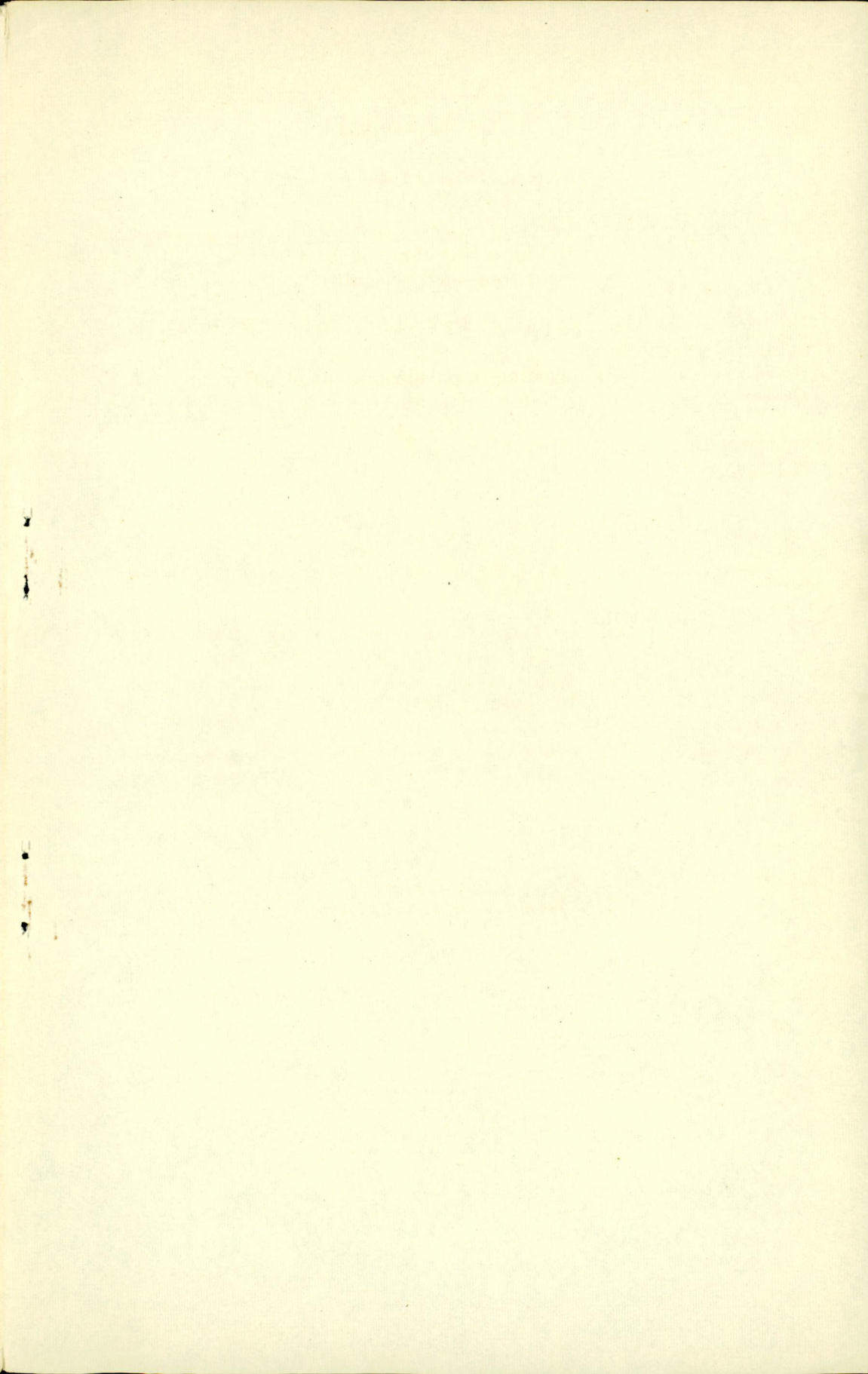
(Official defaults of a board.)

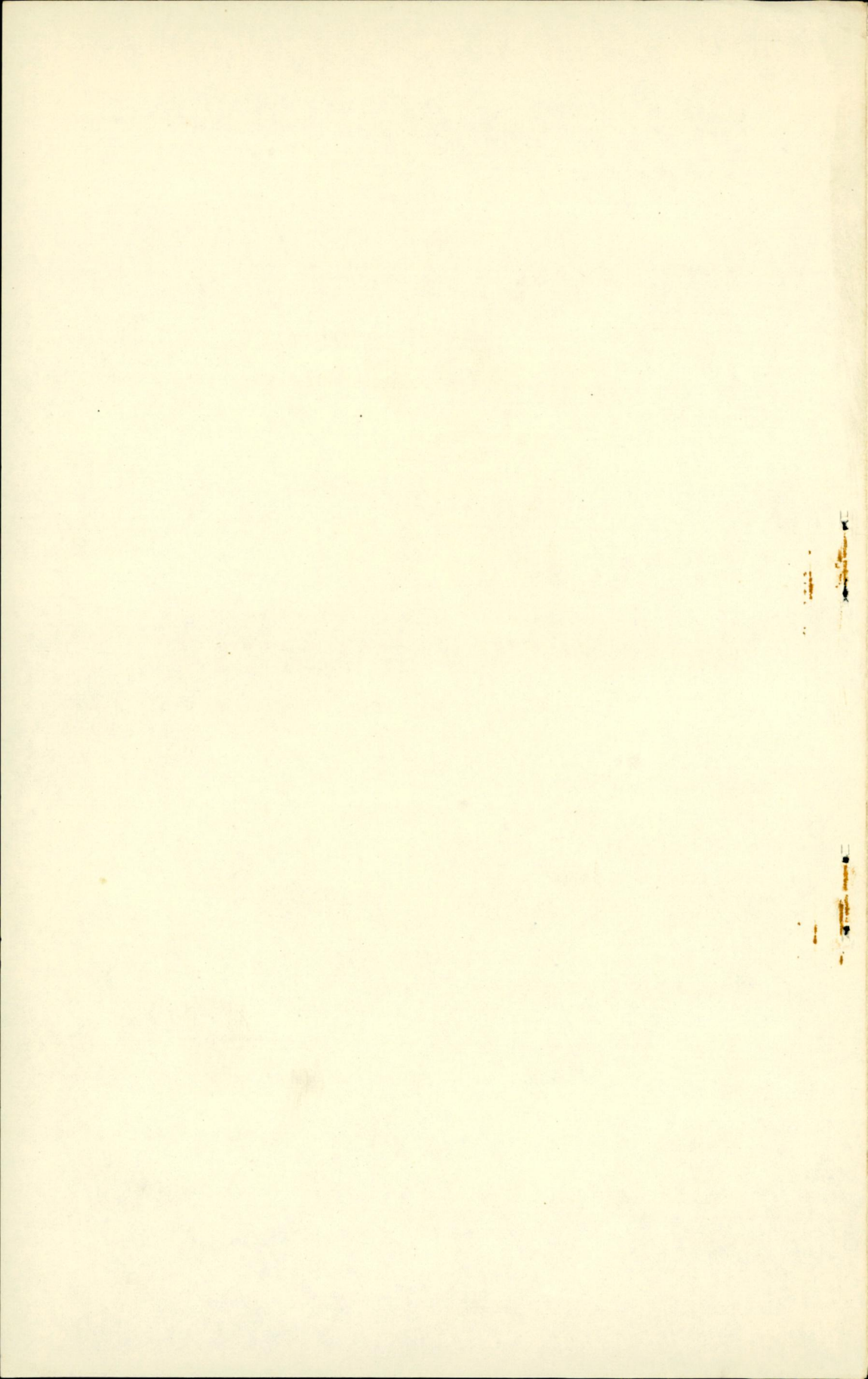
- (b) (i) by inserting in subsections one and two of section 160A after the words "under this Act" the words "or the Noxious Insects Act, 1934-1954,";

- (ii) by inserting in subsection one of the same section after the words "of this Act," where firstly occurring the words "or the Noxious Insects Act, 1934-1954,".

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1955.





I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 7 December, 1954.*

New South Wales



ANNO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 44, 1954.

An Act to make further provision for the suppression and destruction of noxious insects; for this purpose to amend the Noxious Insects Act, 1934, the Pastures Protection Act, 1934, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 14th December, 1954.]

BE it enacted by the Queen'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 "Noxious Insects (Amendment) Act, 1954."

Short title
and
citation.

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Noxious Insects (Amendment).

(2) The Noxious Insects Act, 1934, as amended by this Act, may be cited as the Noxious Insects Act, 1934-1954.

(3) The Pastures Protection Act, 1934, as amended by subsequent Acts and by this Act, may be cited as the Pastures Protection Act, 1934-1954.

Amendment
of Act No.
22, 1934.

Sec. 3.
(Declara-
tion of
noxious
insects.)

2. The Noxious Insects Act, 1934, is amended—

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

(1) The Australian plague locust and the small plague grasshopper shall be noxious insects for the purposes of this Act.

New sec.
7A.

(b) by inserting next after section seven the following new section:—

Duties of
boards in
destruction
of noxious
insects.

7A. Where the Under Secretary and Director of the Department of Agriculture gives notice in writing to a board that an outbreak of noxious insects is predicted in the district the board shall—

(a) in such manner and at such times as may be specified in the notice from the Under Secretary and Director of the Department of Agriculture, give public notice in the district that—

(i) an outbreak of noxious insects is predicted;

(ii) occupiers are required to give notice to the secretary of the board when noxious insects appear on their land;

(iii) occupiers are required continuously to suppress and destroy noxious insects on their land; and

(iv)

Noxious Insects (Amendment).

- (iv) occupiers who require materials for the suppression and destruction of noxious insects may apply to the board for those materials;
- (b) from time to time, having regard to the information available to it of the extent or probable extent of the outbreak, determine the quantity of materials required for the suppression and destruction of the noxious insects and inform the Under Secretary and Director of the Department of Agriculture accordingly;
- (c) receive and store materials for the suppression and destruction of the noxious insects supplied to the board by the Department of Agriculture and, if the outbreak occurs, establish in the district depots from which supplies of those materials may be obtained free of charge by occupiers;
- (d) comply with any direction given to the board by the Minister for or in connection with the suppression or prevention of the predicted outbreak.
- (c) (i) by inserting in subsection one of section eight after the word "by" the words "the Minister or"; Sec. 8.
(Power of
entry—
private
lands.)
- (ii) by inserting at the end of the same section the following new subsections:—
- (3) The Minister or the board may at any time by his or its officers, servants, agents or contractors enter any land within the district, other than land referred to in subsection one of section nine of this Act, and take such measures and carry out such work as the Minister or the board, as the

Noxious Insects (Amendment).

the case may be, deems necessary for or with respect to the suppression and destruction of noxious insects thereon.

(4) Any costs or expenses reasonably incurred by the Minister or the board in the exercise of his or its powers under subsection three of this section, other than the cost of materials for the suppression and destruction of noxious insects, may be recovered in any court of competent jurisdiction by the Minister or the board, as the case may be, from the occupier or owner for the time being of the land in respect of which such powers were exercised as a debt due and owing by him to the Minister or the board, as the case may be.

The amount of any judgment recovered by the Minister or the board under this subsection and of any costs awarded to the Minister or the board in respect of his or its claim shall be a charge on the said land and such charge shall be a charge upon land within the meaning of section one hundred and eighty-seven of the Conveyancing Act, 1919, as amended by subsequent Acts, and may be registered accordingly.

Sec. 9.
(Power of
entry—
Crown
lands, etc.)

(d) (i) by inserting in subsection one of section nine after the words "authorised by" the words "the Minister or";

(ii) by omitting subsection two of the same section;

New sec. 9A.

(e) by inserting next after section nine the following new section:—

Crown and
others not
liable for
damages.

9A. The Crown, the Minister and any other person shall not be liable for compensation or damages by reason of anything done or omitted to be done in the exercise of any power conferred by section eight or nine of this Act or
in

Noxious Insects (Amendment).

in respect of any injury that may directly or indirectly result therefrom unless such thing was done or omitted to be done wilfully, negligently or maliciously.

- (f) (i) by omitting from subsection one of section ten the words "one penny" and by inserting in lieu thereof the word "threepence"; (Sec. 10. (Boards to levy a special rate.)
- (ii) by omitting from the same subsection the words "one-sixth of a penny" and by inserting in lieu thereof the words "a half-penny";
- (iii) by inserting at the end of the same section the following new subsection:—
- (3) Any proclamation under this section may be varied or revoked by any subsequent proclamation published in the Gazette.
- (g) (i) by omitting from subsection two of section eleven the words "purchase of materials for the suppression and destruction of noxious insects" and by inserting in lieu thereof the words "purposes specified in paragraphs (a) and (ai) of subsection three of this section"; (Sec. 11. (Contribution to be paid into Noxious Insects Destruction Account.)
- (ii) by inserting next after paragraph (a) of subsection three of the same section the following new paragraph:—
- (ai) to meet the costs of suppressing and destroying noxious insects pursuant to subsection three of section eight or subsection one of section nine of this Act and for other purposes connected therewith or incidental thereto;
- (iii) by inserting at the end of the same section the following new subsection:—
- (4) Any moneys received or recovered by the Minister pursuant to subsection four of section eight of this Act for or in respect of costs

Noxious Insects (Amendment).

costs or expenses incurred by him pursuant to subsection three of that section shall be paid into such account.

Amendment
of Act No.
35, 1934.

Sec. 8A.
(Removal
of board
from office
and appoint-
ment of
administra-
tor.)

Sec. 160A.
(Official
defaults
of a
board.)

3. The Pastures Protection Act, 1934-1951, is amended—

- (a) by inserting in paragraph (b) of subsection one of section 8A after the words "under this Act" the words "or the Noxious Insects Act, 1934-1954,";
- (b) (i) by inserting in subsections one and two of section 160A after the words "under this Act" the words "or the Noxious Insects Act, 1934-1954,";
- (ii) by inserting in subsection one of the same section after the words "of this Act," where firstly occurring the words "or the Noxious Insects Act, 1934-1954,".

In the name and on behalf of Her Majesty I assent to this Act.

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 14th December, 1954.*

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 7 December, 1954.*

New South Wales



ANNO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 44, 1954.

An Act to make further provision for the suppression and destruction of noxious insects; for this purpose to amend the Noxious Insects Act, 1934, the Pastures Protection Act, 1934, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 14th December, 1954.]

BE it enacted by the Queen'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 "Noxious Insects (Amendment) Act, 1954."

Short title
and
citation.

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Noxious Insects (Amendment).

(2) The Noxious Insects Act, 1934, as amended by this Act, may be cited as the Noxious Insects Act, 1934-1954.

(3) The Pastures Protection Act, 1934, as amended by subsequent Acts and by this Act, may be cited as the Pastures Protection Act, 1934-1954.

Amendment
of Act No.
22, 1934.

Sec. 3.
(Declara-
tion of
noxious
insects.)

New sec.
7A.

Duties of
boards in
destruction
of noxious
insects.

2. The Noxious Insects Act, 1934, is amended—

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

(1) The Australian plague locust and the small plague grasshopper shall be noxious insects for the purposes of this Act.

(b) by inserting next after section seven the following new section:—

7A. Where the Under Secretary and Director of the Department of Agriculture gives notice in writing to a board that an outbreak of noxious insects is predicted in the district the board shall—

(a) in such manner and at such times as may be specified in the notice from the Under Secretary and Director of the Department of Agriculture, give public notice in the district that—

(i) an outbreak of noxious insects is predicted;

(ii) occupiers are required to give notice to the secretary of the board when noxious insects appear on their land;

(iii) occupiers are required continuously to suppress and destroy noxious insects on their land; and

(iv)

Noxious Insects (Amendment).

- (iv) occupiers who require materials for the suppression and destruction of noxious insects may apply to the board for those materials;
- (b) from time to time, having regard to the information available to it of the extent or probable extent of the outbreak, determine the quantity of materials required for the suppression and destruction of the noxious insects and inform the Under Secretary and Director of the Department of Agriculture accordingly;
- (c) receive and store materials for the suppression and destruction of the noxious insects supplied to the board by the Department of Agriculture and, if the outbreak occurs, establish in the district depots from which supplies of those materials may be obtained free of charge by occupiers;
- (d) comply with any direction given to the board by the Minister for or in connection with the suppression or prevention of the predicted outbreak.
- (c) (i) by inserting in subsection one of section Sec. 8. eight after the word "by" the words "the (Power of entry—private lands.) Minister or";
- (ii) by inserting at the end of the same section the following new subsections:—
- (3) The Minister or the board may at any time by his or its officers, servants, agents or contractors enter any land within the district, other than land referred to in subsection one of section nine of this Act, and take such measures and carry out such work as the Minister or the board, as the

Noxious Insects (Amendment).

the case may be, deems necessary for or with respect to the suppression and destruction of noxious insects thereon.

(4) Any costs or expenses reasonably incurred by the Minister or the board in the exercise of his or its powers under subsection three of this section, other than the cost of materials for the suppression and destruction of noxious insects, may be recovered in any court of competent jurisdiction by the Minister or the board, as the case may be, from the occupier or owner for the time being of the land in respect of which such powers were exercised as a debt due and owing by him to the Minister or the board, as the case may be.

The amount of any judgment recovered by the Minister or the board under this subsection and of any costs awarded to the Minister or the board in respect of his or its claim shall be a charge on the said land and such charge shall be a charge upon land within the meaning of section one hundred and eighty-seven of the Conveyancing Act, 1919, as amended by subsequent Acts, and may be registered accordingly.

Sec. 9.
(Power of
entry—
Crown
lands, etc.)

(d) (i) by inserting in subsection one of section nine after the words "authorised by" the words "the Minister or";

(ii) by omitting subsection two of the same section;

New sec. 9A.

(e) by inserting next after section nine the following new section:—

Crown and
others not
liable for
damages.

9A. The Crown, the Minister and any other person shall not be liable for compensation or damages by reason of anything done or omitted to be done in the exercise of any power conferred by section eight or nine of this Act or
in

Noxious Insects (Amendment).

in respect of any injury that may directly or indirectly result therefrom unless such thing was done or omitted to be done wilfully, negligently or maliciously.

(f) (i) by omitting from subsection one of section ten the words "one penny" and by inserting in lieu thereof the word "threepence";

Sec. 10.
(Boards to levy a special rate.)

(ii) by omitting from the same subsection the words "one-sixth of a penny" and by inserting in lieu thereof the words "a half-penny";

(iii) by inserting at the end of the same section the following new subsection:—

(3) Any proclamation under this section may be varied or revoked by any subsequent proclamation published in the Gazette.

(g) (i) by omitting from subsection two of section eleven the words "purchase of materials for the suppression and destruction of noxious insects" and by inserting in lieu thereof the words "purposes specified in paragraphs (a) and (ai) of subsection three of this section";

Sec. 11.
(Contribution to be paid into Noxious Insects Destruction Account.)

(ii) by inserting next after paragraph (a) of subsection three of the same section the following new paragraph:—

(ai) to meet the costs of suppressing and destroying noxious insects pursuant to subsection three of section eight or subsection one of section nine of this Act and for other purposes connected therewith or incidental thereto;

(iii) by inserting at the end of the same section the following new subsection:—

(4) Any moneys received or recovered by the Minister pursuant to subsection four of section eight of this Act for or in respect of costs

Noxious Insects (Amendment).

costs or expenses incurred by him pursuant to subsection three of that section shall be paid into such account.

Amendment of Act No. 35, 1934.

Sec. 8A.
(Removal of board from office and appointment of administrator.)

Sec. 160A.
(Official defaults of a board.)

3. The Pastures Protection Act, 1934-1951, is amended—

- (a) by inserting in paragraph (b) of subsection one of section 8A after the words "under this Act" the words "or the Noxious Insects Act, 1934-1954,";
- (b) (i) by inserting in subsections one and two of section 160A after the words "under this Act" the words "or the Noxious Insects Act, 1934-1954,";
- (ii) by inserting in subsection one of the same section after the words "of this Act," where firstly occurring the words "or the Noxious Insects Act, 1934-1954,".

In the name and on behalf of Her Majesty I assent to this Act.

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 14th December, 1954.*

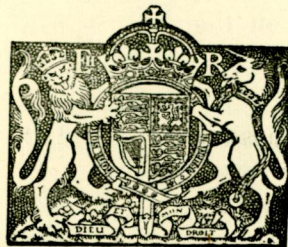
This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,

Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 1 December, 1954.*

New South Wales



ANNO TERTIO

ELIZABETHÆ II REGINÆ

Act No. , 1954.

An Act to make further provision for the suppression and destruction of noxious insects; for this purpose to amend the Noxious Insects Act, 1934, the Pastures Protection Act, 1934, and certain other Acts in certain respects; and for purposes connected therewith.

BE it enacted by the Queen'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
5 the same, as follows:—

1. (1) This Act may be cited as the "Noxious Insects (Amendment) Act, 1954."

Short title
and
citation.

90983 82—A

(2)

Noxious Insects (Amendment).

(2) The Noxious Insects Act, 1934, as amended by this Act, may be cited as the Noxious Insects Act, 1934-1954.

(3) The Pastures Protection Act, 1934, as amended by subsequent Acts and by this Act, may be cited as the Pastures Protection Act, 1934-1954.

2. The Noxious Insects Act, 1934, is amended—

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

Amendment of Act No. 22, 1934. Sec. 3. (Declaration of noxious insects.)

(1) The Australian plague locust and the small plague grasshopper shall be noxious insects for the purposes of this Act.

(b) by inserting next after section seven the following new section:—

New sec. 7A.

7A. Where the Under Secretary and Director of the Department of Agriculture gives notice in writing to a board that an outbreak of noxious insects is predicted in the district the board shall—

Duties of boards in destruction of noxious insects.

(a) in such manner and at such times as may be specified in the notice from the Under Secretary and Director of the Department of Agriculture, give public notice in the district that—

(i) an outbreak of noxious insects is predicted;

(ii) occupiers are required to give notice to the secretary of the board when noxious insects appear on their land;

(iii) occupiers are required continuously to suppress and destroy noxious insects on their land; and

(iv)

Noxious Insects (Amendment).

- (iv) occupiers who require materials for the suppression and destruction of noxious insects may apply to the board for those materials;
- 5 (b) from time to time, having regard to the information available to it of the extent or probable extent of the outbreak, determine the quantity of materials required for the suppression and destruction of the noxious insects and inform the Under Secretary and Director of the Department of Agriculture accordingly;
- 10 (c) receive and store materials for the suppression and destruction of the noxious insects supplied to the board by the Department of Agriculture and, if the outbreak occurs, establish in the district depots from which supplies of those materials may be obtained free of charge by occupiers;
- 15 (d) comply with any direction given to the board by the Minister for or in connection with the suppression or prevention of the predicted outbreak.
- 20 (c) (i) by inserting in subsection one of section eight after the word "by" the words "the Minister or";
- 25 (ii) by inserting at the end of the same section the following new subsections:—
- 30 (3) The Minister or the board may at any time by his or its officers, servants, agents or contractors enter any land within the district, other than land referred to in subsection one of section nine of this Act, and take such measures and carry out such work as the Minister or the board, as
- 35 the
- Sec. 8.
(Power of entry—private lands.)

Noxious Insects (Amendment).

the case may be, deems necessary for or with respect to the suppression and destruction of noxious insects thereon.

5 (4) Any costs or expenses reasonably incurred by the Minister or the board in the exercise of his or its powers under subsection three of this section, other than the cost of materials for the suppression and destruction of noxious insects, may be
10 recovered in any court of competent jurisdiction by the Minister or the board, as the case may be, from the occupier or owner for the time being of the land in respect of which such powers were exercised as a debt due and owing by him to the Minister or the
15 board, as the case may be.

The amount of any judgment recovered by the Minister or the board under this subsection and of any costs awarded to the
20 Minister or the board in respect of his or its claim shall be a charge on the said land and such charge shall be a charge upon land within the meaning of section one hundred and eighty-seven of the Conveyancing Act,
25 1919, as amended by subsequent Acts, and may be registered accordingly.

- (d) (i) by inserting in subsection one of section nine Sec. 9.
after the words "authorised by" the words (Power of entry— Crown lands, etc.)
"the Minister or";
30 (ii) by omitting subsection two of the same section;
- (e) by inserting next after section nine the following New sec. 9A.
new section:—

35 9A. The Crown, the Minister and any other person shall not be liable for compensation or damages by reason of anything done or omitted to be done in the exercise of any power conferred by section eight or nine of this Act or
in

Noxious Insects (Amendment).

in respect of any injury that may directly or indirectly result therefrom unless such thing was done or omitted to be done wilfully, negligently or maliciously.

- 5 (f) (i) by omitting from subsection one of section ten the words "one penny" and by inserting in lieu thereof the word "threepence"; Sec. 10. (Boards to levy a special rate.)
- (ii) by omitting from the same subsection the words "one-sixth of a penny" and by inserting in lieu thereof the words "a half-penny";
- 10 (iii) by inserting at the end of the same section the following new subsection:—
- (3) Any proclamation under this section may be varied or revoked by any subsequent proclamation published in the Gazette.
- 15 (g) (i) by omitting from subsection two of section eleven the words "purchase of materials for the suppression and destruction of noxious insects" and by inserting in lieu thereof the words "purposes specified in paragraphs (a) and (ai) of subsection three of this section"; Sec. 11. (Contribution to be paid into Noxious Insects Destruction Account.)
- 20 (ii) by inserting next after paragraph (a) of subsection three of the same section the following new paragraph:—
- (ai) to meet the costs of suppressing and destroying noxious insects pursuant to subsection three of section eight or subsection one of section nine of this Act and for other purposes connected therewith or incidental thereto;
- 30 (iii) by inserting at the end of the same section the following new subsection:—
- (4) Any moneys received or recovered by the Minister pursuant to subsection four of section eight of this Act for or in respect of costs
- 35

Noxious Insects (Amendment).

costs or expenses incurred by him pursuant to subsection three of that section shall be paid into such account.

3. The Pastures Protection Act, 1934-1951, is Amendment of Act No. 35, 1934.
5 amended—

(a) by inserting in paragraph (b) of subsection one Sec. 8A. (Removal of board from office and appointment of administrator.)
of section 8A after the words "under this Act"
the words "or the Noxious Insects Act, 1934-1954,";

10 (b) (i) by inserting in subsections one and two of Sec. 160A. (Official defaults of a board.)
section 160A after the words "under this Act"
the words "or the Noxious Insects Act, 1934-1954,";

15 (ii) by inserting in subsection one of the same section after the words "of this Act," where firstly occurring the words "or the Noxious Insects Act, 1934-1954,".

No. , 1954.

A BILL

To make further provision for the suppression and destruction of noxious insects; for this purpose to amend the Noxious Insects Act, 1934, the Pastures Protection Act, 1934, and certain other Acts in certain respects; and for purposes connected therewith.

[MR. GRAHAM;—10 November, 1954.]

BE it enacted by the Queen'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 "Noxious Insects (Amendment) Act, 1954."

Short title
and
citation.

90983 82—A

(2)

Noxious Insects (Amendment).

(2) The Noxious Insects Act, 1934, as amended by this Act, may be cited as the Noxious Insects Act, 1934-1954.

(3) The Pastures Protection Act, 1934, as amended by subsequent Acts and by this Act, may be cited as the Pastures Protection Act, 1934-1954.

2. The Noxious Insects Act, 1934, is amended—

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

Amendment of Act No. 22, 1934. Sec. 3. (Declaration of noxious insects.)

10

(1) The Australian plague locust and the small plague grasshopper shall be noxious insects for the purposes of this Act.

(b) by inserting next after section seven the following new section:—

New sec. 7A.

15

7A. Where the Under Secretary and Director of the Department of Agriculture gives notice in writing to a board that an outbreak of noxious insects is predicted in the district the board shall—

Duties of boards in destruction of noxious insects.

20

(a) in such manner and at such times as may be specified in the notice from the Under Secretary and Director of the Department of Agriculture, give public notice in the district that—

25

(i) an outbreak of noxious insects is predicted;

(ii) occupiers are required to give notice to the secretary of the board when noxious insects appear on their land;

30

(iii) occupiers are required continuously to suppress and destroy noxious insects on their land; and

35

(iv)

Noxious Insects (Amendment).

- (iv) occupiers who require materials for the suppression and destruction of noxious insects may apply to the board for those materials;
- 5 (b) from time to time, having regard to the information available to it of the extent or probable extent of the outbreak, determine the quantity of materials required for the suppression and
- 10 destruction of the noxious insects and inform the Under Secretary and Director of the Department of Agriculture accordingly;
- 15 (c) receive and store materials for the suppression and destruction of the noxious insects supplied to the board by the Department of Agriculture and, if the outbreak occurs, establish in the
- 20 district depots from which supplies of those materials may be obtained free of charge by occupiers;
- (d) comply with any direction given to the board by the Minister for or in connection with the suppression or
- 25 prevention of the predicted outbreak.
- (c) (i) by inserting in subsection one of section eight after the word "by" the words "the Minister or";
- 30 (ii) by inserting at the end of the same section the following new subsections:—
- (3) The Minister or the board may at any time by his or its officers, servants, agents or contractors enter any land within the district, other than land referred to in subsection one of section nine of this Act, and take such measures and carry out such work as the Minister or the board, as
- 35 the

Sec. 8.
(Power of
entry—
private
lands.)

Noxious Insects (Amendment).

the case may be, deems necessary for or with respect to the suppression and destruction of noxious insects thereon.

5 (4) Any costs or expenses reasonably incurred by the Minister or the board in the exercise of his or its powers under subsection three of this section, other than the cost of materials for the suppression and destruction of noxious insects, may be
10 recovered in any court of competent jurisdiction by the Minister or the board, as the case may be, from the occupier or owner for the time being of the land in respect of which such powers were exercised as a debt
15 due and owing by him to the Minister or the board, as the case may be.

The amount of any judgment recovered by the Minister or the board under this subsection and of any costs awarded to the
20 Minister or the board in respect of his or its claim shall be a charge on the said land and such charge shall be a charge upon land within the meaning of section one hundred and eighty-seven of the Conveyancing Act,
25 1919, as amended by subsequent Acts, and may be registered accordingly.

- (d) (i) by inserting in subsection one of section nine Sec. 9.
after the words "authorised by" the words (Power of entry—Crown lands, etc.)
"the Minister or";
30 (ii) by omitting subsection two of the same section;
(e) by inserting next after section nine the following New sec. 9A.
new section:—

35 9A. The Crown, the Minister and any other person shall not be liable for compensation or damages by reason of anything done or omitted to be done in the exercise of any power conferred by section eight or nine of this Act or
in

Noxious Insects (Amendment).

in respect of any injury that may directly or indirectly result therefrom unless such thing was done or omitted to be done wilfully, negligently or maliciously.

- 5 (f) (i) by omitting from subsection one of section **Sec. 10.**
 ten the words "one penny" and by inserting (Boards to
 in lieu thereof the word "threepence"; levy a
 special
 rate.)
- 10 (ii) by omitting from the same subsection the
 words "one-sixth of a penny" and by
 inserting in lieu thereof the words "a half-
 penny";
- (iii) by inserting at the end of the same section
 the following new subsection:—
- 15 (3) Any proclamation under this section
 may be varied or revoked by any subsequent
 proclamation published in the Gazette.
- (g) (i) by omitting from subsection two of section **Sec. 11.**
 eleven the words "purchase of materials (Contribu-
 for the suppression and destruction of tion to be
 noxious insects" and by inserting in lieu paid into
 thereof the words "purposes specified in Noxious
 paragraphs (a) and (ai) of subsection three Insects
 of this section"; Destruction
 Account.)
- (ii) by inserting next after paragraph (a) of
 subsection three of the same section the
 following new paragraph:—
- 25 (ai) to meet the costs of suppressing
 and destroying noxious insects pur-
 suant to subsection three of section
 eight or subsection one of section
 nine of this Act and for other
 purposes connected therewith or
 30 incidental thereto;
- (iii) by inserting at the end of the same section
 the following new subsection:—
- 35 (4) Any moneys received or recovered by
 the Minister pursuant to subsection four of
 section eight of this Act for or in respect of
 costs

Noxious Insects (Amendment).

costs or expenses incurred by him pursuant to subsection three of that section shall be paid into such account.

3. The Pastures Protection Act, 1934-1951, is
5 amended—

- (a) by inserting in paragraph (b) of subsection one of section 8A after the words "under this Act" the words "or the Noxious Insects Act, 1934-1954,";
- 10 (b) (i) by inserting in subsections one and two of section 160A after the words "under this Act" the words "or the Noxious Insects Act, 1934-1954,";
- 15 (ii) by inserting in subsection one of the same section after the words "of this Act," where firstly occurring the words "or the Noxious Insects Act, 1934-1954,".

Amendment of Act No. 35, 1934.

Sec. 8A. (Removal of board from office and appointment of administrator.)

Sec. 160A. (Official defaults of a board.)

NOXIOUS INSECTS (AMENDMENT) BILL, 1954.

EXPLANATORY NOTE.

THE main objects of this Bill are—

- (a) to provide that Pastures Protection Boards shall discharge certain duties when warned that an outbreak of noxious insects is predicted in their districts;
- (b) to confer on the Minister and Pastures Protection Boards a power to enter land for the purposes of suppressing and destroying noxious insects and to recover the costs thereof from the owner or occupier;
- (c) to increase the maximum rate that may be prescribed under section ten of the Noxious Insects Act, 1934, from one penny per head to threepence per head for large stock and from one-sixth of a penny to a halfpenny per head for sheep;
- (d) to alter the provisions of that Act relating to the Noxious Insects Destruction Account;
- (e) to apply the provisions of sections 8A and 160A of the Pastures Protection Act, 1934-1951, to a Pastures Protection Board and the members thereof if the Board fails to discharge the duties referred to in paragraph (a) above.

BOXING INSECTS (AMENDMENT) BILL, 1954

EXPLANATORY NOTE

The main object of this Bill is to amend the provisions of the Insecticide Act, 1907, relating to the control of insecticides. The Bill provides for the extension of the definition of insecticide to include certain preparations which are used for the purpose of controlling insects. It also provides for the extension of the provisions of the Act relating to the control of insecticides to these preparations. The Bill also provides for the extension of the provisions of the Act relating to the control of insecticides to certain preparations which are used for the purpose of controlling insects. It also provides for the extension of the provisions of the Act relating to the control of insecticides to these preparations. The Bill also provides for the extension of the provisions of the Act relating to the control of insecticides to certain preparations which are used for the purpose of controlling insects. It also provides for the extension of the provisions of the Act relating to the control of insecticides to these preparations.

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PROOF.

No. , 1954.

A BILL

To make further provision for the suppression and destruction of noxious insects; for this purpose to amend the Noxious Insects Act, 1934, the Pastures Protection Act, 1934, and certain other Acts in certain respects; and for purposes connected therewith.

[MR. GRAHAM;—10 November, 1954.]

BE it enacted by the Queen'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
5 the same, as follows:—

1. (1) This Act may be cited as the "Noxious Insects (Amendment) Act, 1954."

90983 82—A

(2)

Short title
and
citation.

Noxious Insects (Amendment).

(2) The Noxious Insects Act, 1934, as amended by this Act, may be cited as the Noxious Insects Act, 1934-1954.

(3) The Pastures Protection Act, 1934, as amended 5 by subsequent Acts and by this Act, may be cited as the Pastures Protection Act, 1934-1954.

2. The Noxious Insects Act, 1934, is amended—

Amendment of Act No. 22, 1934.

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

Sec. 3. (Declaration of noxious insects.)

(1) The Australian plague locust and the small plague grasshopper shall be noxious insects for the purposes of this Act.

(b) by inserting next after section seven the following new section:—

New sec. 7A.

7A. Where the Under Secretary and Director of the Department of Agriculture gives notice in writing to a board that an outbreak of noxious insects is predicted in the district the board shall—

Duties of boards in destruction of noxious insects.

(a) in such manner and at such times as may be specified in the notice from the Under Secretary and Director of the Department of Agriculture, give public notice in the district that—

(i) an outbreak of noxious insects is predicted;

(ii) occupiers are required to give notice to the secretary of the board when noxious insects appear on their land;

(iii) occupiers are required continuously to suppress and destroy noxious insects on their land; and

(iv)

Noxious Insects (Amendment).

- (iv) occupiers who require materials for the suppression and destruction of noxious insects may apply to the board for those materials;
- 5 (b) from time to time, having regard to the information available to it of the extent or probable extent of the outbreak, determine the quantity of materials required for the suppression and
- 10 destruction of the noxious insects and inform the Under Secretary and Director of the Department of Agriculture accordingly;
- 15 (c) receive and store materials for the suppression and destruction of the noxious insects supplied to the board by the Department of Agriculture and, if the outbreak occurs, establish in the
- 20 district depots from which supplies of those materials may be obtained free of charge by occupiers;
- 25 (d) comply with any direction given to the board by the Minister for or in connection with the suppression or prevention of the predicted outbreak.
- (c) (i) by inserting in subsection one of section Sec. 8. eight after the word "by" the words "the (Power of entry—private lands.) Minister or";
- 30 (ii) by inserting at the end of the same section the following new subsections:—
- 35 (3) The Minister or the board may at any time by his or its officers, servants, agents or contractors enter any land within the district, other than land referred to in subsection one of section nine of this Act, and take such measures and carry out such work as the Minister or the board, as the

Noxious Insects (Amendment).

the case may be, deems necessary for or with respect to the suppression and destruction of noxious insects thereon.

5 (4) Any costs or expenses reasonably incurred by the Minister or the board in the exercise of his or its powers under subsection three of this section, other than the cost of materials for the suppression and destruction of noxious insects, may be recovered in any court of competent jurisdiction by the Minister or the board, as the case may be, from the occupier or owner for the time being of the land in respect of which such powers were exercised as a debt due and owing by him to the Minister or the board, as the case may be.

20 The amount of any judgment recovered by the Minister or the board under this subsection and of any costs awarded to the Minister or the board in respect of his or its claim shall be a charge on the said land and such charge shall be a charge upon land within the meaning of section one hundred and eighty-seven of the Conveyancing Act, 1919, as amended by subsequent Acts, and may be registered accordingly.

- 25 (d) (i) by inserting in subsection one of section nine after the words "authorised by" the words "the Minister or"; (Power of entry—Crown lands, etc.)
- 30 (ii) by omitting subsection two of the same section;
- (e) by inserting next after section nine the following new section:— New sec. 9A.

35 9A. The Crown, the Minister and any other person shall not be liable for compensation or damages by reason of anything done or omitted to be done in the exercise of any power conferred by section eight or nine of this Act or in

Noxious Insects (Amendment).

in respect of any injury that may directly or indirectly result therefrom unless such thing was done or omitted to be done wilfully, negligently or maliciously.

- 5 (f) (i) by omitting from subsection one of section ten the words "one penny" and by inserting in lieu thereof the word "threepence"; Sec. 10. (Boards to levy a special rate.)
- 10 (ii) by omitting from the same subsection the words "one-sixth of a penny" and by inserting in lieu thereof the words "a half-penny";
- (iii) by inserting at the end of the same section the following new subsection:—
- 15 (3) Any proclamation under this section may be varied or revoked by any subsequent proclamation published in the Gazette.
- (g) (i) by omitting from subsection two of section eleven the words "purchase of materials for the suppression and destruction of noxious insects" and by inserting in lieu thereof the words "purposes specified in paragraphs (a) and (ai) of subsection three of this section"; Sec. 11. (Contribution to be paid into Noxious Insects Destruction Account.)
- 20 (ii) by inserting next after paragraph (a) of subsection three of the same section the following new paragraph:—
- 25 (ai) to meet the costs of suppressing and destroying noxious insects pursuant to subsection three of section eight or subsection one of section nine of this Act and for other purposes connected therewith or incidental thereto;
- 30 (iii) by inserting at the end of the same section the following new subsection:—
- 35 (4) Any moneys received or recovered by the Minister pursuant to subsection four of section eight of this Act for or in respect of costs

Noxious Insects (Amendment).

costs or expenses incurred by him pursuant to subsection three of that section shall be paid into such account.

3. The Pastures Protection Act, 1934-1951, is
5 amended—

(a) by inserting in paragraph (b) of subsection one of section 8A after the words "under this Act" the words "or the Noxious Insects Act, 1934-1954,";

Amendment of Act No. 35, 1934.

Sec. 8A.

(Removal of board from office and appointment of administrator.)

10 (b) (i) by inserting in subsections one and two of section 160A after the words "under this Act" the words "or the Noxious Insects Act, 1934-1954,";

Sec. 160A.

(Official defaults of a board.)

15 (ii) by inserting in subsection one of the same section after the words "of this Act," where firstly occurring the words "or the Noxious Insects Act, 1934-1954,".