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.*

ALLAN PICKERING,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 3 *September,* 1959.

New South Wales

ANNO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. , 1959.

An Act to make further provision for the protection of wild flowers and native plants; for this and other purposes to amend the Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts; 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 the same, as follows:—

1. (1) This Act may be cited as the "Wild Flowers and Native Plants Protection (Amendment) Act, 1959". Short title, citation and commencement.

(2) The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts and by this Act, may be cited as the Wild Flowers and Native Plants Protection Act, 1927-1959.

5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts, is amended— Amendment of Act No. 2, 1927.

10 (a) (i) by omitting from the definition of "Prescribed" in section two the words "made thereunder"; Sec. 2. (Definitions.)

(ii) by inserting in the same section next after the definition of "Protected period" the following new definition:—

15 "Regulations" means regulations made under this Act.

(b) (i) by omitting from section 5B the words "duly constituted under the Local Government Act, 1919," and by inserting in lieu thereof the words "or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, any honorary ranger appointed by the Minister under section 5C of this Act,"; Sec. 5B. (Suspected person to give name and address.)

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(ii) by omitting from the same section the words "shire or municipal" and by inserting in lieu thereof the words "municipal, shire or county";

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(iii) by omitting from the same section the words "name and address" where firstly and secondly occurring and by inserting in lieu thereof the words "name and place of abode";

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(iv) by omitting from the same section the word "refuses" wherever occurring and by inserting in lieu thereof the words "fails or refuses";

(v) by omitting from the same section the words "name and address" where thirdly occurring and by inserting in lieu thereof the words "name or place of abode";

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(vi)

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

(2) (a) In this subsection, "authorised person" means an authorised servant of the council of a municipality or shire or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, an honorary ranger appointed by the Minister under section 5c of this Act, a member of the police force, or a ranger or caretaker of any Crown land or State forest or public park or land dedicated or reserved for a public purpose under any Act.

(b) An authorised person may, on production of the prescribed evidence of his authority, enter and search, or, as the case may be, search, any building, store, shop, hut, tent, camping place or other premises or place or any vehicle or vessel, in or on which he suspects that there is any protected wild flower or protected native plant picked or had in possession, or being sold or offered or exposed for sale, in contravention of any of the provisions of this Act and, subject to his giving a receipt in or to the effect of the prescribed form, seize any protected wild flower or protected native plant found therein or thereon.

(c) If on production to him by an authorised person of the prescribed evidence of such person's authority any person wilfully delays or obstructs such authorised person in the exercise of his powers under this subsection, or being the occupier of a building, store, shop, hut, tent, camping place or other premises or place, or the person in charge of a vehicle or vessel, refuses to permit or does not assist such authorised person to enter and search or, as the case may be, to search, the building, store, shop, hut, tent, camping place or other premises

or

or place of which he is the occupier, or the vehicle or vessel of which he is the person in charge, he shall be guilty of an offence against this Act.

(d) Nothing in this subsection shall authorise any person to enter in or upon or to search that portion of any premises which is used for residential purposes except under a written authority given by the Minister. Any such authority shall be limited to a particular case.

(c) by inserting next after section 5B the following new section :— New sec. 5BA.

5BA. Any person who assaults or resists or uses abusive language to any person exercising the powers conferred on him by section 5B of this Act shall be guilty of an offence against this Act. Offences against persons exercising powers under section 5B of this Act.

(d) by omitting from section 5C the words "; such honorary rangers shall have the powers conferred by section 5B of this Act upon any member of the police force"; Sec. 5C. (Honorary rangers.)

(e) by inserting next after section 5C the following new section :— New sec. 5D.

5D. Where a notice containing, either alone or together with any other matter, a copy or summary, or a statement purporting to be a copy or summary, of any of the provisions of this Act or the regulations is displayed under the authority of— Destruction, defacing or removal of notices.

(a) the Minister, or a council of a municipality or shire or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, on any land, not being private land or land in the charge of any body of trustees or authority or Minister of the Crown;

(b)

(b) any body of trustees or authority or Minister of the Crown having charge of any land on that land;

(c) the owner or, where the land is leased, the lessee, of any land on that land,

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any person who, without lawful authority, destroys, defaces or removes such notice shall be guilty of an offence against this Act.

(f) (i) by omitting from subsection two of section six the words "made thereunder"; Sec. 6 (Penalties.)

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(ii) by omitting from the same subsection the words "or police".

Sydney: V. C. N. Blight, Government Printer—1959

[9*d*.]

No. , 1959.

A BILL

To make further provision for the protection of wild flowers and native plants; for this and other purposes to amend the Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts; and for purposes connected therewith.

[MR. RENSHAW;—27 *August*, 1959.]

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 "Wild Flowers and Native Plants Protection (Amendment) Act, 1959". Short title, citation and commencement.

(2) The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts and by this Act, may be cited as the Wild Flowers and Native Plants Protection Act, 1927-1959.

5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts, is amended— Amendment of Act No. 2, 1927.

10 (a) (i) by omitting from the definition of "Prescribed" in section two the words "made thereunder"; Sec. 2. (Definitions.)

(ii) by inserting in the same section next after the definition of "Protected period" the following new definition:—

15 "Regulations" means regulations made under this Act.

(b) (i) by omitting from section 5B the words "duly constituted under the Local Government Act, 1919," and by inserting in lieu thereof the words 20 "or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, any honorary ranger appointed by the Minister under section 5C of this Act,"; Sec. 5B. (Suspected person to give name and address.)

(ii) by omitting from the same section the words 25 "shire or municipal" and by inserting in lieu thereof the words "municipal, shire or county";

(iii) by omitting from the same section the words "name and address" where firstly and secondly occurring and by inserting in lieu thereof the 30 words "name and place of abode";

(iv) by omitting from the same section the word "refuses" wherever occurring and by inserting in lieu thereof the words "fails or refuses";

(v) by omitting from the same section the words 35 "name and address" where thirdly occurring and by inserting in lieu thereof the words "name or place of abode"; (vi)

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

(2) (a) In this subsection, "authorised person" means an authorised servant of the council of a municipality or shire or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, an honorary ranger appointed by the Minister under section 5c of this Act, a member of the police force, or a ranger or caretaker of any Crown land or State forest or public park or land dedicated or reserved for a public purpose under any Act.

(b) An authorised person may, on production of the prescribed evidence of his authority, enter and search, or, as the case may be, search, any building, store, shop, hut, tent, camping place or other premises or place or any vehicle or vessel, in or on which he suspects that there is any protected wild flower or protected native plant picked or had in possession, or being sold or offered or exposed for sale, in contravention of any of the provisions of this Act and, subject to his giving a receipt in or to the effect of the prescribed form, seize any protected wild flower or protected native plant found therein or thereon.

(c) If on production to him by an authorised person of the prescribed evidence of such person's authority any person wilfully delays or obstructs such authorised person in the exercise of his powers under this subsection, or being the occupier of a building, store, shop, hut, tent, camping place or other premises or place, or the person in charge of a vehicle or vessel, refuses to permit or does not assist such authorised person to enter and search or, as the case may be, to search, the building, store, shop, hut, tent, camping place or other premises

or

or place of which he is the occupier, or the vehicle or vessel of which he is the person in charge, he shall be guilty of an offence against this Act.

(d) Nothing in this subsection shall authorise any person to enter in or upon or to search that portion of any premises which is used for residential purposes except under a written authority given by the Minister. Any such authority may be general in its application or may be limited to a particular case.

(c) by inserting next after section 5B the following new section :— New sec. 5BA.

5BA. Any person who assaults or resists or uses abusive language to any person exercising the powers conferred on him by section 5B of this Act shall be guilty of an offence against this Act. Offences against persons exercising powers under section 5B of this Act.

(d) by omitting from section 5C the words "; such honorary rangers shall have the powers conferred by section 5B of this Act upon any member of the police force"; Sec. 5C. (Honorary rangers.)

(e) by inserting next after section 5C the following new section :— New sec. 5D.

5D. Where a notice containing, either alone or together with any other matter, a copy or summary, or a statement purporting to be a copy or summary, of any of the provisions of this Act or the regulations is displayed under the authority of— Destruction, defacing or removal of notices.

(a) the Minister, or a council of a municipality or shire or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, on any land, not being private land or land in the charge of any body of trustees or authority or Minister of the Crown;

(b)

(b) any body of trustees or authority or Minister of the Crown having charge of any land on that land;

(c) the owner or, where the land is leased, the lessee, of any land on that land,

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any person who, without lawful authority, destroys, defaces or removes such notice shall be guilty of an offence against this Act.

(f) (i) by omitting from subsection two of section six the words "made thereunder"; Sec. 6 (Penalties.)

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(ii) by omitting from the same subsection the words "or police".

Sydney: V. C. N. Blight, Government Printer—1959

[9*d*.]

WILD FLOWERS AND NATIVE PLANTS PROTECTION (AMENDMENT) BILL, 1959.

EXPLANATORY NOTE.

THE objects of this Bill are—

(a) to confer powers of entry and search on certain servants of councils, members of the police force, honorary rangers, and rangers and caretakers of Crown Lands and certain other lands where they suspect that an offence against certain provisions of the Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts, has been committed;

(b) to make it an offence to assault or resist, or to use abusive language to, any person mentioned in paragraph (a) above, who is exercising the powers conferred on him by certain provisions of the said Act, as so amended;

(c) to prohibit the destruction, defacing and removal of certain notices containing copies, or statements purporting to be copies or summaries, of any of the provisions of the said Act, as so amended, or the regulations made thereunder;

(d) to make other amendments of a minor character or consequential on the foregoing.

67385 25—

PROOF.

No. , 1959.

A BILL

To make further provision for the protection of wild flowers and native plants; for this and other purposes to amend the Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts; and for purposes connected therewith.

[MR. RENSHAW;—27 *August*, 1959.]

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:—

Short title, citation and commencement.

1. (1) This Act may be cited as the "Wild Flowers and Native Plants Protection (Amendment) Act, 1959".

(2) The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts and by this Act, may be cited as the Wild Flowers and Native Plants Protection Act, 1927-1959.

5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts, is amended— Amendment of Act No. 2, 1927.

10 (a) (i) by omitting from the definition of "Prescribed" in section two the words "made thereunder"; Sec. 2. (Definitions.)

(ii) by inserting in the same section next after the definition of "Protected period" the following new definition:—

15 "Regulations" means regulations made under this Act.

(b) (i) by omitting from section 5B the words "duly constituted under the Local Government Act, 1919," and by inserting in lieu thereof the words 20 "or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, any honorary ranger appointed by the Minister under section 5C of this Act,"; Sec. 5B. (Suspected person to give name and address.)

(ii) by omitting from the same section the words 25 "shire or municipal" and by inserting in lieu thereof the words "municipal, shire or county";

(iii) by omitting from the same section the words "name and address" where firstly and secondly occurring and by inserting in lieu thereof the 30 words "name and place of abode";

(iv) by omitting from the same section the word "refuses" wherever occurring and by inserting in lieu thereof the words "fails or refuses";

(v) by omitting from the same section the words 35 "name and address" where thirdly occurring and by inserting in lieu thereof the words "name or place of abode";

(vi)

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

(2) (a) In this subsection, "authorised person" means an authorised servant of the council of a municipality or shire or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, an honorary ranger appointed by the Minister under section 5c of this Act, a member of the police force, or a ranger or caretaker of any Crown land or State forest or public park or land dedicated or reserved for a public purpose under any Act.

(b) An authorised person may, on production of the prescribed evidence of his authority, enter and search, or, as the case may be, search, any building, store, shop, hut, tent, camping place or other premises or place or any vehicle or vessel, in or on which he suspects that there is any protected wild flower or protected native plant picked or had in possession, or being sold or offered or exposed for sale, in contravention of any of the provisions of this Act and, subject to his giving a receipt in or to the effect of the prescribed form, seize any protected wild flower or protected native plant found therein or thereon.

(c) If on production to him by an authorised person of the prescribed evidence of such person's authority any person wilfully delays or obstructs such authorised person in the exercise of his powers under this subsection, or being the occupier of a building, store, shop, hut, tent, camping place or other premises or place, or the person in charge of a vehicle or vessel, refuses to permit or does not assist such authorised person to enter and search or, as the case may be, to search, the building, store, shop, hut, tent, camping place or other premises

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or place of which he is the occupier, or the vehicle or vessel of which he is the person in charge, he shall be guilty of an offence against this Act.

(d) Nothing in this subsection shall authorise any person to enter in or upon or to search that portion of any premises which is used for residential purposes except under a written authority given by the Minister. Any such authority may be general in its application or may be limited to a particular case.

(c) by inserting next after section 5B the following new section :— New sec. 5BA.

5BA. Any person who assaults or resists or uses abusive language to any person exercising the powers conferred on him by section 5B of this Act shall be guilty of an offence against this Act. Offences against persons exercising powers under section 5B of this Act.

(d) by omitting from section 5C the words "; such honorary rangers shall have the powers conferred by section 5B of this Act upon any member of the police force"; Sec. 5C. (Honorary rangers.)

(e) by inserting next after section 5C the following new section :— New sec. 5D.

5D. Where a notice containing, either alone or together with any other matter, a copy or summary, or a statement purporting to be a copy or summary, of any of the provisions of this Act or the regulations is displayed under the authority of— Destruction, defacing or removal of notices.

(a) the Minister, or a council of a municipality or shire or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, on any land, not being private land or land in the charge of any body of trustees or authority or Minister of the Crown;

(b)

(b) any body of trustees or authority or Minister of the Crown having charge of any land on that land;

(c) the owner or, where the land is leased, the lessee, of any land on that land,

any person who, without lawful authority, destroys, defaces or removes such notice shall be guilty of an offence against this Act.

(f) (i) by omitting from subsection two of section six the words "made thereunder"; Sec. 6. (Penalties.)

(ii) by omitting from the same subsection the words "or police".

Sydney: V. C. N. Blight, Government Printer—1959

New South Wales

ANNO OCTAVO

ELIZABETHÆ II REGINÆ

* *

Act No. 7, 1959.

An Act to make further provision for the protection of wild flowers and native plants; for this and other purposes to amend the Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 24th September, 1959.]

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 "Wild Flowers and Native Plants Protection (Amendment) Act, 1959". Short title, citation and commencement.

(2) The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts and by this Act, may be cited as the Wild Flowers and Native Plants Protection Act, 1927-1959.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 2, 1927.

2. The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts, is amended—

Sec. 2. (Definitions.)

(a) (i) by omitting from the definition of "Prescribed" in section two the words "made thereunder";

(ii) by inserting in the same section next after the definition of "Protected period" the following new definition:—

"Regulations" means regulations made under this Act.

Sec. 5B. (Suspected person to give name and address.)

(b) (i) by omitting from section 5B the words "duly constituted under the Local Government Act, 1919," and by inserting in lieu thereof the words "or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, any honorary ranger appointed by the Minister under section 5C of this Act,";

(ii) by omitting from the same section the words "shire or municipal" and by inserting in lieu thereof the words "municipal, shire or county";

(iii) by omitting from the same section the words "name and address" where firstly and secondly occurring and by inserting in lieu thereof the words "name and place of abode";

(iv) by omitting from the same section the word "refuses" wherever occurring and by inserting in lieu thereof the words "fails or refuses";

(v) by omitting from the same section the words "name and address" where thirdly occurring and by inserting in lieu thereof the words "name or place of abode";

(vi)

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

(2) (a) In this subsection, "authorised person" means an authorised servant of the council of a municipality or shire or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, an honorary ranger appointed by the Minister under section 5c of this Act, a member of the police force, or a ranger or caretaker of any Crown land or State forest or public park or land dedicated or reserved for a public purpose under any Act.

(b) An authorised person may, on production of the prescribed evidence of his authority, enter and search, or, as the case may be, search, any building, store, shop, hut, tent, camping place or other premises or place or any vehicle or vessel, in or on which he suspects that there is any protected wild flower or protected native plant picked or had in possession, or being sold or offered or exposed for sale, in contravention of any of the provisions of this Act and, subject to his giving a receipt in or to the effect of the prescribed form, seize any protected wild flower or protected native plant found therein or thereon.

(c) If on production to him by an authorised person of the prescribed evidence of such person's authority any person wilfully delays or obstructs such authorised person in the exercise of his powers under this subsection, or being the occupier of a building, store, shop, hut, tent, camping place or other premises or place, or the person in charge of a vehicle or vessel, refuses to permit or does not assist such authorised person to enter and search or, as the case may be, to search, the building, store, shop, hut, tent, camping place or other premises

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or place of which he is the occupier, or the vehicle or vessel of which he is the person in charge, he shall be guilty of an offence against this Act.

(d) Nothing in this subsection shall authorise any person to enter in or upon or to search that portion of any premises which is used for residential purposes except under a written authority given by the Minister. Any such authority shall be limited to a particular case.

New sec. 5BA.

(c) by inserting next after section 5B the following new section :—

Offences against persons exercising powers under section 5B of this Act.

5BA. Any person who assaults or resists or uses abusive language to any person exercising the powers conferred on him by section 5B of this Act shall be guilty of an offence against this Act.

Sec. 5C. (Honorary rangers.)

(d) by omitting from section 5C the words "; such honorary rangers shall have the powers conferred by section 5B of this Act upon any member of the police force";

New sec. 5D.

(e) by inserting next after section 5C the following new section :—

Destruction, defacing or removal of notices.

5D. Where a notice containing, either alone or together with any other matter, a copy or summary, or a statement purporting to be a copy or summary, of any of the provisions of this Act or the regulations is displayed under the authority of—

(a) the Minister, or a council of a municipality or shire or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, on any land, not being private land or land in the charge of any body of trustees or authority or Minister of the Crown;

(b)

(b) any body of trustees or authority or Minister of the Crown having charge of any land on that land;

(c) the owner or, where the land is leased, the lessee, of any land on that land,

any person who, without lawful authority, destroys, defaces or removes such notice shall be guilty of an offence against this Act.

(f) (i) by omitting from subsection two of section six the words "made thereunder"; Sec. 6 (Penalties.)

(ii) by omitting from the same subsection the words "or police".

By Authority:
V. C. N. BLIGHT, Government Printer, Sydney, 1959

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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 22 September, 1959.

New South Wales

ANNO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 7, 1959.

An Act to make further provision for the protection of wild flowers and native plants; for this and other purposes to amend the Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 24th September, 1959.]

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 "Wild Flowers and Native Plants Protection (Amendment) Act, 1959". Short title, citation and commencement.

(2)

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

HOWARD T. FOWLES,
Chairman of Committees of the Legislative Assembly.

(2) The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts and by this Act, may be cited as the Wild Flowers and Native Plants Protection Act, 1927-1959.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 2, 1927.

2. The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts, is amended—

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(a) (i) by omitting from the definition of "Prescribed" in section two the words "made thereunder";

(ii) by inserting in the same section next after the definition of "Protected period" the following new definition:—

"Regulations" means regulations made under this Act.

Sec. 5B. (Suspected person to give name and address.)

(b) (i) by omitting from section 5B the words "duly constituted under the Local Government Act, 1919," and by inserting in lieu thereof the words "or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, any honorary ranger appointed by the Minister under section 5C of this Act,";

(ii) by omitting from the same section the words "shire or municipal" and by inserting in lieu thereof the words "municipal, shire or county";

(iii) by omitting from the same section the words "name and address" where firstly and secondly occurring and by inserting in lieu thereof the words "name and place of abode";

(iv) by omitting from the same section the word "refuses" wherever occurring and by inserting in lieu thereof the words "fails or refuses";

(v) by omitting from the same section the words "name and address" where thirdly occurring and by inserting in lieu thereof the words "name or place of abode";

(vi)

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

(2) (a) In this subsection, "authorised person" means an authorised servant of the council of a municipality or shire or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, an honorary ranger appointed by the Minister under section 5c of this Act, a member of the police force, or a ranger or caretaker of any Crown land or State forest or public park or land dedicated or reserved for a public purpose under any Act.

(b) An authorised person may, on production of the prescribed evidence of his authority, enter and search, or, as the case may be, search, any building, store, shop, hut, tent, camping place or other premises or place or any vehicle or vessel, in or on which he suspects that there is any protected wild flower or protected native plant picked or had in possession, or being sold or offered or exposed for sale, in contravention of any of the provisions of this Act and, subject to his giving a receipt in or to the effect of the prescribed form, seize any protected wild flower or protected native plant found therein or thereon.

(c) If on production to him by an authorised person of the prescribed evidence of such person's authority any person wilfully delays or obstructs such authorised person in the exercise of his powers under this subsection, or being the occupier of a building, store, shop, hut, tent, camping place or other premises or place, or the person in charge of a vehicle or vessel, refuses to permit or does not assist such authorised person to enter and search or, as the case may be, to search, the building, store, shop, hut, tent, camping place or other premises

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or place of which he is the occupier, or the vehicle or vessel of which he is the person in charge, he shall be guilty of an offence against this Act.

(d) Nothing in this subsection shall authorise any person to enter in or upon or to search that portion of any premises which is used for residential purposes except under a written authority given by the Minister. Any such authority shall be limited to a particular case.

New sec. 5BA.

(c) by inserting next after section 5B the following new section :—

Offences against persons exercising powers under section 5B of this Act.

5BA. Any person who assaults or resists or uses abusive language to any person exercising the powers conferred on him by section 5B of this Act shall be guilty of an offence against this Act.

Sec. 5C. (Honorary rangers.)

(d) by omitting from section 5C the words "; such honorary rangers shall have the powers conferred by section 5B of this Act upon any member of the police force";

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(e) by inserting next after section 5C the following new section :—

Destruction, defacing or removal of notices.

5D. Where a notice containing, either alone or together with any other matter, a copy or summary, or a statement purporting to be a copy or summary, of any of the provisions of this Act or the regulations is displayed under the authority of—

(a) the Minister, or a council of a municipality or shire or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, on any land, not being private land or land in the charge of any body of trustees or authority or Minister of the Crown;

(b)

(b) any body of trustees or authority or Minister of the Crown having charge of any land on that land;

(c) the owner or, where the land is leased, the lessee, of any land on that land,

any person who, without lawful authority, destroys, defaces or removes such notice shall be guilty of an offence against this Act.

(f) (i) by omitting from subsection two of section six the words "made thereunder"; Sec. 6 (Penalties.)

(ii) by omitting from the same subsection the words "or police".

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

E. W. WOODWARD,
Governor.

Government House,
Sydney, 24th September, 1959.

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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 22 September, 1959.

New South Wales

ANNO OCTAVO

ELIZABETHÆ II REGINÆ

* *

Act No. 7, 1959.

An Act to make further provision for the protection of wild flowers and native plants; for this and other purposes to amend the Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 24th September, 1959.]

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 "Wild Flowers and Native Plants Protection (Amendment) Act, 1959". Short title, citation and commencement.

(2)

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

HOWARD T. FOWLES,
Chairman of Committees of the Legislative Assembly.

(2) The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts and by this Act, may be cited as the Wild Flowers and Native Plants Protection Act, 1927-1959.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 2, 1927.

2. The Wild Flowers and Native Plants Protection Act, 1927, as amended by subsequent Acts, is amended—

Sec. 2. (Definitions.)

(a) (i) by omitting from the definition of "Prescribed" in section two the words "made thereunder";

(ii) by inserting in the same section next after the definition of "Protected period" the following new definition:—

"Regulations" means regulations made under this Act.

Sec. 5B. (Suspected person to give name and address.)

(b) (i) by omitting from section 5B the words "duly constituted under the Local Government Act, 1919," and by inserting in lieu thereof the words "or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, any honorary ranger appointed by the Minister under section 5C of this Act,";

(ii) by omitting from the same section the words "shire or municipal" and by inserting in lieu thereof the words "municipal, shire or county";

(iii) by omitting from the same section the words "name and address" where firstly and secondly occurring and by inserting in lieu thereof the words "name and place of abode";

(iv) by omitting from the same section the word "refuses" wherever occurring and by inserting in lieu thereof the words "fails or refuses";

(v) by omitting from the same section the words "name and address" where thirdly occurring and by inserting in lieu thereof the words "name or place of abode";

(vi)

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

(2) (a) In this subsection, "authorised person" means an authorised servant of the council of a municipality or shire or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, an honorary ranger appointed by the Minister under section 5c of this Act, a member of the police force, or a ranger or caretaker of any Crown land or State forest or public park or land dedicated or reserved for a public purpose under any Act.

(b) An authorised person may, on production of the prescribed evidence of his authority, enter and search, or, as the case may be, search, any building, store, shop, hut, tent, camping place or other premises or place or any vehicle or vessel, in or on which he suspects that there is any protected wild flower or protected native plant picked or had in possession, or being sold or offered or exposed for sale, in contravention of any of the provisions of this Act and, subject to his giving a receipt in or to the effect of the prescribed form, seize any protected wild flower or protected native plant found therein or thereon.

(c) If on production to him by an authorised person of the prescribed evidence of such person's authority any person wilfully delays or obstructs such authorised person in the exercise of his powers under this subsection, or being the occupier of a building, store, shop, hut, tent, camping place or other premises or place, or the person in charge of a vehicle or vessel, refuses to permit or does not assist such authorised person to enter and search or, as the case may be, to search, the building, store, shop, hut, tent, camping place or other premises

or

or place of which he is the occupier, or the vehicle or vessel of which he is the person in charge, he shall be guilty of an offence against this Act.

(d) Nothing in this subsection shall authorise any person to enter in or upon or to search that portion of any premises which is used for residential purposes except under a written authority given by the Minister. Any such authority shall be limited to a particular case.

New sec. 5BA.

(c) by inserting next after section 5B the following new section :—

Offences against persons exercising powers under section 5B of this Act.

5BA. Any person who assaults or resists or uses abusive language to any person exercising the powers conferred on him by section 5B of this Act shall be guilty of an offence against this Act.

Sec. 5C. (Honorary rangers.)

(d) by omitting from section 5C the words "; such honorary rangers shall have the powers conferred by section 5B of this Act upon any member of the police force";

New sec. 5D.

(e) by inserting next after section 5C the following new section :—

Destruction, defacing or removal of notices.

5D. Where a notice containing, either alone or together with any other matter, a copy or summary, or a statement purporting to be a copy or summary, of any of the provisions of this Act or the regulations is displayed under the authority of—

(a) the Minister, or a council of a municipality or shire or county district duly constituted under the Local Government Act, 1919, as amended by subsequent Acts, on any land, not being private land or land in the charge of any body of trustees or authority or Minister of the Crown;

(b)

(b) any body of trustees or authority or Minister of the Crown having charge of any land on that land;

(c) the owner or, where the land is leased, the lessee, of any land on that land,

any person who, without lawful authority, destroys, defaces or removes such notice shall be guilty of an offence against this Act.

(f) (i) by omitting from subsection two of section six the words "made thereunder"; Sec. 6 (Penalties.)

(ii) by omitting from the same subsection the words "or police".

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

E. W. WOODWARD,
Governor.

Government House,
Sydney, 24th September, 1959.