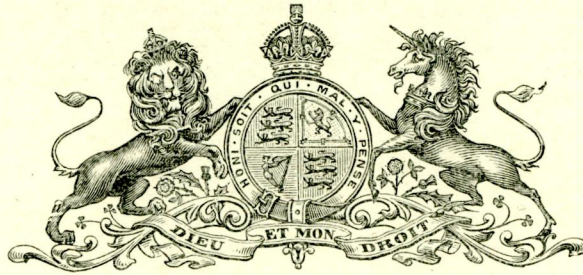


New South Wales.



ANNO TERTIO

GEORGI V REGIS.

Act No. 72, 1912.

An Act to regulate the size and description of cases used in the sale and export of fruit and for purposes consequent thereon or incidental thereto. [Assented to, 20th December, 1912.]

BE it enacted by the King'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. This Act may be cited as the "Fruit Cases Act, 1912," and shall come into operation on the first day of January, one thousand nine hundred and fourteen.

2. In this Act unless inconsistent with the subject-matter or context—

- "Case" means any box, case, or receptacle used, or capable of being used, or intended to be used, for containing fruit;
- "Disease" means any disease which the Governor by proclamation in the Gazette declares to be a disease within the meaning of this Act, and whether or not caused by or consisting of the presence of insect or fungus.

"Fruit"

Short title and commencement.

Interpretation.

Case.
Vic. Act No. 2,059,
s. 2.
Disease.

Fruit Cases.

Fruit.

“Fruit” means apples, apricots, bananas, cherries, currants, figs, gooseberries, grapes, loquats, lemons, nectarines, oranges, passion-fruit, peaches, pears, persimmons, pineapples, plums, quinces, or tomatoes, or any fruit declared by the Governor by notice in the Gazette to be fruit within the meaning of the Act;

“Sell” includes barter, and also includes offers or attempts to sell, or exposing for sale, or receiving for sale, or sending, forwarding, or delivering for sale.

Non-application.
cf. Vic. Act No.
2,059, s. 3.

- 3.** The restrictions contained in this Act shall not apply—
- (a) to the sale or export of fruit in a tray, basket, cask, or bucket of any shape or size whatsoever; or
 - (b) to the sale or export of fruit in a crate within which there are trays for such fruit.

Every package referred to in paragraphs (a) and (b) of this section shall have the weights or numbers of its contents legibly marked on such package.

Size of cases for sale
of fruit.
cf. *Ibid.* s. 4.

4. Where any fruit is sold in a case in New South Wales, or exported in a case from New South Wales to any other place within the Commonwealth, such case shall be of a size, measurement, and capacity as provided in the regulations.

Cases to be clean.
cf. *Ibid.* s. 4.

5. (1) Where fruit is sold in a case within the State, such case shall be either new or shall be clean and free from any insect or fungus disease.

New cases to be
used for export.
cf. *Ibid.* s. 5.

(2) Where any fruit is exported in a case from New South Wales to any place within the Commonwealth such fruit shall be contained only in a case which has not previously been used for any purpose whatsoever.

Case to show
maker's name,
address, and
guarantee.
cf. *Ibid.* s. 6.

6. (1) No person shall sell fruit in a case or export or attempt to export from New South Wales to any place within the Commonwealth fruit in a case unless and until such case has been legibly and durably impressed, printed, or marked at one end on the outside of such case—

- (a) with the name and address of the maker of the case; and
- (b) with the words “Guaranteed by maker to contain two imperial bushels,” or “Guaranteed by maker to contain one imperial bushel,” or “Guaranteed by maker to contain one-half an imperial bushel,” or “Guaranteed by maker to contain one-quarter an imperial bushel,” as the size of such case may warrant.

(2) The name, address, and guarantee as aforesaid of the maker of a case shall be legibly and durably impressed, printed, or marked at one end on the outside within a space measuring not less than three inches long and one and a half inch wide.

Fruit Cases.

7. (1) Proceedings may be taken against any person who offends against any of the provisions of this Act—

Enforcement of Act
by Inspectors, &c.
cf. Vic. Act No.
2,059, s. 7.

- (a) by any inspector under the Vines and Vegetation Diseases Act, 1901, or Fruit Pests Act, 1906 (if so authorised by the Minister either generally or specifically).
- (b) by any member of the police force if authorised by the Minister generally or specially.

(2) For the purpose of ascertaining whether the provisions of this Act are being complied with, any such inspector or any member of the police force if authorised by the Minister generally or specially may at any time board any vessel or enter any market, shop, store, warehouse, factory, stall, yard, shed, vehicle, stand, premises, or place whatever.

8. If any person—

Penalty for
contravention.
cf. *Ibid.* s. 8.

- (a) sells or exports or attempts to export or is concerned in exporting or attempting to export from New South Wales to any place within the Commonwealth fruit in a case in respect of which any of the provisions of this Act are not complied with; or
- (b) resists or wilfully obstructs any such inspector authorised as aforesaid, or any member of the police force, in the course of carrying out any of the provisions of this Act; or
- (c) refuses to give information or wilfully or knowingly gives false information in answer to any reasonable inquiry made by any such inspector or any member of the police force for the purposes of this Act; or
- (d) places or permits or causes to be placed on a case a guarantee which is incorrect or untrue, or sells or exports or attempts to export or is concerned in exporting or attempting to export to any place within the Commonwealth from New South Wales fruit in a case on which there is an incorrect or untrue guarantee,

Penalty for
obstructing
inspector, &c.

he shall be guilty of an offence against this Act, and shall, on conviction, be liable to a penalty of not more than five pounds for a first offence and of not more than fifty pounds for every subsequent offence.

9. If any person alters the size of or tampers with any case bearing the maker's name, address, and guarantee, or wilfully defaces or alters or tampers with the maker's name, address, or guarantee, or sells fruit in an unclean case or in a case infected with either insect or fungus disease, he shall be liable, on conviction, to a penalty not exceeding fifty pounds, or to be imprisoned for any term not exceeding twelve months.

Penalties for altering
or tampering with
cases or brands.
cf. *Ibid.* s. 9.

Fruit Cases.

Regulations.
cf. Act Vic. No.
2,059, s. 10.

Publication.

10. (1) The Governor may make regulations for the purpose of giving effect to this Act, and may by such regulations impose a penalty not exceeding ten pounds for any breach thereof.

(2) All such regulations on being gazetted shall be laid before both Houses of Parliament within fourteen days after the next meeting of Parliament. But if either House of the Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulations, such regulations shall thereupon cease to have effect.

By Authority : WILLIAM APPLGATE GULLICK, Government Printer, Sydney, 1913.

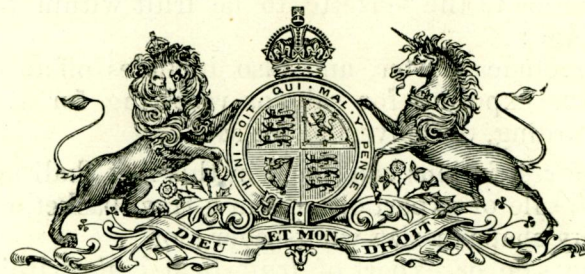
[3d.]

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.

*Legislative Assembly Chamber,
Sydney, 3 December, 1912, A.M. }*

*RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.*

New South Wales.



ANNO TERTIO

GEORGII V REGIS.

Act No. 72, 1912.

An Act to regulate the size and description of cases used in the sale and export of fruit and for purposes consequent thereon or incidental thereto. [Assented to, 20th December, 1912.]

BE it enacted by the King'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. This Act may be cited as the "Fruit Cases Act, 1912," and shall come into operation on the first day of January, one thousand nine hundred and fourteen. Short title and commencement.

2. In this Act unless inconsistent with the subject-matter or context— Interpretation.

"Case" means any box, case, or receptacle used, or capable of being used, or intended to be used, for containing fruit; Case. Vic. Act No. 2,059, s. 2.

"Disease" means any disease which the Governor by proclamation in the Gazette declares to be a disease within the meaning of this Act, and whether or not caused by or consisting of the presence of insect or fungus. Disease.

"Fruit"

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

R. D. MEAGHER,
Chairman of Committees of the Legislative Assembly.

Fruit Cases.

Fruit.

“Fruit” means apples, apricots, bananas, cherries, currants, figs, gooseberries, grapes, loquats, lemons, nectarines, oranges, passion-fruit, peaches, pears, persimmons, pineapples, plums, quinces, or tomatoes, or any fruit declared by the Governor by notice in the Gazette to be fruit within the meaning of the Act;

“Sell” includes barter, and also includes offers or attempts to sell, or exposing for sale, or receiving for sale, or sending, forwarding, or delivering for sale.

Non-application.
cf. Vic. Act No.
2,059, s. 3.

- 3.** The restrictions contained in this Act shall not apply—
- (a) to the sale or export of fruit in a tray, basket, cask, or bucket of any shape or size whatsoever; or
 - (b) to the sale or export of fruit in a crate within which there are trays for such fruit.

Every package referred to in paragraphs (a) and (b) of this section shall have the weights or numbers of its contents legibly marked on such package.

Size of cases for sale
of fruit.
cf. *Ibid.* s. 4.

4. Where any fruit is sold in a case in New South Wales, or exported in a case from New South Wales to any other place within the Commonwealth, such case shall be of a size, measurement, and capacity as provided in the regulations.

Cases to be clean.
cf. *Ibid.* s. 4.

5. (1) Where fruit is sold in a case within the State, such case shall be either new or shall be clean and free from any insect or fungus disease.

New cases to be
used for export.
cf. *Ibid.* s. 5.

(2) Where any fruit is exported in a case from New South Wales to any place within the Commonwealth such fruit shall be contained only in a case which has not previously been used for any purpose whatsoever.

Case to show
maker's name,
address, and
guarantee.
cf. *Ibid.* s. 6.

6. (1) No person shall sell fruit in a case or export or attempt to export from New South Wales to any place within the Commonwealth fruit in a case unless and until such case has been legibly and durably impressed, printed, or marked at one end on the outside of such case—

- (a) with the name and address of the maker of the case; and
- (b) with the words “Guaranteed by maker to contain two imperial bushels,” or “Guaranteed by maker to contain one imperial bushel,” or “Guaranteed by maker to contain one-half an imperial bushel,” or “Guaranteed by maker to contain one-quarter an imperial bushel,” as the size of such case may warrant.

(2) The name, address, and guarantee as aforesaid of the maker of a case shall be legibly and durably impressed, printed, or marked at one end on the outside within a space measuring not less than three inches long and one and a half inch wide.

Fruit Cases.

7. (1) Proceedings may be taken against any person who offends against any of the provisions of this Act—

Enforcement of Act
by Inspectors, &c.
cf. Vic. Act No.
2,059, s. 7.

- (a) by any inspector under the Vines and Vegetation Diseases Act, 1901, or Fruit Pests Act, 1906 (if so authorised by the Minister either generally or specifically).
- (b) by any member of the police force if authorised by the Minister generally or specially.

(2) For the purpose of ascertaining whether the provisions of this Act are being complied with, any such inspector or any member of the police force if authorised by the Minister generally or specially may at any time board any vessel or enter any market, shop, store, warehouse, factory, stall, yard, shed, vehicle, stand, premises, or place whatever.

8. If any person—

Penalty for
contravention.
cf. *Ibid.* s. 8.

- (a) sells or exports or attempts to export or is concerned in exporting or attempting to export from New South Wales to any place within the Commonwealth fruit in a case in respect of which any of the provisions of this Act are not complied with; or
- (b) resists or wilfully obstructs any such inspector authorised as aforesaid, or any member of the police force, in the course of carrying out any of the provisions of this Act; or
- (c) refuses to give information or wilfully or knowingly gives false information in answer to any reasonable inquiry made by any such inspector or any member of the police force for the purposes of this Act; or
- (d) places or permits or causes to be placed on a case a guarantee which is incorrect or untrue, or sells or exports or attempts to export or is concerned in exporting or attempting to export to any place within the Commonwealth from New South Wales fruit in a case on which there is an incorrect or untrue guarantee,

Penalty for
obstructing
inspector, &c.

he shall be guilty of an offence against this Act, and shall, on conviction, be liable to a penalty of not more than five pounds for a first offence and of not more than fifty pounds for every subsequent offence.

9. If any person alters the size of or tampers with any case bearing the maker's name, address, and guarantee, or wilfully defaces or alters or tampers with the maker's name, address, or guarantee, or sells fruit in an unclean case or in a case infected with either insect or fungus disease, he shall be liable, on conviction, to a penalty not exceeding fifty pounds, or to be imprisoned for any term not exceeding twelve months.

Penalties for altering
or tampering with
cases or brands.
cf. *Ibid.* s. 9.

Fruit Cases.

Regulations.
of Act Vic. No.
2,059, s. 10.

Publication.

10. (1) The Governor may make regulations for the purpose of giving effect to this Act, and may by such regulations impose a penalty not exceeding ten pounds for any breach thereof.

(2) All such regulations on being gazetted shall be laid before both Houses of Parliament within fourteen days after the next meeting of Parliament. But if either House of the Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulations, such regulations shall thereupon cease to have effect.

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

*State Government House,
Sydney, 20th December, 1912.*

CHELMSFORD,
Governor.

FRUIT CASES BILL.

SCHEDULE of the Amendment referred to in Message of 28th November, 1912.

Page 4, clause 10. *Omit subclause (2) insert new subclause (2).*

PLANT GARDEN

WITH DETAILED ACCOUNTS OF THE PLANTS IN THE GARDEN

By J. G. SMITH, Esq. F.R.S.

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.

*Legislative Assembly Chamber,
Sydney, 29 October, 1912.* }

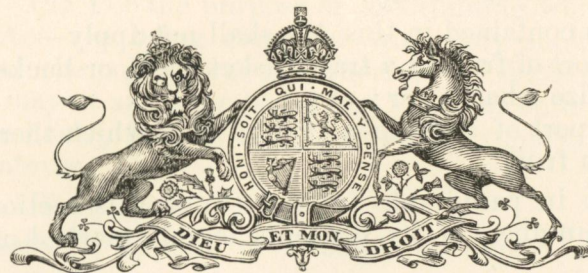
RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with an Amendment.

*Legislative Council Chamber,
Sydney, 26th November, 1912.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO TERTIO

GEORGII V REGIS.

Act No. , 1912.

An Act to regulate the size and description of cases used in the sale and export of fruit and for purposes consequent thereon or incidental thereto.

BE it enacted by the King'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:—

5 **1.** This Act may be cited as the "Fruit Cases Act, 1912," and shall come into operation on the first day of January, one thousand nine hundred and fourteen. Short title and commencement.

2. In this Act unless inconsistent with the subject-matter or context— Interpretation.

10 "Case" means any box, case, or receptacle used, or capable of being used, or intended to be used, for containing fruit; Case. Vic. Act No. 2,059, s. 2.

 "Disease" means any disease which the Governor by proclamation in the Gazette declares to be a disease within the meaning of this Act, and whether or not caused by or consisting of Disease.

15 the presence of insect or fungus.

31341

91—

* Fruit "

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Fruit Cases.

- “Fruit” means apples, apricots, bananas, cherries, currants, figs, Fruit.
 gooseberries, grapes, loquats, lemons, nectarines, oranges,
 passion-fruit, peaches, pears, persimmons, pineapples, plums,
 quinces, or tomatoes, or any fruit declared by the Governor
 5 by notice in the Gazette to be fruit within the meaning of
 the Act;
- “Sell” includes barter, and also includes offers or attempts to
 sell, or exposing for sale, or receiving for sale, or sending,
 forwarding, or delivering for sale.
- 10 **3.** The restrictions contained in this Act shall not apply— Non-application.
 (a) to the sale or export of fruit in a tray, basket, cask, or bucket cf. Vic. Act No.
 of any shape or size whatsoever; or 2,059, s. 3.
 (b) to the sale or export of fruit in a crate within which there
 are trays for such fruit.
- 15 Every package referred to in paragraphs (a) and (b) of this section
 shall have the weights or numbers of its contents legibly marked on
 such package.
- 4.** Where any fruit is sold in a case in New South Wales, Size of cases for sale
 or exported in a case from New South Wales to any other place of fruit.
 20 within the Commonwealth, such case shall be of a size, measurement, cf. Ibid. s. 4.
 and capacity as provided in the regulations.
- 5.** (1) Where fruit is sold in a case within the State, such case Cases to be clean.
 shall be either new or shall be clean and free from any insect or cf. Ibid. s. 4.
 fungus disease.
- 25 (2) Where any fruit is exported in a case from New South New cases to be
 Wales to any place within the Commonwealth such fruit shall be used for export.
 contained only in a case which has not previously been used for any cf. Ibid. s. 5.
 purpose whatsoever.
- 6.** (1) No person shall sell fruit in a case or export or attempt Case to show
 30 to export from New South Wales to any place within the Common- maker's name,
 wealth fruit in a case unless and until such case has been legibly and address, and
 durably impressed, printed, or marked at one end on the outside of guarantee.
 such case— cf. Ibid. s. 6.
- (a) with the name and address of the maker of the case; and
 35 (b) with the words “Guaranteed by maker to contain two
 imperial bushels,” or “Guaranteed by maker to contain one
 imperial bushel,” or “Guaranteed by maker to contain one-
 half an imperial bushel,” or “Guaranteed by maker to
 contain one-quarter an imperial bushel,” as the size of such
 40 case may warrant.
- (2) The name, address, and guarantee as aforesaid of the
 maker of a case shall be legibly and durably impressed, printed, or
 marked at one end on the outside within a space measuring not less
 than three inches long and one and a half inch wide.

Fruit Cases.

7. (1) Proceedings may be taken against any person who offends against any of the provisions of this Act—

Enforcement of Act
by Inspectors, &c.
cf. Vic. Act No.
2,059, s. 7.

- 5 (a) by any inspector under the Vines and Vegetation Diseases Act, 1901, or Fruit Pests Act, 1906 (if so authorised by the Minister either generally or specifically).
- (b) by any member of the police force if authorised by the Minister generally or specially.

(2) For the purpose of ascertaining whether the provisions of this Act are being complied with, any such inspector or any member of the police force if authorised by the Minister generally or specially may at any time board any vessel or enter any market, shop, store, warehouse, factory, stall, yard, shed, vehicle, stand, premises, or place whatever.

8. If any person—

Penalty for
contravention.
cf. *Ibid.* s. 8.

- 15 (a) sells or exports or attempts to export or is concerned in exporting or attempting to export from New South Wales to any place within the Commonwealth fruit in a case in respect of which any of the provisions of this Act are not complied with; or
- 20 (b) resists or wilfully obstructs any such inspector authorised as aforesaid, or any member of the police force, in the course of carrying out any of the provisions of this Act; or
- (c) refuses to give information or wilfully or knowingly gives false information in answer to any reasonable inquiry made by any such inspector or any member of the police force for the purposes of this Act; or
- 25 (d) places or permits or causes to be placed on a case a guarantee which is incorrect or untrue, or sells or exports or attempts to export or is concerned in exporting or attempting to export to any place within the Commonwealth from New South Wales fruit in a case on which there is an incorrect or untrue guarantee,
- 30

Penalty for
obstructing
inspector, &c.

he shall be guilty of an offence against this Act, and shall, on conviction, be liable to a penalty of not more than five pounds for a first offence and of not more than fifty pounds for every subsequent offence.

9. If any person alters the size of or tampers with any case bearing the maker's name, address, and guarantee, or wilfully defaces or alters or tampers with the maker's name, address, or guarantee, or sells fruit in an unclean case or in a case infected with either insect or fungus disease, he shall be liable, on conviction, to a penalty not exceeding fifty pounds, or to be imprisoned for any term not exceeding twelve months.

Penalties for altering
or tampering with
cases or brands.
cf. *Ibid.* s. 9.

Fruit Cases.

10. (1) The Governor may make regulations for the purpose of giving effect to this Act, and may by such regulations impose a penalty not exceeding ten pounds for any breach thereof.

Regulations.
cf. Act Vic. No.
2,059, s. 10.

(2) All such regulations when made by the Governor shall be published in the Gazette, and when so published shall have the force of law and shall be judicially noticed, and shall be laid before both Houses of Parliament within fourteen days after the same shall have been made if Parliament be then sitting, and if not then within fourteen days after the next meeting of Parliament.

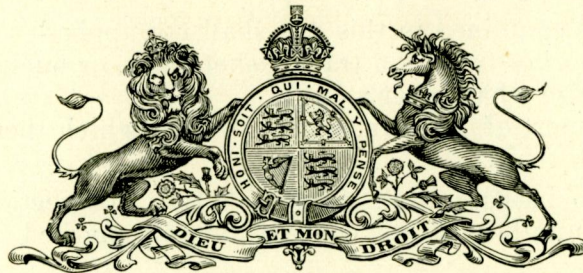
(2) All such regulations on being gazetted shall be laid before both Houses of Parliament within fourteen days after the next meeting of Parliament. But if either House of the Parliament passes a resolution of which notice has been given, at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulations, such regulations shall thereupon cease to have effect.

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.

*Legislative Assembly Chamber,
Sydney, 29 October, 1912.* }

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

New South Wales.



ANNO TERTIO

GEORGI V REGIS.

Act No. , 1912.

An Act to regulate the size and description of cases used in the sale and export of fruit and for purposes consequent thereon or incidental thereto.

BE it enacted by the King'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:—

5 **1.** This Act may be cited as the "Fruit Cases Act, 1912," and shall come into operation on the first day of January, one thousand nine hundred and fourteen. Short title and commencement.

2. In this Act unless inconsistent with the subject-matter or context— Interpretation.

10 "Case" means any box, case, or receptacle used, or capable of being used, or intended to be used, for containing fruit; Case. Vic. Act No. 2,059, s. 2.

 "Disease" means any disease which the Governor by proclamation in the Gazette declares to be a disease within the meaning of this Act, and whether or not caused by or consisting of Disease.

15 the presence of insect or fungus.

91—

"Fruit"

Fruit Cases.

- “Fruit” means apples, apricots, bananas, cherries, currants, figs, Fruit.
 gooseberries, grapes, loquats, lemons, nectarines, oranges,
 passion-fruit, peaches, pears, persimmons, pineapples, plums,
 quinces, or tomatoes, or any fruit declared by the Governor
 5 by notice in the Gazette to be fruit within the meaning of
 the Act;
- “Sell” includes barter, and also includes offers or attempts to
 sell, or exposing for sale, or receiving for sale, or sending,
 forwarding, or delivering for sale.
- 10 **3.** The restrictions contained in this Act shall not apply— Non-application.
 (a) to the sale or export of fruit in a tray, basket, cask, or bucket cf. Vic. Act No.
 of any shape or size whatsoever; or 2,059, s. 3.
 (b) to the sale or export of fruit in a crate within which there
 are trays for such fruit.
- 15 Every package referred to in paragraphs (a) and (b) of this section
 shall have the weights or numbers of its contents legibly marked on
 such package.
- 4.** Where any fruit is sold in a case in New South Wales, Size of cases for sale
 or exported in a case from New South Wales to any other place of fruit.
 20 within the Commonwealth, such case shall be of a size, measurement, cf. Ibid. s. 4.
 and capacity as provided in the regulations.
- 5.** (1) Where fruit is sold in a case within the State, such case Cases to be clean.
 shall be either new or shall be clean and free from any insect or cf. Ibid. s. 4.
 fungus disease.
- 25 (2) Where any fruit is exported in a case from New South New cases to be
 Wales to any place within the Commonwealth such fruit shall be used for export.
 contained only in a case which has not previously been used for any cf. Ibid. s. 5.
 purpose whatsoever.
- 6.** (1) No person shall sell fruit in a case or export or attempt Case to show
 30 to export from New South Wales to any place within the Common- maker's name,
 wealth fruit in a case unless and until such case has been legibly and address, and
 durably impressed, printed, or marked at one end on the outside of guarantee.
 such case— cf. Ibid. s. 6.
- (a) with the name and address of the maker of the case; and
 35 (b) with the words “Guaranteed by maker to contain two
 imperial bushels,” or “Guaranteed by maker to contain one
 imperial bushel,” or “Guaranteed by maker to contain one-
 half an imperial bushel,” or “Guaranteed by maker to
 contain one-quarter an imperial bushel,” as the size of such
 40 case may warrant.
- (2) The name, address, and guarantee as aforesaid of the
 maker of a case shall be legibly and durably impressed, printed, or
 marked at one end on the outside within a space measuring not less
 than three inches long and one and a half inch wide.

Fruit Cases.

7. (1) Proceedings may be taken against any person who
offends against any of the provisions of this Act—

Enforcement of Act
by Inspectors, &c.
cf. Vic. Act No.
2,059, s. 7.

- 5 (a) by any inspector under the Vines and Vegetation Diseases Act, 1901, or Fruit Pests Act, 1906 (if so authorised by the Minister either generally or specifically).
- (b) by any member of the police force if authorised by the Minister generally or specially.

(2) For the purpose of ascertaining whether the provisions of this Act are being complied with, any such inspector or any
10 member of the police force if authorised by the Minister generally or specially may at any time board any vessel or enter any market, shop, store, warehouse, factory, stall, yard, shed, vehicle, stand, premises, or place whatever.

8. If any person—

Penalty for
contravention.
cf. *Ibid.* s. 8.

- 15 (a) sells or exports or attempts to export or is concerned in exporting or attempting to export from New South Wales to any place within the Commonwealth fruit in a case in respect of which any of the provisions of this Act are not complied with; or
- 20 (b) resists or wilfully obstructs any such inspector authorised as aforesaid, or any member of the police force, in the course of carrying out any of the provisions of this Act; or
- (c) refuses to give information or wilfully or knowingly gives false information in answer to any reasonable inquiry made
25 by any such inspector or any member of the police force for the purposes of this Act; or
- (d) places or permits or causes to be placed on a case a guarantee which is incorrect or untrue, or sells or exports or attempts
30 to export or is concerned in exporting or attempting to export to any place within the Commonwealth from New South Wales fruit in a case on which there is an incorrect or untrue guarantee,

Penalty for
obstructing
inspector, &c.

he shall be guilty of an offence against this Act, and shall, on conviction, be liable to a penalty of not more than five pounds for a first offence
35 and of not more than fifty pounds for every subsequent offence.

9. If any person alters the size of or tampers with any case bearing the maker's name, address, and guarantee, or wilfully defaces or alters or tampers with the maker's name, address, or guarantee, or sells fruit in an unclean case or in a case infected with either insect or
40 fungus disease, he shall be liable, on conviction, to a penalty not exceeding fifty pounds, or to be imprisoned for any term not exceeding twelve months.

Penalties for altering
or tampering with
cases or brands.
cf. *Ibid.* s. 9.

Fruit Cases.

10. (1) The Governor may make regulations for the purpose of giving effect to this Act, and may by such regulations impose a penalty not exceeding ten pounds for any breach thereof.

Regulations.
cf. Act Vic. No.
2,059, s. 10.

(2) All such regulations when made by the Governor shall be published in the Gazette, and when so published shall have the force of law and shall be judicially noticed, and shall be laid before both Houses of Parliament within fourteen days after the same shall have been made if Parliament be then sitting, and if not then within fourteen days after the next meeting of Parliament.

Publication.