

NORTHERN TERRITORY OF AUSTRALIA

PLANT HEALTH AMENDMENT REGULATIONS 2014

Subordinate Legislation No. 36 of 2014

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Subordinate Legislation No. 36 of 2014*

Plant Health Amendment Regulations 2014

I, John Laurence Hardy, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Plant Health Act*.

Dated 11 November 2014

J. L. HARDY
Administrator

By His Honour's Command

P. G. CHANDLER
Minister for Education
acting for
Minister for Primary Industry and Fisheries

* Notified in the *Northern Territory Government Gazette* on 11 November 2014.

1 Citation

These Regulations may be cited as the *Plant Health Amendment Regulations 2014*.

2 Regulations amended

These Regulations amend the *Plant Health Regulations*.

3 Regulation 3 amended

Regulation 3

insert (in alphabetical order)

Banana Freckle, for Part 2A, see regulation 26B.

host plant, for Part 2A, see regulation 26B.

quarantine place, for Part 2A, see regulation 26B.

4 Part 2 heading amended

Part 2, heading, at the end

insert

on introduction of plants etc. into the Territory

5 Part 2A inserted

After regulation 26

insert

Part 2A Control of Banana Freckle

26A Application

This Part applies if Banana Freckle is a declared pest under the Act.

26B Definitions

In this Part:

Banana Freckle means Banana Freckle *Phyllosticta cavendishii*.

host plant means a declared host plant for Banana Freckle.

quarantine place means a quarantine place declared under section 18(1) of the Act for the control of Banana Freckle.

26C Prohibition of export from the Territory

A person must not export from the Territory a host plant or plant-related material of the host plant unless the person does so in accordance with a written permit given by the Chief Inspector.

Note for regulation 26C

Failure to comply with this regulation is an offence under section 17(6) of the Act.

26D Treatment of host plants

- (1) The owner of a host plant at a quarantine place must, unless otherwise authorised by the Chief Inspector:
 - (a) cut down the host plant; and
 - (b) immediately after cutting down the host plant, treat the rhizomes with a commercially registered herbicide in accordance with the manufacturer's instructions.
- (2) The owner must comply with subregulation (1):
 - (a) if the place is declared to be a quarantine place before 1 April 2015:
 - (i) for a plant growing before 1 May 2015 – before 1 May 2015; or
 - (ii) for a plant that starts growing on or after 1 May 2015 – 1 month after the plant starts growing; or
 - (b) if the place is declared to be a quarantine place on or after 1 April 2015:
 - (i) for a plant growing before the 1 month date – before the 1 month date; or
 - (ii) for a plant that starts growing on or after the 1 month date – 1 month after the plant starts growing.
- (3) The owner must not dig up, move, destroy or otherwise disturb the rhizomes treated under subregulation (1) until at least 1 month after the date on which the rhizomes were treated.
- (4) The owner must advise the Chief Inspector that the owner has complied with subregulation (1) as soon as practicable after doing so.

(5) In this regulation:

1 month date, in relation to the declaration of a quarantine place, means the date 1 month after the date of the declaration.

Note for regulation 26D

Failure to comply with regulation 26D(1) or (3) is an offence under section 19(6) of the Act.

6 Regulation 30 amended

Regulation 30(2)

omit

specified opposite

insert

equal to the monetary value of the number of penalty units specified for

7 Schedule 3 amended

Schedule 3

insert (in numerical order)

section 19(6) of Act

5

8 Expiry of Regulations

These Regulations expire on the day after they commence.