

Serial Number **1953/89**



**THE PLANT QUARANTINE REGULATIONS 1952,
AMENDMENT NO. 1**

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 29th day of July 1953

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Orchard and Garden Diseases Act 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Plant Quarantine Regulations 1952, Amendment No. 1, and shall be read together with and deemed part of the Plant Quarantine Regulations 1952* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Regulation 23 of the principal regulations is hereby amended by inserting, after the word "seed" in subclause (2) and also after the words "all seed" in subclause (3), the words "(other than flower seed)".

3. Regulation 39 of the principal regulations is hereby amended by inserting in paragraph (b), after the words "shall be planted", the words "grafted, or budded".

4. Regulation 39 of the principal regulations is hereby further amended by inserting, after paragraph (c), the following paragraph:

"(cc) After the initial planting, budding, or grafting of the nursery stock following its removal to the quarantine ground, the nursery stock shall not be further propagated in any manner whatsoever without the written consent of an Inspector and subject to such conditions as he thinks fit until it is released from quarantine as provided in paragraph (d) of this regulation:"

* Statutory Regulations 1952, Serial number 1952/127, page 541.

5. The principal regulations are hereby amended by revoking regulations 40 and 41, and substituting the following regulations:

“40. (1) All labour connected with the opening and repacking of packages of fruit or plants for inspection under these regulations shall be provided at the expense of the person by whom or on whose behalf the goods are imported.

“ (2) In respect of every consignment of fruit, vegetables, or plants imported in packages into New Zealand under these regulations there shall be payable by the person by whom or on whose behalf the consignment is imported an inspection fee of 1d. for each package comprised in the consignment:

“ Provided that where the number of packages comprised in the consignment does not exceed twelve an inspection fee of 1s. shall be payable:

“ Provided also that the maximum inspection fee payable under this subclause shall be £5.

“ (3) In respect of every consignment of such goods imported in bulk or otherwise than in packages into New Zealand under these regulations there shall be payable by the person by whom or on whose behalf the consignment is imported an inspection fee of £5.

“ (4) All fees payable under this regulation shall be paid to the Collector of Customs on or before the entry of the goods for home consumption or to the Postmaster in the case of packages imported by post.

“ (5) Notwithstanding the foregoing provisions of this regulation, no inspection fee shall be payable under this regulation in respect of the importation into New Zealand by any person by post or as part of his personal effects or baggage as a passenger or member of the crew of any ship or aircraft of any fruit or plants imported for the personal use of, or propagation by, that person and not in any case for sale or propagation for sale.

“41. (1) Where any package comprised in any consignment of fruit or plants imported into New Zealand is fumigated, destroyed, or otherwise treated pursuant to these regulations there shall be payable the fees for the fumigation, destruction, or other treatment set forth in the Third Schedule to these regulations:

“ Provided that no fee shall be payable under this subclause for the destruction of any fruit or plants imported into New Zealand by any person by post or as part of his personal effects or baggage as a passenger or member of the crew of any ship or aircraft if imported for the personal use of, or propagation by, that person and not in any case for sale or propagation for sale.

“ (2) All fees payable under this regulation shall be paid to the Department of Agriculture by the person by whom or on whose behalf the consignment or package of fruit or plants is imported.”

6. Regulation 42 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“ (1) For all seed potatoes or nursery stock which are required by these regulations to be inspected during detention in a quarantine ground under these regulations there shall be payable the inspection fees set forth in the Third Schedule to these regulations.”

7. The principal regulations are hereby amended by revoking the Third Schedule thereto, and substituting the Third Schedule set out in the Schedule to these regulations.

SCHEDULE

SCHEDULE TO BE SUBSTITUTED FOR THE THIRD SCHEDULE TO THE PLANT QUARANTINE
REGULATIONS 1952

" THIRD SCHEDULE

" SCALE OF FEES FOR FUMIGATION, DESTRUCTION, AND OTHER TREATMENT OF IMPORTED
FRUIT, PLANTS, AND SEEDS, AND INSPECTION OF QUARANTINED SEED POTATOES
AND NURSERY STOCK

- " 1. For the purposes of this Schedule the term 'standard bushel package' means a package the inside measurements of which are $10\frac{1}{2}$ in. by $11\frac{1}{2}$ in. by 18 in.; and includes any package whose corresponding inside measurements are in each case within $\frac{1}{2}$ in. of those specified.
- " 2. For fumigation or other treatment of a consignment or part of a consignment of—
- " (a) Fruit contained in standard bushel packages—
- " (i) For all packages fumigated or otherwise treated, as follows—
- " The first 100 packages . . . 6d. a package.
- " All packages in excess of 100 . . . 3d. a package.
- " (ii) Minimum charge . . . 2s. 6d.
- " (b) Fruit contained in packages smaller than standard bushel packages . . . One-half of the rates prescribed in paragraph (a) of this clause, with minimum charge of 2s. 6d.
- " (c) Fruit contained in packages larger than standard bushel packages . . . One and a half times the rates prescribed in paragraph (a) of this clause, with minimum charge of 2s. 6d.
- " (d) Seeds, grain, and other goods contained in bags or sacks—
- " (i) For all packages fumigated or otherwise treated, as follows—
- " The first 30 packages . . . 1s. 6d. a package.
- " All packages in excess of 30 . . . 9d. a package.
- " (ii) Minimum charge . . . 2s. 6d.
- " (e) Plants and other goods in containers other than bags or sacks—
- " (i) Where the consignment or part thereof which is fumigated or otherwise treated does not exceed 3 cubic feet . . . 2s. 6d.
- " (ii) Where the consignment or part thereof which is fumigated or otherwise treated exceeds 3 cubic feet, as follows—
- " For each 10 cubic feet or part thereof up to 100 cubic feet . . . 3s. 6d.
- " For each 10 cubic feet or part thereof in excess of 100 cubic feet . . . 1s. 9d.
- " 3. For destruction of a consignment or part of a consignment of goods—
- " (a) For each package not exceeding 3 cubic feet . . . 1s.
- " (b) For each package exceeding 3 cubic feet . . . 2s.
- " (c) Minimum fee payable under this clause . . . 2s. 6d.
- " (d) Maximum fee payable under this clause . . . £5.
- " 4. For inspection, while in quarantine, of nursery stock or the growing crop of seed potatoes belonging to any one consignment—
- " (a) For every 50 or part of 50 plants or tubers . . . 10s.
- " (b) Maximum fee payable under this clause . . . £10."

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

These regulations vary the provisions of the Plant Quarantine Regulations 1952 relating to inspection fees and the treatment of plants held in quarantine.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 July 1953.

These regulations are administered in the Department of Agriculture.

(Notice No. Ag. 5476.)