1959/196

THE PLANT QUARANTINE REGULATIONS 1957, AMENDMENT NO. 1

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 16th day of December 1959

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 1957, Amendment No. 1, and shall be read together with and deemed part of the Plant Quarantine Regulations 1957* (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 9 of the principal regulations is hereby amended by inserting, after subclause (5), the following subclause:

"(5A) Where pursuant to subclause (5) of this regulation any consignment of bulbs, corms, or rhizomes is placed in post-entry quarantine, there shall be payable in respect thereof the same inspection fees as, pursuant to regulation 43 (1) of these regulations, are payable in respect of seed potatoes and nursery stock."

3. Regulation 24 of the principal regulations is hereby amended by inserting, after subclause (7), the following subclause:

"(7A) Where, in the opinion of the Plant Quarantine Officer at the port or airport of entry, the provisions of subclause (7) of this regulation have not been complied with in respect of any consignment of tomato seed introduced into New Zealand under these regulations, he shall deal with the consignment as provided in regulation 32 hereof."

4. Regulation 42 of the principal regulations is hereby amended by adding the following subclause:

"(3) Notwithstanding the foregoing provisions of this regulation, in any case where, pursuant to paragraph (a) or paragraph (b) of clause 1 of the Fourth Schedule to these regulations, fees are payable on

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any consignment of fruit or plants imported into New Zealand, the Minister of Agriculture may, if in his opinion it is necessary or desirable so to do, fix the maximum fee to be paid by the person by whom the fees are payable under this regulation."

5. (1) The Second Schedule to the principal regulations is hereby amended by inserting in their appropriate alphabetical order the two items set out under the following headings:

Particulars of Fruit, Plant, or Plant Product	Country or Place From Which Prohibited	Reason for Prohibition
Fagus spp.	All countries and places	*Microsphaera alphitoides, Nectria* sp. and *Strumella coryneoidea.*
Nothofagus spp.	South America and Australia	*Cyttaria* sp. and *Taphrina* sp.

(2) The Second Schedule to the principal regulations is hereby further amended—

(a) By omitting, from the item relating to *Populus* spp.—Poplar, the words *"(Pseudomonas rimaefaciens)"*, and substituting the words *"(Pseudomonas syringae)"*:

(b) By inserting in the item relating to *Quercus* spp.—Oak, after the words "Wilt disease *(Endoconidiophora fagacearum)"*, the words "Oak rust, *Cronartium quercum":*

(c) By omitting, from the item relating to *Ulmus* spp. and *Zelkova* spp.—Elm, the word "including", and substituting the word "except":

(d) By omitting the words "Great Britain", wherever they appear in that Schedule, and substituting in each case the words "United Kingdom".

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 amend the Plant Quarantine Regulations 1957. The changes affect the inspection fees payable on bulbs, corms and rhizomes placed in post-entry quarantine; the powers of Plant Quarantine Officers in respect of imported tomato seeds that have not been extracted by an approved method; the maximum fees for the fumigation of consignments of fruit or plants; and the Schedule of prohibited fruit, plants, and plant products.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette:* 17 December 1959.
These regulations are administered in the Department of Agriculture.

(Notice No. Ag. 6889)