

List of Authorised Persons: Benjamin Wayne DANSWAN; Lewis Charles HEFFERNAN; David William Morris ORMAN; Phillip John BARTEN and Jeffrey William WHITE.

Functions of an inspector authorised to be exercised:

- Sections 9(1) seizure of plants
- 13(1) powers to display stop signs, stop vehicles etc
- 13(1B)(a) power to enter vehicles for the purpose of searching for or inspecting any fruit, etc.
- 13(1B)(c) power to enter vehicles for the purpose of determining whether any duty or obligation imposed by or under the Act has been discharged
- 13(1BA) power to open any part of a vehicle and to open any coverings, for the purpose of searching for or inspecting any fruit or coverings
- 25A demand name and place of abode of person committing an offence.

The specified functions may be exercised by an authorised person:

- only on a road or in a public place or vehicle on a road or in any public place; and
- only in relation to fruit which the authorised person: has reasonable grounds of suspecting are infected or likely to convey infection; or to have been introduced into the State or any portion of the State; or
- which are being conveyed or dealt with in contravention of any proclamation, notification, order under the Plant Diseases Act 1924 or under the Plant Diseases Regulation 2003.

This authority is limited in its operation to:

NSW Portion of the Fruit Fly Exclusion Zone pursuant to section 11(4) of the Plant Diseases Act.

Dated: 6th January 2004

M. L. Curll,
Acting Director-General

PLANT DISEASES ACT 1924

Section 4(1)

PROCLAMATION P144

Proclamation to regulate the importation, introduction and bringing of potatoes, soil and other things into New South Wales on account of the pest potato cyst nematode.

Her Excellency Professor MARIE BASHIR, A.C.,
Governor

I, Professor MARIE BASHIR AC, Governor of the State of New South Wales, with the advice of the Executive Council and pursuant to section 4(1) of the Plant Diseases Act 1924, being of the opinion that it is necessary to do so in order to prevent the introduction of the pest potato cyst nematode (*Globodera spp.*) ("the pest") into New South Wales:

A. regulate the importation, introduction or bringing into New South Wales from any State or Territory of:

(a) potatoes (other than seed potatoes), soil in which potatoes have grown and the things specified in Schedule 1 from any place within a radius of 20 kilometres from where the pest is or has been present in any State or Territory, and

(b) seed potatoes from any place within any State or Territory where the pest is or was present; and

B. prohibit the importation, introduction or bringing into New South Wales from any State or Territory of potatoes, including seed potatoes, soil in which potatoes have grown and any thing of any nature or kind whatsoever if it has come into contact with the pest, or if the pest is in or on the thing.

1. Potatoes, including seed potatoes, soil and the things specified in Schedule 1 from a place within a radius of 20 kilometres from any place in any State or Territory where the pest is or has been present, and which have not come into contact with the pest, or which do not have the pest in or on the thing, may be brought into New South Wales only with the approval of the Chief, Division of Plant Industries and in accordance with any conditions specified in that approval.

2. Seed potatoes from a place outside a radius of 20 kilometres from any place in any State or Territory where the pest is or has been present and which have not come into contact with the pest, or which do not have the pest in or on the thing, may only be brought into New South Wales if they do not have soil attached.

Definitions

In this Proclamation the following words and phrases have the meaning indicated.

Chief, Division of Plant Industries means the Chief, Division of Plant Industries of the New South Wales Department of Agriculture.

pest means the pest Potato Cyst Nematode (*Globodera spp.*)

seed potatoes means any potatoes, minitubers, transplants or microtubers for the production of potato crops.

soil includes potting mix, any form of manufactured potting mix, pebbles or gravel.

SCHEDULE 1

1. Any plants or plant material, including tubers, bulbs (including onions and garlic), roots (including carrots, parsnips and turnips), corms or rhizomes any of which have soil attached.

2. Any bin, package, bag or sack that has previously contained potatoes or soil in which potatoes have grown.

3. Any machinery that has been used for the cultivation, planting, spraying or harvesting of potatoes.

Note: For further information, contact the New South Wales Department of Agriculture on 02 63913593. P144 is the Department's reference.

Signed and sealed at Sydney this 14th day of January 2004.

By Her Excellency's Command,

IAN MacDONALD MLC
NSW Minister for Agriculture and Fisheries

GOD SAVE THE QUEEN!

PLANT DISEASES ACT 1924

Section 4(1)

PROCLAMATION P128

Proclamation to regulate the importation, introduction and bringing of seed potatoes, soil and other things into the NSW Seed Potato Protected Areas on account of the diseases powdery scab and bacterial wilt and the pest potato cyst nematode.

Her Excellency Professor MARIE BASHIR, A.C.,
Governor

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council and pursuant to section 4(1) of the Plant Diseases Act 1923, being of the opinion that it is necessary to do so in order to prevent the introduction of the diseases powdery scab (*Spongospora subterranean*) and bacterial wilt (*Ralstonia solanacearum*) ("the diseases"), and the pest potato cyst nematode (*Globodera spp.*) ("the pest") into the NSW Seed Potato Protected Areas:

- A. regulate the importation, introduction and bringing into the NSW Potato Seed Protected Areas of seed potatoes, soil in which potatoes have grown and other things specified in Schedule 2 on account of the diseases powdery scab and bacterial wilt and the pest potato cyst nematode; and
- B. prohibit the importation, introduction and bringing into the NSW Potato Seed Protected Areas of any second-hand packages, bags or sacks that have previously contained potatoes, soil in which potatoes have grown or any thing of any nature or kind whatsoever if it has come into contact with the diseases or the pest, or if the diseases or the pest is in or on the thing.
1. Seed potatoes which have not come into contact with the diseases or the pest, or which do not have the diseases or pest in or on the thing may only be brought into the NSW Seed Potato Protected Areas:
- if they have been brushed and do not have soil attached, and
 - with the approval of the Chief, Division of Plant Industries and in accordance with any conditions specified in that approval.
2. Any thing specified in Schedule 2 which has not come into contact with the diseases or the pest, or which does not have the diseases or pest in or on the thing, may only be brought into the NSW Seed Potato Protected Areas if it does not have soil attached and is accompanied by:
- a Plant Health Certificate, or
 - a Plant Health Assurance Certificate
- certifying that one or other of the two Conditions for Entry set out below has been complied with, the date and method of treatment, and the measures taken to guard against the risk of contact with the diseases or the pest.

Conditions for entry

Treatment

- 1 The thing has been treated, stored and transported, in a manner approved by the Chief, Division of Plant Industries, and to remove all soil from the potatoes or thing.
- 2 The thing has been treated by:
 - (a) dipping or drenching with solution of sodium hypochlorite at a strength of 1.0 per cent active chlorine, or
 - (b) subjected to steam at a temperature of not less than 85°C for not less than 1 minute, or
 - (c) fumigation with methyl bromide at 48 grams per cubic metre at 21°C for not less than 12 hours.

Definitions

In this Proclamation the following words and phrases have the meaning indicated.

Chief, Division of Plant Industries means the Chief, Division of Plant Industries of the New South Wales Department of Agriculture.

container means any bin, second-hand package, bag or sack that has previously contained potatoes or soil in which potatoes have grown.

diseases means of the diseases powdery scab (*Spongospora subterranean*) and bacterial wilt (*Ralstonia solanacearum*).

NSW Potato Seed Protected Areas means the parts of New South Wales specified in Schedule 1.

pest means the pest Potato Cyst Nematode (*Globodera spp.*)

Plant Health Assurance Certificate means a Plant Health Assurance Certificate issued by a person authorised by a Department of the State or Territory that is responsible for plant health to issue Plant Health Assurance Certificates.

Plant Health Certificate means a Plant Health Certificate issued by an authorised person of a Department of a State or Territory that is responsible for plant health.

seed potatoes means any potatoes, minitubers, transplants or microtubers for the production of potato crops.

soil includes potting mix, any form of manufactured potting mix, pebbles or gravel.

SCHEDULE 1

NSW Seed Potato Protected Areas

The Local Government Areas of:

Armidale Dumaresq	Gunning
Bathurst	Guyra
Blayney	Mulwaa
Cabonne	Oberon
Crookwell	Orange
Evans	Severn
Glen Innes	Walcha
Goulburn	Wingedarriebe (Parish of Murrimba)

The parts of New South Wales are represented in the map titled "NSW Seed Potato Protected Areas".