

**Plant Diseases Control Act**AMENDMENT OF PROHIBITION ON IMPORTATION  
OR INTRODUCTION OF MYRTLE RUST

I, KONSTANTINE VATSKALIS, Minister for Primary Industry, Fisheries and Resources, under section 8(1) of the *Plant Diseases Control Act* and with reference to section 43 of the *Interpretation Act*, amend the instrument entitled "Myrtle Rust Declaration of disease and notifiable disease and prohibition of importation" dated 9 September 2010 and published in *Gazette* No. S46 of 10 September 2010 by:

- (a) omitting the Schedule to the instrument; and
- (b) inserting the Schedule to this instrument.

Dated 8th April, 2011.

K. VATSKALIS  
Minister for  
Primary Industry,  
Fisheries and Resources

## SCHEDULE

**1 Definitions**

In this Schedule:

**approved fungicide** means:

- (a) a fungicide that contains chlorothalonil and is supplied with instructions relating to treatment of "rust" diseases on ornamentals; or
- (b) a chemical for which the APVMA has issued a permit to treat Myrtle Rust on plants.

**APVMA**, see section 4 of the *Agricultural and Veterinary Chemicals (Administration) Act 1992* (Cth).

**host plant** means a plant of the Family Myrtaceae.

**plant health assurance certificate** means:

- (a) an assurance certificate, as defined in Schedule 2 of the Qld Act, given by an accredited person, as defined in Schedule 2 of the Qld Act, in accordance with the conditions of the person's accreditation; or
- (b) a similar certificate given by an accredited person in another State or Territory in accordance with a national scheme known as the Interstate Certification Assurance scheme.

**plant health certificate** means a certificate given by a person holding an office or position under a law of a State or another Territory equivalent to the office of an inspector.

**Qld Act** means the *Plant Protection Act 1989* (Qld).

**2 Host plant from known Myrtle Rust area**

- (1) This clause applies to a host plant, other than seed or tissue cultured seed material, if it has been

grown or kept in a State or Territory in which Myrtle Rust is known to occur.

- (2) A person must not import or introduce into the Territory the host plant unless the host plant:
  - (a) is imported or introduced from a nursery; and
  - (b) is accompanied by a signed plant health certificate or plant health assurance certificate containing the statements specified in subclause (3).
- (3) The plant health certificate, or plant health assurance certificate, for a host plant must state that the person giving the certificate:
  - (a) inspected the nursery from which the plant originated (the *nursery*) no more than 14 days before the date the plant was dispatched from the nursery (the *dispatch date*) and found the nursery free from symptoms of Myrtle Rust; and
  - (b) is satisfied that:
    - (i) all plants in the consignment containing the host plant were treated with an approved fungicide no more than 7 days before the dispatch date; or
    - (ii) all host plants in the nursery were treated with an approved fungicide on 2 occasions with a 14 day interval before the dispatch date; and
  - (c) inspected the consignment containing the host plant at the rate of 600 plants or 2% of plants in the consignment no more than 7 days before the dispatch date and found the consignment free from symptoms of Myrtle Rust.

**3 Tissue cultured plant material from known Myrtle Rust area**

- (1) This clause applies to tissue cultured plant material of a host plant if the culture was grown in a State or Territory in which Myrtle Rust is known to occur.
- (2) A person must not import or introduce into the Territory the plant material unless the Chief Inspector has approved the importation or introduction.

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**Animal Welfare Act**

## NOTICE PURSUANT TO SECTION 81

I, MALARNDIRRI BARBARA ANNE McCARTHY, Minister for Local Government, pursuant to section 81(a) of the *Animal Welfare Act*, exempt the following class of persons from complying with section 43(1) of the *Animal Welfare Act*:

Class of persons: Persons who are currently employed or engaged by a licensee to conduct teaching or research programs.

This exemption expires on 1 August 2011.

Dated 12th April, 2011.

M. B. A. McCARTHY  
Minister for  
Local Government

**2/17**

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**Human Tissue Transplant Amendment Act 2010**

COMMENCEMENT NOTICE

I, THOMAS IAN PAULING, Administrator of the Northern Territory of Australia, under section 2 of the *Human Tissue Transplant Amendment Act 2010*, fix the day on which this notice is published in the *Gazette* as the day on which that *Act* (No. 46 of 2010) commences.

Dated 12th April, 2011.

T. I. PAULING  
Administrator

**3/17**

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