

1962/87



**THE CITRUS CANKER REGULATIONS 1952,
AMENDMENT NO. 1**

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 13th day of June 1962

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 Citrus Canker Regulations 1952, Amendment No. 1, and shall be read together with and deemed part of the Citrus Canker 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 9 of the principal regulations is hereby amended by adding the following subclause:

“(3) Without limiting the provisions of subclause (1) or subclause (2) of this regulation, if an Inspector finds a citrus tree growing on any land to be diseased, the Inspector may, as a precaution against the spread of the disease, place on the trunk of any citrus tree the trunk of which is within a distance of 100 yards from the trunk of the diseased tree, some mark of identification, and may, by notice in or to the effect of the form No. 3 in the Schedule hereto delivered to the occupier of any land on which is growing any tree identified as aforesaid, require the occupier to destroy or cause to be destroyed, within the time specified in that behalf in the notice, every citrus tree identified as aforesaid.”

3. Subclause (1) of regulation 37 of the principal regulations is hereby amended by inserting, after the words “growing on any land”, the words “or lifted from any land”.

4. The principal regulations are hereby amended by revoking regulation 39, and substituting the following regulation:

“39. (1) Where, at the date of its destruction, any citrus tree has not come into bearing, the amount to be assessed as representing the loss as aforesaid shall, where the citrus tree is one to which table A set out

in this regulation applies, be determined in accordance with that Table and shall vary according to whether the citrus tree was growing in a nursery or any other orchard.

“(2) Where, at the date of its destruction any citrus tree has not come into bearing, the amount to be assessed as representing the loss as aforesaid shall, where the citrus tree is one to which table B set out in this regulation applies, not exceed the amount determined in accordance with that table.

“(3) Where the citrus tree was growing in a nursery, the amount to be assessed shall vary according to the stage of development of the citrus tree.

“(4) Where the citrus tree was growing in any other orchard, the amount to be assessed shall vary according to the period between the date of planting in the orchard and the date of destruction.

“TABLE A

| Description of Citrus Tree | | | |
|---|-------|-------|--------------|
| Tree in nursery— | | | |
| Budded stock— | | | |
| Bud taken but growth not showing | ..... | ..... | s. d. 2 0 |
| Bud growth showing— | | | |
| (a) Up to 18 months from budding | ..... | ..... | 4 0 |
| (b) Over 18 months from budding | ..... | ..... | 5 0 |
| Tree in other orchard: Period between planting and destruction— | | | |
| Under one year | ..... | ..... | 7 0 |
| One year but less than two years | ..... | ..... | 8 6 |
| Two years but less than three years | ..... | ..... | 10 0 |
| Three years but less than four years | ..... | ..... | 11 6 |
| Four years but less than five years | ..... | ..... | 13 0 |
| Five years and over | ..... | ..... | 14 6 |

“TABLE B

| Description of Citrus Tree | | Maximum Amount for Each Citrus Tree |
|--|-------|-------------------------------------|
| Tree in nursery— | | |
| Rootstocks— | | |
| Transplants in nursery rows for budding | ..... | £ s. d. 12 10 0 (per 1000) |
| Citrus tree on own roots— | | |
| Transplanted to nursery rows and growing | ..... | 0 3 0” |

5. Regulation 40 of the principal regulations is hereby amended by omitting the words “not less than 10s.”, and substituting the words “not less than 15s.”.

6. Regulation 45 of the principal regulations is hereby amended by revoking paragraph (b).

7. The Schedule to the principal regulations is hereby amended by adding the form No. 3 set out in the Schedule to these regulations.

SCHEDULE

Form No. 3

Reg. 9 (3)

The Citrus Canker Regulations 1952

NOTICE TO DESTROY CITRUS TREES

To.....

TAKE notice that, in consequence of an inspection made on the day of 19..... of the orchard (or premises or nursery) occupied by and situate at the disease known as citrus canker has been found to exist therein, and in pursuance of subclause (3) of regulation 9 of the Citrus Canker Regulations 1952, I hereby require you to destroy, within days after service upon you of this notice, those citrus trees planted on land occupied by you and situated at and which I have, for the purposes of identification, marked on the trunk with the following brand or mark.....

If you fail or neglect to comply with this notice, then, in addition to the penalty prescribed by section 16 of the Orchard and Garden Diseases Act 1928, the destruction of the said citrus trees may be effected at your expense.

Dated at, this day of 19.....

.....
Inspector under the Orchard and Garden
Diseases Act 1928.

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 give increased power to Inspectors in respect of measures to be taken to prevent the spread of citrus canker. They also increase the amounts of compensation payable in respect of the destruction of trees for the purpose of preventing the spread of disease.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 14 June 1962.

These regulations are administered in the Department of Agriculture.