

**Reprint  
as at 29 July 1998**

**Plants Act 1970**

Public Act      1970 No 151  
Date of assent    3 December 1970

Plants Act 1970: repealed (with sections 5, 7, 10(a), 15 and 16 continued in force in so far as they relate to the new organisms or the export of plant products), on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

**This Act is administered by the Ministry of Agriculture and Forestry.**

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**An Act to consolidate and amend the law relating to plants and plant diseases**

**1 Short Title**

*[Repealed]*

Section 1: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**2 Interpretation**

*[Repealed]*

Section 2: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**3 Act to bind Crown**

*[Repealed]*

Section 3: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**Part 1  
Importations**

**4 Quarantine stations**

*[Repealed]*

Section 4: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**5 Minister may appoint ports**

*[Repealed]*

Section 5: repealed for all purposes, on 29 July 1998, by section 150(1) of the Hazardous Substances and New Organisms Act 1996 (1996 No 30).

**6 Emergency restrictions on importation**

*[Repealed]*

Section 6: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**7 Importation for purpose of scientific research**

*[Repealed]*

Section 7: repealed for all purposes, on 29 July 1998, by section 150(1) of the Hazardous Substances and New Organisms Act 1996 (1996 No 30).

**8 Plant material, etc., illegally introduced may be seized**

*[Repealed]*

Section 8: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**9 Duty of Post Office officers and Customs officers**

*[Repealed]*

Section 9: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**10 Regulations**

*[Repealed]*

Section 10: repealed for all purposes, on 29 July 1998, pursuant to section 150(1) of the Hazardous Substances and New Organisms Act 1996 (1996 No 30).

**Part 2  
Disease control****11 Control or eradication of disease**

*[Repealed]*

Section 11: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**12 Proclamation of plant disease emergency**

*[Repealed]*

Section 12: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**13 Emergency powers for eradication of serious disease**

*[Repealed]*

Section 13: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**14 Regulations**

*[Repealed]*

Section 14: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**Part 3  
Plant control****15 Diseases and pests in crops for export**

- (1) If the Director-General has reason to believe that any disease, pest, or residue of toxic chemical is present in any crop which the grower intends to pack and submit for export, and in the opinion of the Director-General that disease, pest, or residue is present to such a degree that it would be impossible by grading and post-harvest treatment to eliminate the disease or pest and all infected plant material, or to reduce the residue to a level which in his opinion is permissible, he may by notice in writing direct the grower not to submit for export all or such portion of the crop on all or such portion of the property of the grower as the Director-General may decide.
- (2) Any grower or any other person who, contrary to any such notice, packs or submits any crop for export commits an offence against this Act.

## **16 Regulations**

Without limiting the power to make regulations conferred by sections 10 and 14, the Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:

- (a) providing for a system of grading, packing, and packaging plant material in accordance with grades and methods and types of packing to be determined from time to time by the Director-General:
- (b) prescribing standard packages for specific kinds of plant material intended for export or for sale in New Zealand:
- (c) providing for the branding or marking of packages of specific kinds of plant material, and for the registration of brands and marks:
- (d) prescribing the conditions under which any package or case may be used more than once for the carriage of fruit or plant material:
- (e) providing for the registration of nurseries subject to prescribed terms and conditions:
- (f) providing that any person who sows or plants the seed or viable portion of any specified plant shall give such information or make such returns in relation thereto as may be specified in the regulations:
- (g) declaring any specified area to be a plant or fruit growing district under a name to be specified in the regulations:
- (h) prescribing modes of treatment of plant material before export, and prescribing such other things as shall be required of plant material for export:
- (i) prohibiting or restricting the export of any plant material.

Compare: 1928 No 4 s 23

## **Part 4 Power of inspectors**

### **17 Appointment of inspectors**

*[Repealed]*

Section 17: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

### **18 Powers of inspectors**

*[Repealed]*

Section 18: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**19 Rights of entry**

*[Repealed]*

Section 19: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**20 Inspector may employ assistants**

*[Repealed]*

Section 20: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**21 Liability for causing inspector to incur expense**

*[Repealed]*

Section 21: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**22 Obstructing or hindering inspector an offence**

*[Repealed]*

Section 22: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**23 Protection of inspectors**

*[Repealed]*

Section 23: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

## Part 5 Miscellaneous provisions

**24 Giving notice under this Act**

*[Repealed]*

Section 24: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**25 Dispatch of plants to New Zealand**

*[Repealed]*

Section 25: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**26 Existence of disease**

*[Repealed]*

Section 26: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**27 Erroneous and knowingly false declarations**

*[Repealed]*

Section 27: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**28 Offences**

*[Repealed]*

Section 28: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**29 Fines**

*[Repealed]*

Section 29: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**30 Money to be paid into Public Account**

*[Repealed]*

Section 30: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**31 Regulations**

*[Repealed]*

Section 31: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**32 Consequential amendments**

*[Repealed]*

Section 32: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**33 Other legislation not affected**

*[Repealed]*

Section 33: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**34 Repeals**

*[Repealed]*

Section 34: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).

**Schedule**  
**Enactments repealed**  
*[Repealed]*

s 34

Schedule: repealed, on 1 October 1993, by section 167(1) of the Biosecurity Act 1993 (1993 No 95).



## **Eprint notes**

### **1    *General***

This is an eprint of the Plants Act 1970 that incorporates all the amendments to that Act as at the date of the last amendment to it.

### **2    *About this eprint***

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

### **3    *Amendments incorporated in this eprint***

Hazardous Substances and New Organisms Act 1996 (1996 No 30): section 150(1)

Biosecurity Act 1993 (1993 No 95): section 167(1)