

Regulations under the Cook Islands Act, 1915, for preventing the Growth and Spread of Noxious Weeds.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this third day of July, 1916.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

IN pursuance and exercise of the powers conferred on him by the Cook Islands Act, 1915, His Excellency the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following regulations for the purpose of preventing the growth and spread of noxious weeds in the Cook Islands; and doth hereby declare that these regulations shall come into force on the first day of July, one thousand nine hundred and sixteen.

REGULATIONS.

1. IN these regulations, if not inconsistent with the context,—
 - “Clear,” and all references thereto, mean cutting down and keeping cut down, or grubbing or pulling up, the stem or root of any noxious weed so as to prevent any part thereof flowering:
 - “Inspector” means any Inspector duly appointed for the purpose, *inter alia*, of ensuring compliance with these regulations:
 - “Noxious weeds” means the plants mentioned in the First Schedule hereto:
 - “Noxious seeds” means the seeds or spores of the plants mentioned or included in the Second Schedule hereto:
 - “Occupier” means every person in occupation of land, and includes the owner of any land which is unoccupied or of which the occupier is unknown or cannot be found; and includes any agent, trustee, executor, or administrator of the occupier or owner.
2. Nothing in these regulations shall apply to or be in force in the Island of Niue
3. Where land abuts on a road or is intersected by a road, the boundaries of the land on each side of the road shall, for the purposes of these regulations, be deemed to extend to the centre of the road, and the occupier of the land shall accordingly be deemed to be the occupier of so much of the road as is within such extended boundaries.
4. Every person commits an offence against these regulations who knowingly sows, sells, or offers for sale—
 - (a.) Any noxious seeds;
 - (b.) Any grass-seed, or other seed or grain, which has not been thoroughly dressed by means of a seed-cleaning machine, or other sufficient process for the purpose of removing all noxious seeds.
5. Every occupier of land shall in every year commence and continuously thereafter do all things necessary to effectually clear the same of noxious weeds.
6. (1.) An Inspector may at all reasonable times enter upon any land, whether enclosed or not, for the purpose of ascertaining if the provisions of clause 5 of these regulations are being complied with by the occupier.
 - (2.) In any case where default is made by the occupier in complying with the provisions of clause 5 of these regulations the Inspector may, by notice to the occupier in the form in the Third Schedule hereto, or to the like effect, specify the matters as to which default has been made, and request him to do the necessary work within the period specified in the notice; and it shall be the duty of the occupier so to do. Any notice under this regulation may be served either by delivering the same personally to the person upon whom the same is to be served, or by leaving the same or by posting the same addressed to him at his usual or last known place of abode, or by affixing the same in some conspicuous place on the land to which the notice relates.