



Victoria Government Gazette

No. S 346 Thursday 26 August 2010
By Authority of Victorian Government Printer

Plant Health and Plant Products Act 1995

ORDER DECLARING A RESTRICTED AREA IN VICTORIA FOR THE CONTROL OF THE AUSTRALIAN PLAGUE LOCUST

I, Joe Helper, Minister for Agriculture, under section 20 of the **Plant Health and Plant Products Act 1995** make the following Order declaring a restricted area for the control of locusts and specifying the requirements which are to operate in the restricted area.

Dated 24 August 2010

JOE HELPER
Minister for Agriculture

1. Objective

The objective of this Order is to declare the State of Victoria to be a restricted area for the control of the Australian Plague Locust, and to specify the requirements which are to operate in Victoria.

2. Authorising provisions

This Order is made under section 20 of the **Plant Health and Plant Products Act 1995**.

3. Definition

In this Order –

‘**Act**’ means the **Plant Health and Plant Products Act 1995**;

‘**inspector**’ means a person authorised as an inspector under the Act;

‘**locust**’ means the exotic pest the Australian plague locust, *Chortoicetes terminifera* (Walker);

‘**wingless stage**’ means that the locust cannot fly.

‘**plant**’ means any pasture, cereal crop, leafy vegetable crop or any other plant;

4. Restricted area for the control of locusts

The restricted area for the control of locusts is declared to be the State of Victoria.

5. Requirements operating in the restricted area

The owners and occupiers of land in the restricted area must –

- (1) report to an inspector, by quickest means possible, the presence of any locusts in a wingless stage detected at a density of more than 30 per square metre –
 - (a) on any land, or
 - (b) on any plant; and
- (2) treat any locusts in a wingless stage detected at a density of more than 80 locusts per square metre with a chemical registered, or approved or permitted for use, for the purpose of controlling locusts.

SPECIAL

6. Issuing of directions

Inspectors are authorised to issue a direction to any owner or occupier of land requiring the owner or occupier to apply a treatment with a chemical registered or approved for the purpose of controlling locusts.

Notes:

Section 21 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty units in the case of a natural person, and 100 penalty units in the case of a body corporate, for contravening any restriction or requirement of this Order, unless authorised to do so by a permit issued by an Inspector.

Section 22 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty units for contravening any written direction of an Inspector.

Section 58 of the **Plant Health and Plant Products Act 1995** provides powers for an inspector to access any land for the purposes of inspection, application of any treatment or performance of any other actions which are necessary for the prevention of spread of exotic pests.

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