**NOXIOUS WEEDS ACT AMENDMENT BILL 1938**

**Legislative Assembly, 6 July 1938, page 343**

Second reading

The Hon. T. PLAYFORD (Gumeracha— Commissioner of Crown Lands)—The principal amendment made by this Bill is contained in clause 3 and is introduced as the result of a suggestion by His Honor Mr. Justice Richards. His Honour has pointed out an omission in the existing provisions of the Noxious Weeds Act which this clause remedies. Under sections 14 and 15 of the Act it is provided that where noxious weeds are found upon any land and an authorised officer serves notice upon the occupier requiring him to destroy the weeds, the occupier is obliged to comply with the notice within the prescribed time. If he fails to destroy the weeds within this time or if within six months after the expiration of the prescribed time any noxious weeds are found upon his land, he is guilty of an offence. The prescribed time is that fixed by regulation and under the present regulations the time prescribed is one month. The effect, therefore, of this provision is that service of a notice renders an occupier liable to penalties if noxious weeds are found on his land at any time within seven months after the giving of the notice to destroy. Section 41, however, provides that a complaint for an offence under section 15 must be laid within six months from the date of the service of the notice. It therefore follows that, although section 15 provides that for the last month of the period of seven months already referred to it is an offence for an occupier to allow noxious weeds to remain upon his land, under section 41 a complaint cannot be laid in respect of an offence occurring within this period of one month. Clause 3, therefore, amends section 41 and provides that the complaint is to be laid within six months from the expiration of the time prescribed for compliance with the notice. T his will have the effect of providing that the time during which the obligation to destroy weeds continues will coincide with the time within which the complaint may be laid. Clause 2 makes a drafting amendment to section (1) of section 6. Under this section every inspector in the Highways and Local Government Department is to be ex officio an authorised officer. The amendment makes it clear that such an officer is an authorised officer for the purposes of the Act for the whole State. I move the second reading.

The Hon. R. S. RICHARDS secured the adjournment of the debate.