

Queensland



**AGRICULTURAL  
STANDARDS AMENDMENT  
BILL 1993**

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**AGRICULTURAL STANDARDS  
AMENDMENT BILL 1993**

**TABLE OF PROVISIONS**

Section		Page
1	Short title .....	4
2	Commencement .....	4
3	Amended Act .....	4
4	Amendment of s.16 (Registration of agricultural requirement) .....	4
5	Amendment of s.22 (Period of registration of agricultural requirements) ..	4
	<b>SCHEDULE</b> .....	6
	<b>MINOR AMENDMENTS</b>	



**1993**

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**A BILL**

**FOR**

***An Act to amend the Agricultural Standards Act 1952***

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BE IT ENACTED by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows.

**Short title** 4

*Clause1.* This Act may be cited as the *Agricultural Standards Amendment Act 1993*. 5  
6

**Commencement** 7

*Clause2.* This Act commences on a day to be fixed by proclamation. 8

**Amended Act** 9

*Clause3.* The *Agricultural Standards Act 1952* is amended as set out in this Act. 10  
11

**Amendment of s.16 (Registration of agricultural requirement)** 12

*Clause4.* Section 16(2)— 13

*omit, insert—* 14

‘(2) The registration of an agricultural requirement mentioned in section 22(1)(a) may be renewed by an application made at least 1 month before expiry of the registration.’. 15  
16  
17

**Amendment of s.22 (Period of registration of agricultural requirements)** 18  
19

*Clause5.* Section 22(3) and (4)— 20

*omit, insert—* 21

‘(3) The registration of an agricultural requirement mentioned in subsection (1)(b) or (c) that was in force immediately before the commencement of the *Agricultural Standards Amendment Act 1993* continues in force indefinitely after the commencement unless cancelled under section 24, 25, 26 or 36. 22  
23  
24  
25  
26

*Agricultural Standards Amendment*

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‘(4) Subsection (3) applies despite any notification to the contrary in the notification of registration, or notification of renewal of registration, of the agricultural requirement.’

1  
2  
3

<b>SCHEDULE</b>	1
<b>MINOR AMENDMENTS</b>	2
	section 3
<b>1. Section 2—</b>	4
<i>omit.</i>	5
<b>2. Section 7(1)—</b>	6
<i>insert—</i>	7
‘ <b>“chief executive”</b> means the chief executive of the department;’.	8
<b>3. Section 7(1) (definitions “Declared drug”, “Fertilizer”, “Growth regulating material”, “Impurity”, “Marking preparation”, “Prohibited material”, “Prohibited seeds”, “Stock food”, “Testing reagent”)—</b>	9
	10
	11
	12
<i>omit</i> ‘by the Governor in Council by Order in Council or’.	13
<b>4. Section 7(1) (definition “Inspector”)—</b>	14
<i>omit</i> ‘: The term includes an acting inspector’.	15
<b>5. Section 7(1) (definition “Minister”)—</b>	16
<i>omit.</i>	17
<b>6. Section 7(1) (definition “Officer”)—</b>	18
<i>omit</i> all words from ‘: The term’ to ‘such officer’.	19

<b>7. Section 7(1) (definition “Rules”)—</b>	1
<i>omit.</i>	2
<b>8. Sections 8 and 8A—</b>	3
<i>omit, insert—</i>	4
<b>‘Appointment of officers</b>	5
<b>‘8.(1) Officers necessary for the administration of this Act, including—</b>	6
(a) a standards officer; and	7
(b) a deputy standards officer; and	8
(c) assistant standards officers; and	9
(d) analysts; and	10
(e) seed analysts; and	11
(f) inspectors; and	12
(g) seed certification officers; and	13
(h) seed specialists;	14
may be appointed under the <i>Public Service Management and Employment Act 1988</i> .	15
<b>‘(2) Subsection (1) does not apply to the appointment of a person to be a member of the Board, the committee or any subcommittee.</b>	16
	17
	18
<b>‘Delegation by standards officer</b>	19
<b>‘8A. The standards officer may delegate the standards officer’s powers under this or another Act to an assistant standards officer.’.</b>	20
	21
<b>9. Section 9(2)(i)—</b>	22
<i>omit, insert—</i>	23
<b>‘(i) the chief executive who is the chairperson;’.</b>	24

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<b>10. Section 13—</b>	1
<i>omit.</i>	2
<b>11. Section 14(1)—</b>	3
<i>omit</i> ‘the Governor in Council by Order in Council’, <i>insert</i> ‘regulation’.	4
<b>12. Section 14(2) and (3)—</b>	5
<i>omit.</i>	6
<b>13. Section 15—</b>	7
<i>omit</i> ‘\$100’, <i>insert</i> ‘2 penalty units’.	8
<b>14. Section 15—</b>	9
<i>omit</i> ‘\$200’, <i>insert</i> ‘4 penalty units’.	10
<b>15. Section 15—</b>	11
<i>omit</i> ‘\$1 000’ (twice occurring), <i>insert</i> ‘20 penalty units’.	12
<b>16. Section 17(penalty)—</b>	13
<i>omit, insert—</i>	14
‘Maximum penalty—10 penalty units’.	15
<b>17. Section 31(3)—</b>	16
<i>omit</i> ‘Under Secretary’ (wherever occurring), <i>insert</i> ‘chief executive’.	17
<b>18. Section 41(7)—</b>	18
<i>omit.</i>	19

<b>19. Section 42A—</b>	1
<i>omit, insert—</i>	2
<b>‘Delegation by committee</b>	3
<b>‘42A.(1)</b> The committee may delegate the committee’s powers under this or another Act to—	4 5
(a) a subcommittee; or	6
(b) the standards officer.	7
<b>‘(2)</b> Rules may be made under section 42(4) determining guidelines within which a delegate must exercise a power delegated to the delegate.’.	8 9
 <b>20. Section 51—</b>	 10
<i>omit ‘\$100’, insert ‘2 penalty units’.</i>	11
 <b>21. Section 51—</b>	 12
<i>omit ‘\$200’, insert ‘4 penalty units’.</i>	13
 <b>22. Section 51—</b>	 14
<i>omit ‘\$1 000’ (wherever occurring), insert ‘20 penalty units’.</i>	15
 <b>23. Section 56—</b>	 16
<i>omit ‘by Order in Council or’.</i>	17
 <b>24. Section 63—</b>	 18
<i>omit ‘Order in Council or’.</i>	19
 <b>25. Section 83(2)—</b>	 20
<i>omit ‘\$1 000’, insert ‘20 penalty units’.</i>	21

<b>26. Section 93—</b>	1
<i>omit</i> ‘Order in Council’ (1st occurring), <i>insert</i> ‘regulation’.	2
<b>27. Section 93—</b>	3
<i>omit</i> all words from ‘either generally’ to ‘such Order in Council’.	4
<b>28. Section 94—</b>	5
<i>omit, insert—</i>	6
<b>‘Regulations</b>	7
‘94.(1) The Governor in Council may make regulations for the purposes of this Act.	8
	9
‘(2) A regulation may make provision with respect to a matter specified in the Schedule.’.	10
	11
<b>29. Section 95—</b>	12
<i>omit.</i>	13
<b>30. Schedule 2, clause 28—</b>	14
<i>omit</i> ‘\$1 000’, <i>insert</i> ‘20 penalty units’.	15
<b>31. Schedule 2, clause 28—</b>	16
<i>omit</i> ‘\$50’, <i>insert</i> ‘1 penalty unit’.	17
<b>32. Schedule 2, clause 29—</b>	18
<i>omit.</i>	19
<b>33. Schedule 2 (heading)—</b>	20
<i>omit</i> ‘2’.	21
	22

