

Queensland



**AGRICULTURAL
STANDARDS AMENDMENT
ACT 1992**

Act No. 43 of 1992

Queensland



AGRICULTURAL STANDARDS AMENDMENT ACT 1992

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Queensland



Agricultural Standards Amendment Act 1992

Act No. 43 of 1992

An Act to amend the *Agricultural Standards Act 1952*

[Assented to 19 August 1992]

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

1. This Act may be cited as the *Agricultural Standards Amendment Act 1992*.

Amended Act

2. The *Agricultural Standards Act 1952* is amended as set out in this Act.

Omission of s.3 (Interpretation)

3. Section 3—

omit.

Omission of s.4 (Parts of Act)

4. Section 4—

omit.

Omission of s.5 (Repeals and savings. First Schedule)

5. Section 5—

omit.

Amendment of s.7

6.(1) Section 7—

insert as a section heading—

'Interpretation'.

(2) Section 7(1) (definitions "Department", "Order in Council", "Proclamation", "Regulations", "This Act" and "Under Secretary")—

omit.

(3) Section 7(1)—

insert—

“**certificate of clearance**”, in relation to an agricultural requirement, means a certificate of clearance issued under the Commonwealth Act clearing the agricultural requirement for registration in Queensland;

“**clearance**”, in relation to an agricultural requirement, means the clearance of the agricultural requirement for registration in Queensland as evidenced by the issue of a certificate of clearance for the agricultural requirement;

“**cleared agricultural requirement**” means an agricultural requirement for which a certificate of clearance is in force;

“**Commonwealth Act**” means the *Agricultural and Veterinary Chemicals Act 1988* (Commonwealth);’.

(4) Section 7(2) and (3)—

omit.

Amendment of s.17 (Application for registration)

7. After section 17(1)(e)—

insert—

‘(f) if the agricultural requirement is of a type for which a certificate of clearance may be issued—must be accompanied by a copy of a certificate of clearance;’.

Amendment of s.18 (Board to recommend as to registration of certain agricultural requirements)

8. Section 18(7)—

omit, insert—

‘(7) This section does not apply to applications for—

(a) registration of a cleared agricultural requirement; or

(b) renewal of registration of an agricultural requirement under

section 16(2).’.

Amendment of s.19 (Registration of agricultural requirements)

9. Section 19(2)—

omit ‘which’, *insert* ‘(other than a cleared agricultural requirement) that’.

Amendment of s.27 (Alteration regarding registered agricultural requirement)

10.(1) After section 27(2)(d)—

insert—

‘(e) if the agricultural requirement is of a type for which a certificate of clearance may be issued—must be accompanied by a copy of a certificate of clearance.’.

(2) Section 27(3)—

omit ‘The provisions of section 18(1) shall apply’,

insert ‘Subject to section 18(7), section 18(1) applies’.

Insertion of new Part 4

11. After Part 3—

insert—

**‘PART 4—CLEARED AGRICULTURAL
REQUIREMENTS**

‘Registration subject to clearance conditions

‘34. The registration of a cleared agricultural requirement is subject to the conditions to which the clearance of the agricultural requirement, from time to time, is subject under the Commonwealth Act (“**clearance conditions**”).

‘Clearance conditions additional and take precedence

‘35.(1) The clearance conditions are additional to—

- (a) the prescribed conditions; and
- (b) any other conditions imposed by the Board or the standards officer under section 19.

‘(2) To the extent that a condition under subsection (1)(a) or (b) is inconsistent with a clearance condition, the clearance condition prevails.

‘Withdrawal or revocation of clearance

‘36.(1) The standards officer must cancel the registration of an agricultural requirement if its clearance is withdrawn or revoked under the Commonwealth Act.

‘(2) This section does not apply if the certificate of clearance for the agricultural requirement is revoked and a new certificate substituted.

‘Wholesale dealer notified of cancellation

‘37. The standards officer must notify the wholesale dealer, in whose name the agricultural requirement is registered, of the cancellation.

‘No appeal against cancellation

‘38. A wholesale dealer may not appeal against the cancellation of the registration of the agricultural requirement under section 36.’.

Amendment of s.94 (Regulations. Second Schedule)

12. Section 94(2) to (6)—

omit.

Omission of Schedule 1

13. Schedule 1—

omit.

