



Queensland

# Plant Protection Amendment Regulation (No. 1) 2008

## Subordinate Legislation 2008 No. 17

made under the

*Plant Protection Act 1989*

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## **1 Short title**

This regulation may be cited as the *Plant Protection Amendment Regulation (No. 1) 2008*.

*Editor's note—*

See the note to the *Plant Protection (Asian Sugarcane Planthopper) Quarantine Notice 2007*, section 1, about the expiry of the notice on the commencement of a regulation under section 11(1) of the Act.

## **2 Regulation amended**

This regulation amends the *Plant Protection Regulation 2002*.

## **3 Amendment of s 113 (Definitions for pt 11)**

Section 113, definition *sugarcane plant—omit*.

## **4 Insertion of new ch 3, pt 12**

Chapter 3—

*insert—*

# **'Part 12 Asian sugarcane planthopper**

## **'123 Definitions for pt 12**

'In this part—

*Asian sugarcane planthopper* means the pest *Perkinsiella thompsoni* (Muir).

*Note—*

*Perkinsiella thompsoni* is a species within the genus *Perkinsiella*, by reference to which the sugarcane planthopper is prescribed as a pest under schedule 1.

*pest quarantine area* means the pest quarantine area declared under section 124.

**‘124 Declaration of pest quarantine area**

‘The whole of Queensland is declared to be a pest quarantine area for Asian sugarcane planthopper.

**‘125 Objects of quarantine**

‘The objects of the quarantine are—

- (a) to prevent the movement of Asian sugarcane planthopper into the pest quarantine area; and
- (b) to prevent or control the spread of Asian sugarcane planthopper in areas in the pest quarantine area in which sugarcane is commercially produced; and
- (c) to control or remove pest infestation of Asian sugarcane planthopper in the pest quarantine area.

**‘126 Restriction on moving Asian sugarcane planthopper**

‘A person must not, without an inspector’s approval, move Asian sugarcane planthopper—

- (a) into the pest quarantine area; or
- (b) from a parcel of land in the pest quarantine area to another parcel of land in the area.

**‘126A Restriction on moving appliances**

‘(1) A person must not, without an inspector’s approval, move an appliance that has been in contact with a sugarcane plant that comes from an area infested with Asian sugarcane planthopper—

- (a) into the pest quarantine area; or
- (b) from a parcel of land in the pest quarantine area to another parcel of land in the area.

‘(2) An inspector may give an approval, with or without conditions, only if the inspector is satisfied the movement of the appliance will not pose a significant risk of—

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- (a) introducing Asian sugarcane planthopper into the pest quarantine area; or
- (b) spreading Asian sugarcane planthopper in the pest quarantine area.

### **‘126B Restriction on moving sugarcane plants**

- ‘(1) A person must not, without an inspector’s approval, move a sugarcane plant that comes from an area infested with Asian sugarcane planthopper—
  - (a) into the pest quarantine area; or
  - (b) from a parcel of land in the pest quarantine area to another parcel of land in the area.
- ‘(2) An inspector may give an approval, with or without conditions, only if the inspector is satisfied the movement of the sugarcane plant will not pose a significant risk of—
  - (a) introducing Asian sugarcane planthopper into the pest quarantine area; or
  - (b) spreading Asian sugarcane planthopper in the pest quarantine area.’.

## **5 Amendment of sch 13 (Dictionary)**

- (1) Schedule 13, definition *sugarcane plant*—  
*omit.*
- (2) Schedule 13—  
*insert—*  
*‘Asian sugarcane planthopper, for chapter 3, part 12, see section 123.*  
*sugarcane plant means a plant of the genus Saccharum.’.*
- (3) Schedule 13, definition *pest quarantine area*, paragraphs (l) to (n)—  
*renumber as paragraphs (m) to (o).*

- (4) Schedule 13, definition *pest quarantine area*—  
*insert*—  
'(1) for chapter 3, part 12—see section 123; or'.
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#### ENDNOTES

- 1 Made by the Governor in Council on 7 February 2008.
- 2 Notified in the gazette on 8 February 2008.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Primary Industries and Fisheries.

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