

Queensland



*Agricultural Chemicals Distribution Control Act 1966*

# **AGRICULTURAL CHEMICALS DISTRIBUTION CONTROL REGULATION 1998**

**Reprinted as in force on 2 November 2001  
(includes amendments up to SL No. 177 of 2001)**

**Reprint No. 2**

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# Information about this reprint

This regulation is reprinted as at 2 November 2001. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have also been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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# AGRICULTURAL CHEMICALS DISTRIBUTION CONTROL REGULATION 1998

[as amended by all amendments that commenced on or before 2 November 2001]

## PART 1—PRELIMINARY

### 1 Short title

This regulation may be cited as the *Agricultural Chemicals Distribution Control Regulation 1998*.

### 2 Definitions

In this regulation—

“**apply**”, for a licence, includes an application to renew the licence by a person who holds the licence.

“**approved accreditation**” means an accreditation the holding of which is approved under section 13.

“**examination**”, for a licence, means an examination for the licence conducted under part 2, division 3, subdivision 1.

“**hazardous area No. 1**” see section 33(a).

“**hazardous area No. 2**” see section 33(b).

“**hazardous area No. 3**” see section 33(c).

### 3 Parts of State excluded—Act, s 3

For section 3<sup>1</sup> of the Act, the parts of the State to which the Act does not apply are the parts described in schedule 1.

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<sup>1</sup> Section 3 (Application of Act) of the Act

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#### **4 Exclusion from definition “ground equipment”**

(1) For the definition “ground equipment” in section 6(1)<sup>2</sup> of the Act, the equipment described in subsection (2) is, other than in a hazardous area, prescribed not to be ground equipment for the Act.

(2) Subsection (1) applies to equipment used to distribute an agricultural chemical that is—

- (a) powered by hand or by compressed air or gas applied directly to the spray liquid for distribution without the use of air blast techniques; or
- (b) a hose proportioning device.

## **PART 2—LICENCES**

### *Division 1—General*

#### **5 Form of licence**

(1) A licence or a renewal of a licence must be in the approved form.

(2) An aerial distribution contractor licence or a renewal of the licence must state—

- (a) each pilot in command the licensee has authorised to carry out aerial distribution; and
- (b) each aircraft from which aerial distribution is authorised to be carried out under the licence.

#### **6 Classes of commercial operator’s licence—Act, s 16(1)**

For section 16(1) of the Act, the prescribed classes of commercial operator’s licences are—

- (a) an unrestricted commercial operator’s licence; and

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2 Section 6 (Definitions) of the Act

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- (b) a commercial operator's licence, restricted to herbicides or equipment stated in the licence.

***Division 2—Licence qualifications***

**7 Pilot chemical rating licence—Act, s 12(2)(b)**

For section 12(2)(b)<sup>3</sup> of the Act, the prescribed qualification for a person to apply for or hold a pilot chemical rating licence is that the person must—

- (a) have passed the examination for the licence; or
- (b) hold an approved accreditation for the licence.

**8 Commercial operator's licence—Act, s 16(2)**

For section 16(2)<sup>4</sup> of the Act, the prescribed qualification for a person to apply for or hold a commercial operator's licence is that the person must—

- (a) have passed the examination for the licence; or
- (b) hold an approved accreditation for the licence.

***Division 3—Examinations and approved accreditations***

***Subdivision 1—Examinations***

**9 Who may sit for examination**

A person may sit for an examination for a pilot chemical rating licence or a commercial operator's licence if—

- (a) the person has not failed—
  - (i) an examination for the licence within 7 days; or
  - (ii) 3 consecutive examinations for the licence and the last failure was within 3 months; and

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3 Section 12 (Pilot chemical rating licence) of the Act

4 Section 16 (Commercial operators' licence) of the Act

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- (b) the person gives written notice to the standards officer that the person wishes to sit for an examination for the licence.

## **10 Conduct of examination**

(1) This section applies if a person mentioned in section 9 has given notice to the standards officer under section 9(b).

(2) The standards officer must conduct the examination as soon as practicable.

(3) The standards officer may—

- (a) appoint another person who has appropriate qualifications, experience or standing to help the officer conduct the examination; or
- (b) fix conditions for the conduct of the examination; or
- (c) fix the standard to pass the examination.

(4) An appointment must be by signed writing.

## **11 Notice of examination**

(1) The standards officer must give each applicant to sit for an examination notice of its time and place as soon as practicable after the officer receives the application.

(2) Notice under subsection (1) may be given orally.

(3) The officer must also give each applicant written notice of the following before the examination starts—

- (a) any conditions fixed for the conduct of the examination;
- (c) the standard for a pass.

## **12 Cancellation of result and re-examination**

(1) This section applies if the Board considers that—

- (a) cheating or an irregularity happened in the conduct of an examination; and

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- (b) the examination result for a person who sat for the examination (the “**candidate**”) would not have been the same if the cheating or irregularity had not happened.
- (2) The Board may cancel the candidate’s result.
- (3) If the result is cancelled, the candidate—
- (a) is taken not to have sat for the examination; and
  - (b) subject to section 9(a),<sup>5</sup> may apply to sit for the examination again.
- (4) The Board must give written notice of the cancellation as soon as practicable after making the cancellation.
- (5) The notice must state the following—
- (a) the result cancelled;
  - (b) the reasons for the cancellation;
  - (c) that the candidate may appeal against the cancellation to a Magistrates Court within 28 days after the candidate receives the notice;
  - (d) how to start an appeal.<sup>6</sup>
- (6) The candidate may appeal against the cancellation to a Magistrates Court within 28 days after the candidate receives the notice.
- (7) Sections 22A to 22E of the Act apply to the appeal as if the cancellation were a decision of the Board to refuse an application for a licence.
- (8) This section does not apply to a decision that the court substitutes for the cancellation.

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5 Section 9 (Who may sit for examination)

6 For how to start an appeal, see section 12(7) of this regulation and section 22A (How to start an appeal) of the Act.

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***Subdivision 2—Approved accreditations***

**13 Board may approve**

(1) The Board may, by gazette notice, approve the holding of an accreditation as an alternative qualification to the passing of the examination for a pilot chemical rating or commercial operator's licence.

(2) The Board may approve an accreditation only if satisfied the holding of the accreditation is an appropriate qualification for the licence.

***Division 4—Refusal of licences***

**14 When Board may refuse**

(1) The Board may refuse an application for a licence if the applicant has committed an offence against the Act or the *Health (Drugs and Poisons) Regulation 1996*, section 290.<sup>7</sup>

(2) The Board may also refuse an application for an aerial distribution contractor licence if the applicant has contravened a request by the standards officer under section 26(2)<sup>8</sup> of the Act.

**15 Notice of refusal**

(1) If the Board decides to refuse an application for a licence, the standards officer must give the applicant notice of the decision as soon as practicable after the making of the decision.

(2) The notice must state the following—

- (a) the decision;
- (b) the reasons for the decision;

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<sup>7</sup> *Health (Drugs and Poisons) Regulation 1996*, section 290 (Unsafe disposal of poisons)

<sup>8</sup> Section 26 (Records to be kept) of the Act

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- (c) that the applicant may appeal against the decision to a Magistrates Court within 28 days after the applicant receives the notice;
- (d) how to start an appeal.<sup>9</sup>

***Division 5—Suspension and cancellation***

## **16 Notice of suspension by standards officer**

(1) If the standards officer decides to suspend a licence under section 20<sup>10</sup> of the Act, the standards officer must give the holder of the licence notice as soon as practicable after the making of the decision.

(2) The notice must state the following—

- (a) the decision;
- (b) the reasons for the decision;
- (c) that the applicant may appeal against the decision to a Magistrates Court within 28 days after the applicant receives the notice;
- (d) how to start an appeal.<sup>11</sup>

## **17 Right of appeal**

(1) This section applies if the standards officer gives the holder of a suspended licence notice of the officer's decision to suspend the licence.

(2) The holder may appeal against the suspension to a Magistrates Court within 28 days after the applicant receives notice of the suspension.

(3) Subject to section 18, sections 22A to 22E of the Act apply to the appeal as if the decision were a decision of the chief executive to suspend the licence.

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9 For how to start an appeal, see section 22A (How to start an appeal) of the Act.

10 Section 20 (Suspension of licence by standards officer) of the Act

11 For how to start an appeal, see section 22A (How to start an appeal) of the Act.

## **18 Substituted decision on appeal**

Sections 16 and 17 do not apply to a decision that a Magistrates Court substitutes for the decision that was appealed from.<sup>12</sup>

## **19 Surrender of suspended or cancelled licence**

(1) This section applies to a notice to a holder of a licence from the standards officer under section 21(5)<sup>13</sup> of the Act or under section 16(1) of this regulation.

(2) The notice may state a day by which the holder must surrender the licence to the standards officer.

(3) The holder must comply with the notice unless the holder has a reasonable excuse for not complying with it.

Maximum penalty—20 penalty units.

(4) The standards officer must return the licence to the holder as soon as practicable if, because of an appeal, the cancellation or suspension mentioned in the notice ends.

### *Division 6—Amendment of aerial distribution contractor licences*

## **20 Application to amend**

(1) An aerial distribution contractor may apply to the Board to amend the following particulars in the contractor's aerial distribution contractor licence—

- (a) the pilots in command the licensee has authorised to carry out aerial distribution;
- (b) the aircraft from which aerial distribution is authorised to be carried out under the licence.

(2) The application must be made in the approved form.

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12 See also section 17(3) of this regulation and section 22D(2) (Powers of court on appeal) of the Act.

13 Section 21 (Cancellation or suspension of licence) of the Act or section 16 (Notice of suspension by standards officer) of this regulation

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## **21 Amendment**

(1) If the application is granted, the standards officer may amend the licence to give effect to the application.

(2) Also, the standards officer may at any time amend the licence to correct a minor or clerical error.

## **22 Notice of refusal**

(1) If the Board decides to refuse the application, the standards officer must give the applicant notice of the decision as soon as practicable after the making of the decision.

(2) The notice must state the following—

- (a) the decision;
- (b) the reasons for the decision;
- (c) that the applicant may appeal against the decision to a Magistrates Court within 28 days after the applicant receives the notice;
- (d) how to start an appeal.<sup>14</sup>

## **23 Right of appeal**

(1) This section applies if the standards officer gives an applicant notice of the Board's decision to refuse an application to amend an aerial distribution contractor licence.

(2) The applicant may appeal against the decision to a Magistrates Court within 28 days after the applicant receives notice of the decision.

(3) Sections 22A to 22E of the Act apply to the appeal as if the decision were a decision of the Board to refuse an application for a licence.

(4) This section does not apply to a decision that the court substitutes for the decision.

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<sup>14</sup> For how to start an appeal, see section 23(3) of this regulation and section 22A (How to start an appeal) of the Act.

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***Division 7—Miscellaneous***

**24 Production of licences**

(1) This section applies if the standards officer or an inspector—

- (a) finds a licensee committing, or reasonably suspects a licensee has committed, an offence against the Act; or
- (b) is exercising a power under section 32 or 34 of the Act and the exercise of the power relates to a licensee.<sup>15</sup>

(2) The officer may require the licensee to produce to the officer at a stated reasonable time and place any licence held by the person that relates to the offence or the exercise of the power.

(3) The person must comply with the requirement unless the person has a reasonable excuse for not complying with it.

Maximum penalty—20 penalty units.

(4) If the person is required to produce a commercial operator's licence, the requirement may also be complied with by the production of the licence within 2 days to—

- (a) the person in charge of any police station nominated by the officer; or
- (b) a public service employee employed by the department who is nominated by the officer.

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<sup>15</sup> Section 32 (Powers of inspection in case of damage to crops etc.) or 34 (Powers of inspectors) of the Act

## **PART 3—AERIAL AND GROUND DISTRIBUTION**

### *Division 1—General*

#### **25 Prescribed security for ground distribution—Act, s 25(3)(b)**

For section 25(3)(b)<sup>16</sup> of the Act, the prescribed amount for security by way of a contract of insurance is any amount not less than \$20 000.

#### **26 Aerial and ground equipment that may be used**

The Board may, by gazette notice, approve the use of the types of aerial and ground equipment for the purpose of aerial or ground distribution.<sup>17</sup>

#### **27 Notice of damage by agricultural chemicals—Act, s 30(1)**

For section 30(1)<sup>18</sup> of the Act, the prescribed particulars and information for a notice to the standards officer are the particulars and information required to be given in the approved form.

#### **28 Regulation of distribution if damage or injury to crop or stock**

(1) This section applies to—

- (a) the pilot in command in charge of aerial distribution; or
- (b) a licensed commercial operator in charge of ground distribution.

(2) The pilot or operator must not carry out the distribution with equipment or under meteorological conditions that might reasonably be expected to cause damage or injury to—

- (a) a crop that the pilot or operator did not intend to treat by the distribution; or

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16 Section 25 (Security against loss occasioned by aerial distribution and certain ground distribution) of the Act

17 Under section 38 (Aerial and ground distribution with approved equipment only and in compliance with s 25) of the Act, equipment for the purpose of aerial or ground distribution must be of an approved type or kind.

18 Section 30 (Notice of damage by agricultural chemicals) of the Act

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(b) stock.

Maximum penalty—20 penalty units.

### **29 Regulation of aerial distribution**

A pilot in command must not carry out aerial distribution unless each spray nozzle used to carry out the distribution is fitted with a positive and effective leak-proof cut-off system.

Maximum penalty—20 penalty units.

### **30 Restriction on opening containers of volatile chemicals**

(1) This section applies if a container holds a volatile formulation of 2,4-D, MCPA or picloram (a “**volatile chemical**”).

(2) A person must not open the container within 25 m of a crop or of stock that is susceptible to damage from a volatile chemical unless the person has a reasonable excuse for opening the container.

Maximum penalty—20 penalty units.

(3) It is a reasonable excuse for the person to open the container if the person was not reasonably aware that—

- (a) the container held a volatile chemical; and
- (b) the stock or crop was susceptible to damage from a volatile chemical.

### **31 Prescribed particulars for register—Act, s 24(1)**

(1) For section 24(1) of the Act, the following are the prescribed particulars for licensees to be entered in the register—

- (a) the licensee’s name and address;
- (b) the number of the licensee’s licence or renewal of licence;
- (c) the date the licence or renewal was granted;
- (d) if the licence is an aerial distribution contractor licence—
  - (i) each pilot in command the licensee has authorised to carry out aerial distribution; and

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- (ii) each aircraft from which aerial distribution is authorised to be carried out under the licence.

(2) The standards officer may also enter other particulars in the register that the standards officer thinks are appropriate.

*Division 2—Hazardous areas*

*Subdivision 1—Preliminary*

**32 Definitions for div 2**

In this division—

**“authorised technique”**, for ground distribution, means—

- (a) a stem injection; or
- (b) cut stump treatment, frill ringing or basal bark treatment carried out no less than 100 m of a crop that—
  - (i) is not on a property owned by the person for whom the treatment is carried out; and
  - (ii) is susceptible to damage from the treatment.

**“distribution permit”** means a distribution permit issued by the Board under section 40.

**“permit condition”** means a condition imposed under section 41.

**33 Hazardous areas—Act, s 28(1)**

For section 28(1)<sup>19</sup> of the Act, the following are declared to be hazardous areas for aerial and ground distribution—

- (a) the area that consists of the Cities of Caloundra and Redcliffe and the Shires of Caboolture, Maroochy, Noosa and Pine Rivers (**“hazardous area No. 1”**);
- (b) the area that consists of the City of Toowoomba, the Town of Dalby and the Shires of Cambooya, Clifton, Jondaryan,

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<sup>19</sup> Section 28 (Hazardous areas) of the Act

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Millmerran, Pittsworth, Rosalie, Wambo and Warwick (“**hazardous area No. 2**”);

- (c) the area that consists of the Shires of Bauhinia, Belyando, Duaringa, Emerald and Peak Downs, and the part of Broadsound Shire west of the top of the Broadsound and Connors Ranges (“**hazardous area No. 3**”).

*Subdivision 2—Distribution conditions*

**34 Prescribed conditions for distribution**

This subdivision prescribes, for section 29<sup>20</sup> of the Act, the conditions for a person to carry out aerial or ground distribution in a hazardous area.

**35 No distribution if damage or injury to crop or stock**

Aerial or ground distribution must not be carried out in a hazardous area with equipment or under meteorological conditions that might reasonably be expected to cause damage or injury to—

- (a) a crop that the person did not intend to treat by the distribution;  
or  
(b) stock.

**36 Smoke generation for aerial distribution**

Aerial or ground distribution must not be carried out in a hazardous area unless—

- (a) the aircraft used to carry out the distribution has a smoke generating device installed or attached; and  
(b) the device is used to show air movement immediately before and during the distribution.

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20 Under section 29 (Carrying out of distributions in hazardous areas) of the Act, a person must not carry out aerial or ground distribution in a hazardous area unless the distribution is carried out under the conditions prescribed by regulation for the area. The maximum penalty for contravention of section 29 is 100 penalty units or 6 months imprisonment.

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### **37 Conditions for hazardous area No. 1**

(1) This section applies to hazardous area No. 1.

(2) Aerial distribution of picloram or ester formulations of MCPA or 2,4-D (a “**chemical**”) must not be carried out unless the person carrying out the distribution holds a distribution permit that allows the person to carry out the distribution.

(3) Ground distribution of a chemical must not be carried out unless—

- (a) the person carrying out the distribution holds a distribution permit that allows the person to carry out the distribution; or
- (b) the distribution is by an authorised technique.

### **38 Conditions for hazardous area No. 2**

(1) This section applies to hazardous area No. 2.

(2) Aerial or ground distribution of ester formulations of 2,4-D must not be carried out.

(3) Aerial distribution of an ester formulation of picloram must not be carried out unless the person carrying out the distribution holds a distribution permit that allows the person to carry out the distribution.

(4) Ground distribution of an ester formulation of picloram must not be carried out unless—

- (a) the person carrying out the distribution holds a distribution permit that allows the person to carry out the distribution; or
- (b) the distribution is by an authorised technique.

### **38A Conditions for hazardous area No. 3**

(1) This section applies to hazardous area No. 3.

(2) Aerial distribution of an ester formulation of 2,4-D must not be carried out unless the person carrying out the distribution holds a distribution permit that allows the person to carry out the distribution.

(3) Ground distribution of an ester formulation of 2,4-D must not be carried out unless—

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- (a) the person carrying out the distribution holds a distribution permit that allows the person to carry out the distribution; or
- (b) the distribution is by an authorised technique.

***Subdivision 3—Distribution permits***

**39 Application for a distribution permit**

(1) A person who holds an aerial distribution contractor licence may apply to the Board for a distribution permit for a stated individual to carry out aerial distribution in a stated hazardous area if—

- (a) the individual is a pilot in command who holds a pilot chemical rating licence; and
- (b) is the person or an employee of the person.

(2) An owner of ground equipment may apply to the Board for a distribution permit for a stated person who holds a commercial operator's licence to carry out ground distribution in a stated hazardous area.

(3) An application must be made—

- (a) in the approved form; and
- (b) at least 10 days before the day on which the applicant proposes to start the distribution applied for.

(4) The Board must grant or refuse the application.

(5) If the Board does not grant or refuse the application within 3 months of the making of the application, it is taken to have—

- (a) refused the application; and
- (b) given the applicant a notice under section 42 refusing the application at the end of the 3 months.

**40 Issue of distribution permit**

If the Board grants the application, it must issue a distribution permit in the approved form within 14 days.

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#### **41 Distribution permit conditions**

(1) The Board may impose reasonable conditions for the issuing of the distribution permit.

(2) If the Board imposes a permit condition, it must give the applicant written notice within 14 days after the imposition of the condition.

(3) The notice must state the following—

- (a) the permit condition;
- (b) that the applicant may appeal against the imposition of the permit condition to a Magistrates Court within 28 days after the applicant receives the notice;
- (d) how to start an appeal.<sup>21</sup>

#### **42 Notice of refusal**

(1) If the Board decides to refuse the application, it must give the applicant written notice within 14 days after the making of the decision.

(2) The notice must state the following—

- (a) the decision;
- (b) the reasons for the decision;
- (c) that the applicant may appeal against the decision to a Magistrates Court within 28 days after the applicant receives the notice;
- (d) how to start an appeal.<sup>22</sup>

#### **43 Right of appeal**

(1) This section applies if the Board—

- (a) gives the applicant for a distribution permit notice of the Board's decision to refuse the application; or

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21 For how to start an appeal, see section 43(3) of this regulation and section 22A (How to start an appeal) of the Act.

22 For how to start an appeal, see section 43(3) of this regulation and section 22A (How to start an appeal) of the Act.

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(b) decides to grant the application, but to impose a permit condition for the issuing of the distribution permit.

(2) The applicant may appeal to a Magistrates Court against the refusal or the imposition of the condition (“**the decision**”) within 28 days after the applicant receives notice of the decision.

(3) Sections 22A to 22E of the Act apply to the decision as if the decision were a decision of the chief executive to refuse an application for a licence.

(4) This section does not apply to a decision that the court substitutes for the decision.

## PART 4—MISCELLANEOUS

### 44 False or misleading statements or documents

(1) A person must not—

- (a) state anything to the standards officer the person knows is false or misleading in a material particular; or
- (b) give the standards officer a document the person knows is false or misleading in a material particular.

Maximum penalty—20 penalty units.

(2) Subsection (1)(b) does not apply to a person who, when giving the document—

- (a) tells the standards officer, to the best of the person’s ability, how it is false or misleading; and
- (b) if the person has, or can reasonably get, the correct information—gives the correct information to the standards officer.

(3) It is enough for a complaint against a person for an offence against subsection (1) to state the statement made or the document given was false or misleading to the person’s knowledge without stating which.

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**45 Fees**

The fees payable under the Act are in schedule 2.

## **SCHEDULE 1**

### **AREAS EXCLUDED FROM ACT**

section 3

Aramac Shire

Barcaldine Shire

Barcoo Shire

Blackall Shire

Booringa Shire west of the Maranoa and Merivale Rivers and Smith Creek

Boulia Shire

Bowen Shire south of an imaginary line drawn along the top of the Clarke and Herbert Ranges to the shire boundary

Bulloo Shire

Burke Shire

Carpentaria Shire

Cloncurry Shire

Cook Shire

Croydon Shire

Dalrymple Shire, other than the area of the shire within the following boundary—

- from the Dalrymple Shire boundary where it intersects the Bundabaroo–Scartwater Road south along the western side of the road to where it intersects the Gregory Developmental Road
- then south-easterly along the western side of the Gregory Developmental Road to where it intersects the Dalrymple Shire boundary
- then northerly along the Dalrymple Shire boundary to where it intersects the western side of the Bundabaroo–Scartwater Road

## SCHEDULE 1 (continued)

Diamantina Shire

Etheridge Shire

Flinders Shire

Herberton Shire west of an imaginary line drawn as follows—

- from the junction of the shire boundary and the Herbert River, upstream along the Herbert River to its junction with Rudd Creek
- then upstream along Rudd Creek to its junction with Tunmirendah Creek
- then upstream along Tunmirendah Creek to its source in the Great Dividing Range and the shire boundary

Ifracombe Shire

Isisford Shire

Jericho Shire

Livingstone Shire south and west of the top of the Boomer Range

Longreach Shire

The part of Mareeba Shire that is—

- west of Geebung, Lead and Emu Creeks
- south of the Walsh River
- west of the border between the counties of Hodgkinson and Wrotham
- north of Mitchell River up to its junction with the McLeod River
- north of McLeod River and Middle Creek

McKinlay Shire

Mount Isa City

Murweh Shire

Nebo Shire

Paroo Shire

Quilpie Shire

SCHEDULE 1 (continued)

Tambo Shire

Torres Shire

Winton Shire

## SCHEDULE 2

### FEES

section 45

	\$
1. Pilot chemical rating licence examination . . . . .	21.40
2. Pilot chemical rating licence . . . . .	19.50
3. Renewal of pilot chemical rating licence . . . . .	13.15
4. Aerial distribution contractor licence . . . . .	19.50
5. Renewal of aerial distribution contractor licence . . . . .	13.15
6. Commercial operator's licence examination . . . . .	21.40
7. Commercial operator's licence . . . . .	19.50
8. Renewal of commercial operator's licence . . . . .	13.15

## ENDNOTES

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 2 November 2001. Future amendments of the Agricultural Chemicals Distribution Control Regulation 1998 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

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## 4 Table of earlier reprints

### TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	3 July 1998
1A	to SL No. 184 of 1999	6 September 1999
1B	to SL No. 169 of 2000	4 July 2000
1C	to SL No. 283 of 2000	13 November 2000

## 5 List of legislation

### **Agricultural Chemicals Distribution Control Regulation 1998 SL No. 135**

made by the Governor in Council on 14 May 1998

notfd gaz 15 May 1998 pp 311–16

commenced on date of notification

exp 1 September 2008 (see SIA s 54)

as amended by—

### **Primary Industries Legislation Amendment Regulation (No. 2) 1999 SL No. 184 ss 1, 15 sch**

notfd gaz 6 August 1999 pp 1983–4

commenced on date of notification

### **Primary Industries Legislation Amendment Regulation (No. 1) 2000 SL No. 169 pts 1–2**

notfd gaz 30 June 2000 pp 736–48

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2)

### **Agricultural Chemicals Distribution Control Amendment Regulation (No. 1) 2000 SL No. 283**

notfd gaz 10 November 2000 pp 1016–17

commenced on date on notification

Note—A regulatory impact statement and explanatory note were prepared

[SL Vol 4 2000 pp 261, 302]

### **Primary Industries Legislation Amendment Regulation (No. 1) 2001 SL No. 177 pts 1–2**

notfd gaz 28 September 2001 pp 328–30

commenced on date of notification

## **6 List of annotations**

### **Definitions**

- s 2** def “**authorised technique**” om 2000 SL No. 283 s 3(1)  
def “**distribution permit**” om 2000 SL No. 283 s 3(1)  
def “**hazardous area No. 1**” sub 2000 SL No. 283 s 3(1)–(2)  
def “**hazardous area No. 2**” sub 2000 SL No. 283 s 3(1)–(2)  
def “**hazardous area No. 3**” ins 2000 SL No. 283 s 3(2)  
def “**permit condition**” om 2000 SL No. 283 s 3(1)

### **Definitions for div 2**

- s 32** def “**hazardous area No. 1**” om 2000 SL No. 283 s 4  
def “**hazardous area No. 2**” om 2000 SL No. 283 s 4

### **Hazardous areas—Act, s 28(1)**

- s 33** amd 2000 SL No. 283 s 5

### **Conditions for hazardous area No. 1**

- s 37** amd 2000 SL No. 283 s 6

### **Conditions for hazardous area No. 2**

- s 38** amd 2000 SL No. 283 s 7

### **Conditions for hazardous area No. 3**

- s 38A** ins 2000 SL No. 283 s 8

### **Fees**

- s 45** amd 1999 SL No. 184 s 15 sch

### **REPEAL**

- pt 5 (ss 46–47)** exp 16 May 1998 (see s 47)

### **SCHEDULE 1—AREAS EXCLUDED FROM ACT**

- sub 2000 SL No. 283 s 9

### **SCHEDULE 2—FEES**

- sub 2000 SL No. 169 s 4; 2001 SL No. 177 s 3