



Queensland

Biosecurity (Melon Necrotic Spot Virus and Other Matters) Amendment Regulation 2017

Subordinate Legislation 2017 No. 218

made under the

Biosecurity Act 2014

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1 Short title

This regulation may be cited as the *Biosecurity (Melon Necrotic Spot Virus and Other Matters) Amendment Regulation 2017*.

2 Regulation amended

This regulation amends the *Biosecurity Regulation 2016*.

3 Amendment of s 36 (Positive RAM statement)

(1) Section 36(1)(b)—

omit.

(2) Section 36(1)(c)—

renumber as section 36(1)(b).

4 Amendment of s 37 (Negative RAM statement)

(1) Section 37(1)(b)—

omit.

(2) Section 37(1)(c)—

renumber as section 37(1)(b).

5 Insertion of new s 46A

Chapter 5, part 1—

insert—

46A Moving samples for testing

(1) A person may move a sample of a carrier into the State, or into or from a biosecurity zone, if the sample—

(a) is being moved to an approved facility for testing; and

(b) is quarantine secured.

[s 6]

- (2) Also, a person may move a sample of a carrier from a biosecurity zone if the sample—
 - (a) is being moved out of the State for testing; and
 - (b) is quarantine secured.
- (3) A sample is ***quarantine secured*** if the sample is sealed within the following 3 layers of packaging to prevent the escape of the sample or any biosecurity matter—
 - (a) an inner layer of paper, cardboard or plastic that is sealed;
 - (b) a middle layer that is a strong plastic bag and is sealed and labeled “Quarantine Material—Do Not Open”;
 - (c) an outer layer that is a sealed box or other sealed container.
- (4) This section applies despite sections 48 to 57, 79, 80, 89, 91 and 94 (each a ***movement restriction provision***).
- (5) In this section—

approved facility means a facility listed in the biosecurity manual as an approved facility for receiving and handling diagnostic or analytical samples.

carrier means a carrier mentioned in a movement restriction provision.

6 Amendment of s 50 (Branched broomrape carrier)

- (1) Section 50(3)—

insert—

- (d) the carrier is a ware potato that has been brushed or washed and does not carry any detachable soil; or

- (e) the carrier is a processing potato and is being moved in a way that prevents—
 - (i) infestation with biosecurity matter; and
 - (ii) the escape of biosecurity matter or a carrier.

(2) Section 50(4)—

insert—

processing potato means a potato that, when harvested, is sent directly to—

- (a) a facility for processing; or
- (b) a facility for storage before being processed.

ware potato means a potato that is grown to be consumed without being processed and is not intended for replanting for the purpose of producing a potato plant.

7 **Amendment of s 51 (Cucumber green mottle mosaic virus carrier)**

(1) Section 51, heading, ‘Cucumber green mottle mosaic’—

omit, insert—

Cucurbit

(2) Section 51(1), ‘cucumber green mottle mosaic virus carrier’—

omit, insert—

cucurbit virus carrier

(3) Section 51(1)(a), ‘*cucumber green mottle mosaic virus*’—

omit, insert—

a cucurbit virus

(4) Section 51(1)(b), ‘the *cucumber green mottle mosaic virus*’—

omit, insert—

a cucurbit virus

[s 8]

- (5) Section 51(3), definition *cucumber green mottle mosaic virus carrier*, '*cucumber green mottle mosaic*'—
omit, insert—

curcubit

- (6) Section 51(3)—
insert—

curcubit virus means cucumber green mottle mosaic virus or melon necrotic spot virus.

8 Amendment of s 57 (Potato pest carrier)

Section 57(4), definitions *processing potato* and *ware potato*—
omit.

9 Amendment of s 58 (Notice of presence of Panama disease tropical race 4)

Section 58—
insert—

- (5) If the chief executive or an inspector decides to give a notice under this section, the notice must include or be accompanied by an information notice for the decision.

10 Omission of s 59 (Revoking notice)

Section 59—
omit.

11 Omission of s 60 (Panama disease tropical race 4 affected land)

Section 60—
omit.

12 Amendment of s 94 (Moving a sugar cane pest carrier into or from a sugar cane biosecurity zone)

(1) Section 94(3)(a), ‘plantlet—the plantlet’—

omit, insert—

plant—the plant

(2) Section 94(3)—

insert—

(c) the carrier is dried sugar cane trash.

(3) Section 94(4), definition *sugar cane plantlet*—

omit.

13 Replacement of s 125 (Inspectors—Act, s 251(1))

Section 125—

omit, insert—

125 Inspectors—Act, s 251

For section 251(1) of the Act, each police officer who is a member of the unit of the police service known as the Major and Organised Crime Squad (Rural) is an inspector.

14 Amendment of sch 1 (Biosecurity matter declared to be prohibited or restricted matter)

(1) Schedule 1, part 1—

insert—

melon necrotic spot virus (*Melon necrotic spot virus*)

(2) Schedule 1, part 2—

insert—

[s 15]

cucumber green mottle mosaic virus (<i>Cucumber green mottle mosaic virus</i>)	Restricted matter affecting plants	1
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15 Amendment of sch 3, s 18 (Agricultural and veterinary chemicals in feed)

- (1) Schedule 3, section 18(1)(b)—
insert—
(iia)DDT; or
- (2) Schedule 3, section 18(1)(b)(iia) to (vii)—
renumber as section 18(1)(b)(iv) to (viii).

16 Amendment of sch 3, s 19 (Pesticide residues in feed)

- (1) Schedule 3, section 19(1)(a), ‘column 1’—
omit, insert—
column 2
- (2) Schedule 3, section 19(1)(b), ‘column 2’—
omit, insert—
column 1
- (3) Schedule 3, section 19(1)(b)—
insert—
(iia)DDT; or
- (4) Schedule 3, section 19(1)(b)(iia) to (viii)—
renumber as section 19(1)(b)(iv) to (ix).

ENDNOTES

- 1 Made by the Governor in Council on 26 October 2017.
- 2 Notified on the Queensland legislation website on 27 October 2017.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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