



Queensland

Biosecurity and Other Legislation Amendment Regulation (No. 1) 2016

Subordinate Legislation 2016 No. 132

made under the

Biosecurity Act 2014

Chemical Usage (Agricultural and Veterinary) Control Act 1988

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Biosecurity and Other Legislation Amendment Regulation (No. 1) 2016*.

Part 2 Amendment of Biosecurity Regulation 2016

2 Regulation amended

This part amends the *Biosecurity Regulation 2016*.

3 Amendment of ch 2, pt 3, div 1, sdiv 1, hdg (Disposing of category 3 restricted matter)

Chapter 2, part 3, division 1, subdivision 1, heading, 'Disposing of'—

omit, insert—

Ways for disposing

4 Insertion of new s 11A

Chapter 2, part 3, division 1, subdivision 1—

insert—

11A Ways of disposing of category 3 restricted matter—invasive animals

Category 3 restricted matter that is an invasive animal may be disposed of in a way authorised under another Act or a law of the Commonwealth.

5 Insertion of new ch 2, pt 3, div 1, sdivs 1A and 1B

Chapter 2, part 3, division 1—

[s 5]

insert—

Subdivision 1A Purposes for disposing of category 3 restricted matter

11B Object of subdivision

This subdivision prescribes purposes for disposing of category 3 restricted matter for section 43(1)(f) of the Act.

11C Disposing of category 3 restricted matter—purpose authorised under another law

Category 3 restricted matter that is an invasive animal may be disposed of for a purpose authorised under another Act or a law of the Commonwealth.

Subdivision 1B Ways for distributing category 3 restricted matter

11D Object of subdivision

This subdivision prescribes ways for distributing category 3 restricted matter for section 43(1)(a) of the Act.

11E Distributing category 3 restricted matter—way authorised under another law

Category 3 restricted matter that is an invasive animal may be distributed in a way authorised under another Act or a law of the Commonwealth.

6 Amendment of ch 2, pt 3, div 1, sdiv 2, hdg (Distributing category 3 restricted matter)

Chapter 2, part 3, division 1, subdivision 2, heading, 'Distributing'—

omit, insert—

Purposes for distributing

7 Insertion of new s 16A

Chapter 2, part 3, division 1, subdivision 2—

insert—

16A Distributing category 3 restricted matter—purpose authorised under another law

Category 3 restricted matter that is an invasive animal may be distributed for a purpose authorised under another Act or a law of the Commonwealth.

8 Amendment of s 36 (Positive RAM statement)

Section 36(2), 'division'—

omit, insert—

part

9 Amendment of s 37 (Negative RAM statement)

Section 37(2), 'division'—

omit, insert—

part

10 Amendment of s 38 (Appearance of statement)

Section 38(1), 'division'—

[s 11]

omit, insert—

part

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

Section 51(3), definition *cucumber green mottle mosaic virus carrier*, paragraph (c), example, ‘harvesting bins,’—

omit.

12 Amendment of s 53 (Giant pine scale carrier)

Section 53(4), definition *giant pine scale carrier*—

omit, insert—

giant pine scale carrier means a carrier that is—

(a) a plant of the family *Pinaceae*; or

Examples of plants of the family Pinaceae—

cedar, fir, pine, spruce

(b) soil that has come into contact with a carrier mentioned in paragraph (a); or

(c) an appliance that has come into contact with a carrier mentioned in paragraph (a) or (b).

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

Section 94(1)(b), after ‘the biosecurity zone’—

insert—

but within the State

14 Amendment of s 123 (Appointment of inspectors—Act, section 242(1)(f))

(1) Section 123, heading, ‘section’—

omit, insert—

s

(2) Section 123(a)—

omit.

(3) Section 123(b) to (i)—

renumber as section 123(a) to (h).

15 Amendment of s 124 (Appointment of authorised persons—Act, section 246(1)(b))

(1) Section 124, heading, ‘section’—

omit, insert—

s

(2) Section 124(a)—

omit, insert—

(a) holders who are individuals, and employees of holders, of a licence to sell S7 poisons, other than for human therapeutic use, granted under the *Health (Drugs and Poisons) Regulation 1996*, section 233;

Part 3 Amendment of Chemical Usage (Agricultural and Veterinary) Control Regulation 1999

16 Regulation amended

This part amends the *Chemical Usage (Agricultural and Veterinary) Control Regulation 1999*.

17 Amendment of s 4 (Purpose of pt 3)

Section 4, from ‘prescribes,’—

omit, insert—

prescribes—

- (a) for the schedule of the Act, definition *maximum residue limit*, paragraph (a)—the MRL for the residue of a chemical mentioned in this part in or on agricultural produce; and
- (b) for the schedule of the Act, definition *maximum residue limit*, paragraph (b)—the MRL for the residue of a chemical mentioned in this part in—
 - (i) the tissue of a trade species animal; or
 - (ii) a product derived from a trade species animal.

ENDNOTES

- 1 Made by the Governor in Council on 11 August 2016.
- 2 Notified on the Queensland legislation website on 12 August 2016.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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