

Queensland

Medicines and Poisons Act 2019

Medicines and Poisons (Pest Management Activities) Regulation 2021

Current as at 30 October 2026

© State of Queensland 2026



This work is licensed under a Creative Commons Attribution 4.0 International License.

Queensland

Medicines and Poisons (Pest Management Activities) Regulation 2021

Contents

		Page
Part 1	**Introduction**	
Division 1	**Preliminary**	
1	Short title	7
2	Commencement	7
3	Dictionary	7
4	Application of regulation	7
Division 2	**Fumigants and pests**	
5	Fumigants—Act, s 14	8
6	Pests—Act, sch 1	8
Part 2	**Authorisations and approval of departmental standard**	
7	Approved persons—Act, s 54	8
8	Approval of departmental standard—Act, s 233	9
Part 3	**Standard conditions for pest management licences**	
Division 1	**Preliminary**	
9	Application of part—Act, s 70	9
Division 2	**General competency condition**	
10	Competency condition	9
Division 3	**Pest control activities**	
Subdivision 1	**Preliminary**	
11	Application of division	10
Subdivision 2	**Controlling timber pests and urban pests generally**	
12	Application of subdivision	10
13	Giving pre-treatment pest control advice	11
14	Contents of pre-treatment pest control advice	11
15	Giving post-treatment pest control advice	12
16	Contents of post-treatment pest control advice	12

Contents

Subdivision 3	**Controlling urban pests at high-risk and sensitive places**	
17	Application of subdivision	13
18	Activity risk management plan required	13
19	Contents of activity risk management plan	14
20	Compliance with activity risk management plan	15
20A	Supervision required for carrying out activity	15
Division 4	**Fumigation activities**	
Subdivision 1	**Preliminary**	
21	Application of division	16
22	Compliance with Commonwealth law	16
Subdivision 2	**Before fumigation**	
23	Activity risk management plan required	16
24	Contents of activity risk management plan	17
25	Giving fumigation notice	18
26	Contents of fumigation notice	19
27	Identifying risk area	19
28	Inspecting before fumigating	20
29	Erecting barricades	20
30	Displaying warning signs	21
Subdivision 3	**During fumigation**	
31	Compliance with activity risk management plan	21
32	Other person to be near licensed technician	22
33	Inspecting and testing during fumigation	22
Subdivision 4	**Finalising fumigation**	
34	Releasing fumigant and venting fumigation space	23
35	Re-entering exposure area	23
36	Giving clearance certificate	24
37	Contents of clearance certificate	24
Division 5	**Other conditions**	
38	Obligations when supervising pest management trainees	25
39	Changes affecting licence	26
Part 4	**Requirements for carrying out pest management activities**	
Division 1	**Preliminary**	
40	Application of part—Act, s 91	27
Division 2	**Using fumigants or pesticides**	
41	Compliance with approved label	28

Division 3 **Labels, containers and storage**
42 Using containers 28
43 Labelling containers 29
44 Storage on vehicle 30
45 Storage generally 30
Division 4 **Documentation**
46 Records of use of fumigants or pesticides 31
Division 5 **Incidents**
47 Dealing with leakages or escapes 32
48 Disposal of containers 33
49 Exposure, spillage or other release 33
50 Suspicious products 34
Division 6 **Pest management trainees**
51 Record keeping 34
Part 5 **Offences**
Division 1 **Business operators**
Subdivision 1 **Obligations in relation to employees**
52 Pest management trainees 35
53 Equipping employees 35
Subdivision 2 **Vehicles**
54 Application of subdivision 36
55 Containment of fumigants and pesticides 36
56 Signage 37
Subdivision 3 **Places**
57 Secure storage 37
Subdivision 4 **Documentation**
58 Business records 38
59 Employee requirements about records 38
Division 2 **Managers**
60 Manager of place to notify attendees of advice 39
Division 3 **Record keeping**
61 Recording information 40
62 Keeping records 40
Division 4 **Miscellaneous**
63 Interfering with fumigation barricades or warning signs 41
64 Smoking prohibited 41

Contents

Part 6	**Administration**	
Division 1	**Fees**	
Subdivision 1	**General**	
65	Definition for division	41
66	Fees payable generally	42
Subdivision 2	**Refunds**	
67	Rejected or withdrawn application	42
68	Licence granted for shorter term	42
69	Surrender of licence	43
Division 2	**Miscellaneous**	
70	Replacing lost, stolen or damaged licences	43
Part 7	**Savings and transitional provisions**	
Division 1	**Transitional provisions for SL No. 142 of 2021**	
71	Particular persons approved for 1 year	44
72	Existing pest control advices	44
Division 2	**Transitional provision for Medicines and Poisons (Pest Management Activities) Amendment Regulation 2023**	
73	Existing activity risk management plans	45
74	Particular licensed technicians taken to hold competency for 1 year	46
Schedule 1	**Approved persons**	47
Part 1	**Aerial distributors**	
Division 1	**Commercial pilots**	
Division 2	**Operators of remotely operated aircraft**	
Part 2	**Ground distributors**	
Part 3	**Commercial animal business operators and employees**	
Division 1	**Business operators**	
Division 2	**Employees**	
Part 4	**Domestic animal business operators and employees**	
Division 1	**Business operators**	
Division 2	**Employees**	
Part 5	**Food product treatment business operators and employees**	
Division 1	**Business operators**	
Division 2	**Employees**	
Part 6	**State officers and assistants**	
Division 1	**Biosecurity officers**	
Division 1A	**Assistants to biosecurity officers**	

Division 2 **Public health officers**
Part 7 **Teachers**
Part 8 **Timber infrastructure contractors**
Part 9 **Trainees**
Division 1 **Pest management trainees**
Division 2 **Other trainees**
Part 10 **QBCC licensees for termite management**
Division 1 **Licensees**
Division 2 **Persons supervised by licensees**
Part 11 **Veterinary professions**
Division 1 **Veterinary surgeons**
Division 2 **Veterinary assistants**
Schedule 2 **Fees** 65
Schedule 3 **Dictionary** 66

Medicines and Poisons (Pest Management Activities) Regulation 2021

Part 1 Introduction

Division 1 Preliminary

1 Short title

This regulation may be cited as the *Medicines and Poisons (Pest Management Activities) Regulation 2021*.

2 Commencement

This regulation commences on 27 September 2021.

3 Dictionary

The dictionary in schedule 3 defines particular words used in this regulation.

4 Application of regulation

This regulation applies in relation to a regulated activity that is—

(a) a pest management activity; or

(b) asking or directing another person to carry out a pest management activity.

Note—

See also the *Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021* in relation to dealings with poisons and prohibited substances (including fumigants and pesticides).

Authorised by the Parliamentary Counsel

Division 2 Fumigants and pests

5 Fumigants—Act, s 14

For section 14(3) of the Act, each of the following substances, and a combination of any of the substances, is prescribed to be a fumigant when prepared or used for an activity of a type mentioned in section 19(2) of the Act—

(a) ozone;

(b) carbon dioxide;

(c) nitrogen.

6 Pests—Act, sch 1

(1) A plant parasitic nematode is prescribed to be a pest for schedule 1 of the Act, definition *pest*, item 2.

(2) An invasive animal is prescribed not to be a pest for schedule 1 of the Act, definition *pest*, item 3.

(3) In this section—

invasive animal see the *Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021*, schedule 7.

Part 2 Authorisations and approval of departmental standard

7 Approved persons—Act, s 54

(1) For section 54(1) of the Act, a class of persons stated in schedule 1 is prescribed for the pest management activity with the fumigant or pesticide stated in the table in the schedule for the class of persons to the extent the activity is carried out by a person acting—

(a) as a member of the class of persons; and

(b) within the scope for the activity, if any.

Authorised by the Parliamentary Counsel

Example—

An authorised person appointed under the *Public Health Act 2005* is prescribed for a pest control activity with a pesticide stated in the table in schedule 1, section 21 to the extent the person is acting as an authorised person under that Act and within the scope stated for the activity in column 3 of the table.

(2) In this section—

scope, for a pest management activity, means a circumstance, purpose or other matter stated in a table in schedule 1 for the activity.

8 Approval of departmental standard—Act, s 233

For section 233(4) of the Act, the departmental standard called 'Competency requirements for licensed technicians undertaking pest management activities with pesticides and fumigants', version 2 is approved.

Part 3 Standard conditions for pest management licences

Division 1 Preliminary

9 Application of part—Act, s 70

For section 70(1)(a) of the Act, this part prescribes standard conditions applying in relation to pest management licences.

Division 2 General competency condition

10 Competency condition

(1) A licensed technician must satisfy, and continue to satisfy, the competency requirements stated in the competency standard

Authorised by the Parliamentary Counsel

that relate to the pest management activities stated in the technician's licence.

(2) For subsection (1), a person satisfies a requirement to have a competency stated in the competency standard if the person—

(a) has a statement of attainment stating the person has successfully completed the competency; or

(b) has successfully completed training, approved by the chief executive, that is substantially equivalent to the competency.

Division 3 Pest control activities

Subdivision 1 Preliminary

11 Application of division

This division applies to a licensed technician who is authorised under the technician's licence to carry out a pest control activity.

Subdivision 2 Controlling timber pests and urban pests generally

12 Application of subdivision

(1) This subdivision applies in relation to a pest control activity that involves controlling timber pests or urban pests carried out for a customer at any place.

(2) However, this subdivision does not apply if the pest control activity—

(a) involves controlling a designated pest that is a mosquito; and

Authorised by the Parliamentary Counsel

(b) is carried out by a licensed technician in connection with a prevention and control program undertaken by an authorised person under the *Public Health Act 2005*, chapter 2, part 4.

13 Giving pre-treatment pest control advice

(1) Before starting a pest control activity at a place for a customer, a licensed technician must give the customer a notice (a ***pre-treatment pest control advice***) for the activity.

(2) The pre-treatment pest control advice may be given personally, by mail or electronically.

14 Contents of pre-treatment pest control advice

(1) A licensed technician must ensure a pre-treatment pest control advice for a pest control activity given by the technician under section 13 states the following information—

(a) the contact details of—

(i) if the technician is carrying out the activity for another person who is a business operator—the operator's business; or

(ii) otherwise—the technician;

(b) the date the technician gives the pre-treatment pest control advice to the customer;

(c) a statement that, under the Act, the technician must not use a pesticide for the activity unless the pesticide is a substance that is APVMA approved for use to carry out the activity;

(d) the precautions that should be taken by persons at the place to minimise exposure to any pesticide used for carrying out the activity;

Examples of precautions for paragraph (d)—

- removing or protecting people or animals while the pest control activity is carried out
- cleaning items exposed to a pesticide before use

Authorised by the Parliamentary Counsel

(e) a statement of any warranties applying in relation to the activity;

(f) a statement of any limitations applying in relation to the activity.

(2) In this section—

APVMA approved, in relation to a use for a substance, see section 14(4) of the Act.

15 Giving post-treatment pest control advice

(1) A licensed technician must give a customer for a pest control activity carried out at a place another notice (a ***post-treatment pest control advice***) for the activity—

(a) if the place is occupied—prior to leaving the place after carrying out the activity; or

(b) if the place is not occupied—within 24 hours after leaving the place.

(2) The post-treatment pest control advice may be given personally, by mail or electronically.

16 Contents of post-treatment pest control advice

(1) A licensed technician must ensure a post-treatment pest control advice for a pest control activity given by the technician under section 15 states the following information—

(a) the contact details of—

(i) if the technician is carrying out the activity for another person who is a business operator—the operator's business; or

(ii) otherwise—the technician;

(b) the technician's licence number;

(c) for each pesticide used for the activity—

Authorised by the Parliamentary Counsel

(i) the name by which the pesticide is marketed or sold; and

(ii) the active constituent of the pesticide;

(d) the address of the place or details of the part of the place where the pesticide was used;

(e) when and for how long the activity was carried out.

(2) The post-treatment pest control advice must be dated and signed by the licensed technician.

Subdivision 3 Controlling urban pests at high-risk and sensitive places

17 Application of subdivision

(1) This subdivision applies in relation to a pest control activity that involves controlling urban pests carried out for a customer at a high-risk or sensitive place.

(2) This subdivision applies in addition to, and does not limit, subdivision 2.

18 Activity risk management plan required

(1) A licensed technician must not start carrying out a pest control activity for a customer at a high-risk or sensitive place unless a plan (an ***activity risk management plan***) has been prepared for carrying out, and addressing the risks associated with, the activity.

(2) The activity risk management plan must be prepared by a licensed technician who—

(a) has a statement of attainment stating the technician has successfully completed the competency required under the competency standard for treating urban pests at the type of place at which the pest control activity is to be carried out; or

Authorised by the Parliamentary Counsel

(b) has successfully completed training, approved by the chief executive, that is substantially equivalent to the competency mentioned in paragraph (a).

19 Contents of activity risk management plan

(1) An activity risk management plan for a pest control activity carried out for a customer at a high-risk or sensitive place must state the following information—

(a) the name and licence number of the licensed technician carrying out the activity;

(b) the contact details and licence number of the licensed technician preparing the plan (the ***preparer***), if that technician is not carrying out the activity;

(c) the contact details of the customer;

(d) the contact details of the person responsible for controlling access to the place, if that person is not the customer;

(e) any procedures to be followed to obtain access to the place;

(f) the day and time the activity is to be carried out;

(g) the address of the place;

(h) the details of the part of the place where the activity is to be carried out;

(i) the estimated amount of time for completing the activity;

(j) the type of pests to be controlled;

(k) the reason why the activity is to be carried out;

(l) the type and concentration of the pesticide to be used for the activity, including the name and active constituent;

(m) how the pesticide is to be used;

(n) any special considerations or precautions to be implemented due to the nature of the place;

Authorised by the Parliamentary Counsel

(o) the hazards and risks associated with carrying out the activity;

(p) the measures to be implemented to control the stated hazards and risks;

(q) the roles and responsibilities of all persons involved in carrying out the activity.

(2) The activity risk management plan must also include—

(a) a statement by the preparer of the plan that the matters mentioned in this section have all been considered; and

(b) the signature of the preparer.

20 Compliance with activity risk management plan

A licensed technician must carry out a pest control activity at a high-risk or sensitive place in accordance with an activity risk management plan for the activity, to the extent reasonably practicable.

20A Supervision required for carrying out activity

A licensed technician must not carry out a pest control activity for a customer at a high-risk or sensitive place unless the licensed technician has, or is supervised by a licensed technician who has—

(a) a statement of attainment stating the technician has successfully completed the competency required under the competency standard for treating urban pests at the type of place at which the pest control activity is to be carried out; or

(b) successfully completed training, approved by the chief executive, that is substantially equivalent to the competency mentioned in paragraph (a).

Authorised by the Parliamentary Counsel

Division 4 Fumigation activities

Subdivision 1 Preliminary

21 Application of division

This division applies to a licensed technician who is authorised under the technician's licence to carry out a fumigation activity.

22 Compliance with Commonwealth law

(1) This section applies if a licensed technician carries out a fumigation activity under a law of the Commonwealth.

Note—

See, for example, the *Biosecurity Act 2015* (Cwlth) in relation to requirements for importers or exporters to carry out fumigation activities.

(2) The licensed technician is taken to comply with a requirement in a condition in this division in relation to giving a notice or certificate if the technician has complied with the same or a substantially similar requirement for the fumigation activity carried out under the law of the Commonwealth.

Subdivision 2 Before fumigation

23 Activity risk management plan required

A licensed technician must not start carrying out a fumigation activity for a customer at a fumigation site unless a plan (an ***activity risk management plan***) for carrying out, and addressing the risks associated with, the activity has been prepared by the technician or another licensed technician authorised to carry out the fumigation activity.

Authorised by the Parliamentary Counsel

24 Contents of activity risk management plan

(1) An activity risk management plan for a fumigation activity carried out for a customer at a fumigation site must state the following information—

(a) the name and licence number of the licensed technician carrying out the activity;

(b) the contact details and licence number of the licensed technician preparing the plan (the ***preparer***), if that technician is not carrying out the activity;

(c) the contact details of the customer;

(d) the contact details of the person responsible for controlling access to the site, if that person is not the customer;

(e) details about access to the site, including any procedures to be followed to obtain access;

(f) the day and time the activity is to be carried out;

(g) the address of the site;

(h) the details of the exposure area for the activity;

(i) details about the availability of water and power at the site;

(j) how the fumigant is to be introduced to the fumigation space for the activity;

(k) how the fumigation space is to be ventilated;

(l) the arrangements for securing or restricting access to the exposure area for the activity;

(m) the method to be used to establish that the exposure area is safe for entry;

(n) the estimated amount of time for completing the activity;

(o) the reason why the activity is to be carried out;

(p) the type of pests to be controlled;

Authorised by the Parliamentary Counsel

(q) the type and concentration of the fumigant to be used for the activity, including the name and active constituent, and how the fumigant is to be used;

(r) any special considerations or precautions to be implemented due to the nature of the site;

(s) the hazards and risks associated with carrying out the activity and the measures to be implemented to control those hazards and risks;

(t) the roles and responsibilities of all persons involved in carrying out the activity;

(u) procedures for dealing with an emergency situation that may arise during the activity.

(2) The activity risk management plan must also include—

(a) a statement by the preparer of the plan that the matters mentioned in this section have all been considered; and

(b) the signature of the preparer.

Note—

See section 31 for the requirement to comply with the activity risk management plan.

25 Giving fumigation notice

(1) Before starting a fumigation activity for a customer at a fumigation site, a licensed technician must give a notice (a ***fumigation notice***) for the activity to either—

(a) the customer; or

(b) the owner or occupier of the site.

(2) The fumigation notice must be dated and signed by the licensed technician.

(3) Subsection (1) does not apply if the licensed technician is carrying out the fumigation activity at the fumigation site in the course of the technician's employment by the owner or occupier of the site.

(4) The licensed technician must—

Authorised by the Parliamentary Counsel

(a) if the technician is carrying out the fumigation activity for another person who is a business operator—give a copy of the fumigation notice to the operator; or

(b) otherwise—keep a copy of the fumigation notice.

26 Contents of fumigation notice

A licensed technician must ensure a fumigation notice for a fumigation activity given by the technician under section 25 states the following information—

(a) the contact details of—

(i) if the technician is carrying out the activity for another person who is a business operator—the operator's business; or

(ii) otherwise—the technician;

(b) the technician's licence number;

(c) the fumigant to be used for the activity;

(d) the fumigation site and exposure area for the activity;

(e) the day and time the fumigant is to be introduced into the fumigation space for the activity;

(f) an estimate of the length of the exposure period for the activity;

(g) the precautions that should be taken by persons at the fumigation site to minimise exposure to the fumigant.

Examples of precautions for paragraph (g)—

- removing or protecting people or animals while the fumigation activity is carried out
- cleaning items exposed to the fumigant before use

27 Identifying risk area

Before carrying out a fumigation activity, a licensed technician must inspect the fumigation space for the activity

Authorised by the Parliamentary Counsel

and the area adjoining the space to identify each risk area for the activity, if any.

28 Inspecting before fumigating

(1) Before introducing a fumigant into a fumigation space for a fumigation activity, a licensed technician must inspect the exposure area for the activity and take all reasonable steps to ensure the following—

(a) no-one is in the area other than persons authorised by the technician to be in the area;

(b) every potential source of ignition in the area is extinguished or turned off;

(c) any food or liquid in the area that is not the subject of the activity is removed from the area;

(d) every opening in the space by which the fumigant could escape from the area is sealed in a way that prevents the escape.

Examples of openings—

- a crack or crevice in a building
- an entry point to an underground service tunnel

(2) Subsection (1)(d) does not apply if—

(a) the fumigation space is a grain storage facility; and

(b) the fumigation activity is carried out using a method designed for use in a grain storage facility that is not sealed.

29 Erecting barricades

Before carrying out a fumigation activity, a licensed technician must erect barricades to restrict access to the exposure area for the activity during the exposure period for the activity.

Authorised by the Parliamentary Counsel

30 Displaying warning signs

(1) A licensed technician carrying out a fumigation activity must place warning signs on any barricades erected under section 29 around the exposure area for the activity.

(2) The warning signs must be—

(a) sufficient in number to warn a person approaching the exposure area; and

(b) placed in a way that can be easily seen by a person approaching the exposure area; and

(c) placed before the fumigation activity is started; and

(d) kept in place for the entire exposure period for the fumigation activity.

(3) Each warning sign must be on a white background and state—

(a) contact details of the following, in print of a colour and size that is easy to read—

(i) if the licensed technician is carrying out the activity for the operator of a pest management business—the business;

(ii) otherwise—the technician; and

(b) the following words in red print and capital letters with a height of at least 50mm—

(i) 'danger', 'keep out' and 'fumigation in progress';

(ii) after the words mentioned in subparagraph (i)—'with' followed by the name of the fumigant being used for the fumigation activity.

Subdivision 3 During fumigation

31 Compliance with activity risk management plan

A licensed technician must carry out a fumigation activity at a fumigation site in accordance with an activity risk

Authorised by the Parliamentary Counsel

management plan for the activity, to the extent reasonably practicable.

32 Other person to be near licensed technician

(1) While a licensed technician is carrying out a fumigation activity at a fumigation site, the technician must take all reasonable steps to ensure at least 1 other person more than 17 years is physically present at the site.

(2) The licensed technician must advise the other person about how to suitably assist the technician, if necessary.

33 Inspecting and testing during fumigation

(1) A licensed technician carrying out a fumigation activity at a fumigation site must—

(a) inspect the fumigation space for the activity and the equipment being used to introduce the fumigant into the space; and

(b) test the fumigation space and equipment mentioned in paragraph (a) for leakage or escape of the fumigant outside the exposure area for the activity.

(2) The inspection and testing must be carried out—

(a) during the introduction of the fumigant into the fumigation space, if practicable; and

(b) regularly during the retention period of the fumigant introduced into the fumigation space.

(3) If the licensed technician detects an unsafe leak from the fumigation space or equipment, the technician must—

(a) stop the unsafe leak; and

(b) seal the space or equipment to prevent further unsafe leaks.

(4) This section does not apply if—

(a) the fumigation space is a grain storage facility; and

Authorised by the Parliamentary Counsel

(b) the fumigation activity is carried out using a method designed for use in a grain storage facility that is not sealed.

(5) In this section—

unsafe leak, in relation to a fumigant, is a leakage or escape that is more than the safe exposure concentration for the fumigant.

Subdivision 4 Finalising fumigation

34 Releasing fumigant and venting fumigation space

(1) This section applies at the end of the retention period of a fumigant introduced into a fumigation space for a fumigation activity.

(2) The licensed technician must—

(a) release the fumigant from the fumigation space in a way that is unlikely to endanger a person; and

(b) vent the fumigation space in a way that leaves the concentration of the fumigant in the space no more than the safe exposure concentration for the fumigant.

35 Re-entering exposure area

(1) This section applies after the release of a fumigant from, and venting of, a fumigation space for a fumigation activity carried out by a licensed technician.

(2) The licensed technician must check that the concentration of fumigant in the exposure area for the fumigation activity is no more than the safe exposure concentration for the fumigant.

(3) Also, the licensed technician must take all reasonable steps to ensure no person enters the exposure area until the technician is satisfied the area is safe for entry.

Authorised by the Parliamentary Counsel

36 Giving clearance certificate

(1) A licensed technician who has carried out a fumigation activity for a customer must, when satisfied the exposure area for the activity is safe for entry, give the customer a notice (a ***clearance certificate***) for the activity.

(2) The clearance certificate must be dated and signed by the licensed technician.

(3) The licensed technician must—

(a) if the technician is carrying out the fumigation activity for another person who is a business operator—give a copy of the clearance certificate to the operator; or

(b) otherwise—keep a copy of the clearance certificate.

37 Contents of clearance certificate

A licensed technician must ensure the following information is stated in a clearance certificate for a fumigation activity carried out by the technician for a customer at a fumigation site—

(a) the contact details of the customer;

(b) the contact details of—

(i) if the technician is carrying out the activity for another person who is a business operator—the operator's business; or

(ii) otherwise—the technician;

(c) the technician's licence number;

(d) the address of the site;

(e) the details of the exposure area for the activity;

(f) the details of what was fumigated;

(g) the reason for the activity;

(h) the type and concentration of fumigant used;

Authorised by the Parliamentary Counsel

(i) the day and time the fumigant was introduced into the fumigation space for the activity;

(j) the method used to introduce the fumigant into the fumigation space;

(k) the retention period of the fumigant introduced into the fumigation space;

(l) the day and time the fumigant was released from the fumigation space;

(m) the method used to establish that the exposure area was safe for entry;

(n) a statement that the exposure area is safe for entry.

Division 5 Other conditions

38 Obligations when supervising pest management trainees

(1) This section applies if—

(a) a pest management trainee is carrying out a pest management activity that the trainee is authorised under the Act to carry out under supervision; and

(b) a licensed technician is, under the technician's licence, authorised to carry out the pest management activity; and

(c) the licensed technician is carrying out the pest management activity with, and supervising, the pest management trainee.

(2) While the pest management trainee is carrying out the pest management activity, the licensed technician must either—

(a) directly supervise the trainee; or

(b) indirectly supervise the trainee if the technician is reasonably satisfied—

(i) the trainee is competent enough to be indirectly supervised; and

Authorised by the Parliamentary Counsel

(i) the health and safety of the trainee or another person would not be endangered if the trainee were indirectly supervised.

(3) Also, when carrying out the pest management activity with, and supervising, the pest management trainee, the licensed technician must—

(a) provide directions, demonstrations, training and monitoring that are appropriate and relevant to the trainee; and

(b) take all reasonable steps to ensure the trainee complies with the Act when carrying out the activity; and

(c) take remedial action if—

(i) an emergency arises from the trainee carrying out the activity; or

(ii) the trainee has carried out the activity in a noncompliant way.

(4) In this section—

directly supervise, in relation to a pest management trainee, means the trainee is within the direct sight and hearing of the trainee's supervisor when carrying out a pest management activity.

indirectly supervise, in relation to a pest management trainee, means the trainee is unable to directly see or hear the trainee's supervisor but is—

(a) on the same site as the supervisor; and

(b) can communicate with the supervisor using a communication device, including, for example, a phone or two-way radio.

39 Changes affecting licence

A licensed technician must notify the chief executive about any of the following changes as soon as practicable—

Authorised by the Parliamentary Counsel

(a) if the technician was required to undergo a health assessment under section 90 of the Act when applying for the technician's pest management licence—a change in a matter disclosed to the chief executive in the health assessment;

(b) a change in the technician's address or contact details;

(c) a change in the address or contact details of a pest management business operated by the technician or by another person by whom the technician is employed;

(d) if the technician becomes an employee of an operator of a pest management business or changes employment to a different operator of a pest management business—the address and contact details of the business;

(e) a change in the address of the place stated in the technician's licence to be the place where the technician stores fumigants or pesticides under the licence.

Part 4 Requirements for carrying out pest management activities

Division 1 Preliminary

40 Application of part—Act, s 91

For section 91(1) of the Act, this part prescribes requirements for a person (a ***qualified person***) authorised under section 54(4) or 62 of the Act to carry out a pest management activity with a fumigant or pesticide, in relation to carrying out the pest management activity.

Notes—

1 See section 91(3) of the Act in relation to the matters to which the requirements under this chapter are subject.

2 This chapter does not apply in relation to persons authorised to carry out, or request or direct the carrying out of, a pest

Authorised by the Parliamentary Counsel

management activity under section 57 of the Act which relates to emergency orders.

Division 2 Using fumigants or pesticides

41 Compliance with approved label

A qualified person must use a fumigant or pesticide for a pest management activity in accordance with the approved label of the fumigant or pesticide.

Division 3 Labels, containers and storage

42 Using containers

(1) A qualified person must take all reasonable steps to ensure a container used by the person in relation to carrying out a pest management activity has the following characteristics—

(a) the container is impervious to the fumigant or pesticide it contains;

(b) the container does not react chemically with the fumigant or pesticide it contains;

(c) the container does not physically interact with the fumigant or pesticide it contains in a way that may result in deterioration of the performance of the container;

(d) the container can be securely closed;

(e) the container is sufficiently durable to prevent it from breaking, or its contents from leaking or otherwise escaping, during ordinary handling, storage or transport;

(f) the container is securely closed at all times unless a fumigant or pesticide is being put into, or taken from, the container;

Authorised by the Parliamentary Counsel

(g) the container is not a food or drink container or similar in colour, shape or appearance to a food or drink container.

(2) In this section—

food or drink container means a container ordinarily used or supplied for use to hold food or drink.

43 Labelling containers

(1) This section applies in relation to a container used by a qualified person—

(a) in which a fumigant or pesticide is stored for future use; and

(b) that does not have an approved label attached to it.

(2) The qualified person must take all reasonable steps to ensure a label showing the following information is durably printed on, or securely attached to, the outside of the container—

(a) the name by which the fumigant or pesticide is marketed or sold;

(b) each active constituent of the fumigant or pesticide in the container;

(c) the strength of each active constituent expressed as—

(i) for a liquid in a liquid preparation—the mass or volume of the active constituent in a stated volume of the preparation; or

(ii) for a liquid in a solid or semisolid preparation—the mass or volume of the active constituent in a stated mass of the preparation; or

(iii) for a solid or semisolid in a liquid preparation—the mass of the active constituent in a stated volume of the preparation; or

(iv) for a solid or semisolid in a solid or semisolid preparation—the mass of the active constituent in a stated mass of the preparation; or

Authorised by the Parliamentary Counsel

(v) for a gas in a liquid preparation—the mass of the active constituent in a stated volume of the preparation; or

(vi) for a gas in a solid or semisolid preparation—the mass of the active constituent in a stated mass of the preparation; or

(vii) for a gas in a gaseous preparation—the mass of the active constituent in a stated mass of the preparation.

44 Storage on vehicle

(1) A qualified person must pack or place a fumigant or pesticide stored or transported in a vehicle in a way that prevents, to the extent reasonably practicable—

(a) any damage to the packaging of the fumigant or pesticide; and

(b) any leakage or escape of the fumigant or pesticide.

(2) A qualified person must take all reasonable steps to prevent another person from accessing a vehicle in which a fumigant or pesticide is stored or transported by the qualified person unless—

(a) the other person is an adult or an approved person mentioned in schedule 1, section 27 or 29; or

(b) the qualified person has given permission for the access.

45 Storage generally

A qualified person must, to the extent reasonably practicable, store a fumigant or pesticide not being used by the person at a place in a way that prevents all of the following—

(a) damage to the packaging of the fumigant or pesticide;

(b) any leakage or escape of the fumigant or pesticide;

(c) access to the fumigant or pesticide by another person who is not a qualified person.

Authorised by the Parliamentary Counsel

Division 4 Documentation

46 Records of use of fumigants or pesticides

(1) A qualified person must make a record stating each of the following matters for each pest management activity carried out by the person—

(a) the date of the activity;

(b) the address and a description of the place where the activity was carried out;

(c) if the activity was requested by a customer—the contact details of the customer;

(d) if the person is a licensed technician, or the carrying out of the activity by the person was supervised by a licensed technician—the technician's licence number;

(e) the following information about the fumigant or pesticide used for the activity—

(i) the name by which the fumigant or pesticide is marketed or sold;

(ii) each active constituent of the fumigant or pesticide and the strength and amount of each active constituent;

(iii) for a fumigant or a pesticide used for timber pests—the rate of application for the fumigant or pesticide.

(2) The qualified person must make the record as soon as practicable, but no later than 24 hours, after the pest management activity is carried out.

(3) The qualified person must—

(a) if the person is carrying out the pest management activity for another person who is a business operator—give the record, or a copy of the record, to the operator; or

(b) otherwise—keep the record.

Authorised by the Parliamentary Counsel

(4) A termite management certificate issued for a pest management activity is taken to be a record complying with subsection (1).

(5) In this section—

termite management certificate means a certificate of installation, or certificate of termite treatment, issued under a termite management standard for a pest management activity to which the standard applies.

termite management standard means each of the following—

(a) AS 3660.1 (Termite management: New building work);

(b) AS 3660.2 (Termite management: In and around existing buildings and structures);

(c) AS 3660.3 (Termite management: Assessment criteria for termite management systems).

Division 5 Incidents

47 Dealing with leakages or escapes

(1) This section applies if a fumigant or pesticide in the possession of a qualified person leaks or escapes.

(2) The qualified person must, as soon as practicable after becoming aware of the leakage or escape, take action to—

(a) stop the leakage or escape; and

(b) for a fumigant—clean and decontaminate the area in which the leakage or escape has occurred to a concentration of the fumigant that is no more than the safe exposure concentration for the fumigant; and

(c) for a pesticide—contain the pesticide and dispose of it lawfully.

Authorised by the Parliamentary Counsel

48 Disposal of containers

A qualified person must dispose of a container that has been, and is no longer being, used by the person for a fumigant or pesticide by—

(a) doing both of the following—

(i) rinsing the container several times with water;

(ii) rendering it useless, including, for example, by making holes in it; or

(b) if the container has been used for a fumigant—securely sealing the container and returning it to the person who supplied the fumigant; or

(c) disposing of the container in another lawful way.

49 Exposure, spillage or other release

(1) This section applies if—

(a) a qualified person is carrying out a pest management activity; and

(b) an incident happens involving the exposure, spillage or other release of a fumigant or pesticide that is likely to require medical treatment.

Examples of incidents—

- exposure of a member of the public to a fumigant or pesticide during application
- spillage of a pesticide at a residence

(2) The qualified person must notify the chief executive, orally or in writing, about the occurrence of the incident.

(3) The notification must—

(a) be given to the chief executive as soon as practicable, and no later than 1 business day, after the incident; and

(b) include enough particulars to identify the incident, its nature and its location.

Authorised by the Parliamentary Counsel

(4) If the notification is given orally, the qualified person must give the chief executive a written notice of the notification within 7 days after the incident happened.

50 Suspicious products

(1) A qualified person must notify the chief executive, orally or in writing, if the person is supplied with a fumigant or pesticide to which either of the following circumstances apply (each a ***suspicious product***)—

(a) the fumigant or pesticide is incorrectly labelled or does not have an approved label attached to it;

(b) the person reasonably believes the fumigant or pesticide is contaminated or has a manufacturing fault.

(2) The notification must be given as soon as practicable after the qualified person becomes aware of the suspicious product and include enough particulars to identify the product and its location.

(3) If the notification is given orally, the qualified person must give the chief executive a written notice of the notification within 7 days after becoming aware of the suspicious product.

Division 6 Pest management trainees

51 Record keeping

(1) This section applies to a qualified person who is a pest management trainee, in addition to section 46.

(2) The pest management trainee must make a record each time the trainee carries out a pest management activity that states—

(a) the date on which the activity is carried out; and

(b) a description of the activity carried out; and

(c) the name of the trainee's supervisor; and

Authorised by the Parliamentary Counsel

(d) if the trainee is carrying out the activity for a business operator who is not the trainee's supervisor—the contact details of the operator's business.

(3) If the pest management trainee is carrying out the pest management activity for a business operator, the trainee must give the record to the operator.

Part 5 Offences

Division 1 Business operators

Subdivision 1 Obligations in relation to employees

52 Pest management trainees

A business operator must take all reasonable steps to ensure each pest management trainee employed by the operator—

(a) is supervised by a licensed technician while carrying out any pest management activity; and

(b) receives training that is appropriate for the pest management activities carried out by the trainee and the trainee's level of competency.

Maximum penalty—20 penalty units.

53 Equipping employees

(1) This section applies if a business operator provides any equipment, document or vehicle to an employee of the operator for carrying out a pest management activity.

(2) The business operator must take all reasonable steps to ensure the equipment, document or vehicle is suitable for carrying out the pest management activity.

Maximum penalty—20 penalty units.

Authorised by the Parliamentary Counsel

(3) In this section—

equipment includes containers, hoses, measuring tools, spray packs and spill kits.

Subdivision 2 Vehicles

54 Application of subdivision

This subdivision applies to a business operator in relation to a pest management vehicle used by the operator, or provided by the operator to an employee of the operator, for carrying out a pest management activity.

55 Containment of fumigants and pesticides

(1) A business operator must take all reasonable steps to ensure a pest management vehicle used for a fumigant or pesticide that is a solid or liquid—

(a) has a floor and walls that are impervious to the fumigant or pesticide; and

(b) can contain a leakage or escape of the fumigant or pesticide.

Maximum penalty—20 penalty units.

(2) A business operator must take all reasonable steps to ensure that a pest management vehicle used for a fumigant or pesticide that is a gas in a cylinder—

(a) is open to the air with unrestricted ventilation; or

(b) has a vapour tight cabinet to enclose the cylinder that is vented to the outside of the vehicle; or

(c) is separated from the driving compartment of the vehicle by a barrier that is impervious to gas.

Maximum penalty—20 penalty units.

Authorised by the Parliamentary Counsel

(3) A business operator must take all reasonable steps to ensure that a pest management vehicle is able to be locked when the vehicle is unattended.

Maximum penalty—20 penalty units.

56 Signage

A business operator must ensure the following information is printed on the exterior of a pest management vehicle in English in a way that can be easily read—

(a) the contact details of the operator's business;

(b) the words 'pest management vehicle' or other words to clearly indicate the vehicle is used for pest management activities, unless this is otherwise clearly indicated in the name of the operator's business.

Maximum penalty—20 penalty units.

Subdivision 3 Places

57 Secure storage

(1) This section applies to a business operator storing a fumigant or pesticide at a place for use for the operator's pest management business.

(2) The business operator must take all reasonable steps to ensure that the place has the following features—

(a) the place is able to be locked when unattended;

(b) the place has a floor and other surfaces that are impervious to the fumigant or pesticide;

(c) the place is built in a way that any leakage or escape of the fumigant or pesticide is not likely to cause harm or nuisance to a person or the environment;

(d) the place is adequately ventilated;

Authorised by the Parliamentary Counsel

(e) the place provides the fumigant or pesticide with protection from the weather;

(f) the place is located in an area that is separated from a residence or another work area that is not used for pest management activities.

Maximum penalty—20 penalty units.

Subdivision 4 Documentation

58 Business records

A business operator must keep a record of—

(a) the address and contact details of each of the operator's employees carrying out pest management activities; and

(b) any notifiable incidents reported to the chief executive under section 49 in relation to the operator's pest management business.

Maximum penalty—20 penalty units.

59 Employee requirements about records

(1) This section applies if an employee of a business operator is required, under this regulation, to make a record about a particular matter or give a particular record to the operator.

(2) The business operator must—.

(a) take all reasonable steps to ensure the employee complies with the requirement; and

(b) keep any record given to the operator in compliance with the requirement.

Maximum penalty—20 penalty units.

(3) In this section—

record means a certificate, notice, record or other document.

Authorised by the Parliamentary Counsel

Division 2 Managers

60 Manager of place to notify attendees of advice

(1) This section applies to the manager of a place occupied or accessible by other persons (***attendees***), whether they are residents, workers or visitors of the place.

(2) If the manager of the place receives a pre-treatment pest control advice for a pest control activity to be carried out at the place, the manager must give notice to the attendees of the matters stated in the advice as soon as practicable after receiving it.

Maximum penalty—20 penalty units.

(3) If the manager of the place receives a post-treatment pest control advice for a pest control activity that has been carried out at the place, the manager must, as soon as practicable after receiving the advice—

(a) give the attendees notice of the matters stated in the advice; or

(b) make the advice available for inspection at a place, and give the attendees notice of the place where, and the times when, the attendees may inspect the advice.

Maximum penalty—20 penalty units.

(4) For subsections (2) and (3), the manager of the place may give the notice by leaving a copy of the relevant advice in a conspicuous location at the place.

Examples—

putting up a notice at the entrance to a building or in a lunch room

(5) In this section—

manager, of a place, means a person responsible for controlling access to or managing the place, including, for example, a supervisor of a business, the owner of a building, a body corporate manager or a letting agent.

Authorised by the Parliamentary Counsel

Division 3 Record keeping

61 Recording information

(1) This section applies to a person who records information in writing to comply with a requirement under this regulation.

Examples—

writing a clearance certificate for a fumigation activity or a pre-treatment or post-treatment pest control advice for a pest control activity

(2) The person must ensure the information—

(a) is written in English; and

(b) if the information is recorded in hard copy—is marked legibly in ink.

Maximum penalty—20 penalty units.

(3) However, subsection (2)(a)—

(a) does not prevent the person also writing the information in another language to help someone understand the information; and

(b) does not apply in relation to the person's signature.

62 Keeping records

(1) This section applies to a person if a provision of this regulation states the person is required to keep a record.

(2) The person must take all reasonable steps to ensure the record—

(a) is readily retrievable; and

(b) can not be altered, obliterated, deleted or removed without detection; and

(c) is kept for 5 years after the day it is recorded.

Maximum penalty—20 penalty units.

(3) In this section—

Authorised by the Parliamentary Counsel

record means a certificate, notice, record or other document.

Division 4 Miscellaneous

63 Interfering with fumigation barricades or warning signs

A person must not, without the permission of a qualified person carrying out a fumigation activity—

(a) take down, remove or alter the position of a barricade erected by the person for the activity; or

(b) deface, take down, remove or alter the position of a warning sign displayed by the person for the activity.

Maximum penalty—20 penalty units.

64 Smoking prohibited

A person must not smoke tobacco or any other substance in the vicinity of a fumigation activity being carried out.

Maximum penalty—20 penalty units.

Part 6 Administration

Division 1 Fees

Subdivision 1 General

65 Definition for division

In this division—

licensing fee means a fee for an application relating to a pest management licence stated in schedule 2, items 1 and 3.

Authorised by the Parliamentary Counsel

66 Fees payable generally

(1) The fees payable under the Act in relation to a pest management licence are stated in schedule 2.

(2) A licensing fee for a pest management licence is payable for each year of the term of the licence.

(3) However, for any part of the term of a pest management licence that is not a full year, the licensing fee payable in relation to that part of the term is the proportion of the licensing fee attributable to the number of months, rounded up to whole months, of that year that are in the term.

Subdivision 2 Refunds

67 Rejected or withdrawn application

(1) This section applies if—

(a) an applicant has paid the licensing fee for an application for a pest management licence; and

(b) the application is refused by the chief executive or withdrawn by the applicant.

(2) The chief executive must refund the applicant the licensing fee for the application.

68 Licence granted for shorter term

(1) This section applies if—

(a) an applicant has paid the licensing fee for an application for a pest management licence for a particular term (the ***proposed term***); and

(b) the application is granted for a period (the ***granted term***) that is shorter than the proposed term.

(2) The chief executive must refund the applicant the amount that is the proportion of the paid licensing fee attributable to the

Authorised by the Parliamentary Counsel

number of months, rounded up to whole months, that is the difference between the proposed term and granted term.

(3) No refund is payable if the amount under subsection (2) is zero or less than zero.

69 Surrender of licence

(1) This section applies if—

(a) the holder of a pest management licence paid the licensing fee for an application for the licence for a particular term (the ***granted term***); and

(b) the pest management licence is surrendered before the end of the granted term.

(2) The chief executive must refund the applicant the amount that is the proportion of the paid licensing fee attributable to the number of months, rounded up to whole months, remaining in the granted term after the surrender.

(3) No refund is payable if the amount under subsection (2) is zero or less than zero.

Division 2 Miscellaneous

70 Replacing lost, stolen or damaged licences

(1) This section applies if the chief executive has given a person a hard copy document evidencing a pest management licence.

(2) The person may apply to the chief executive for a replacement of the document if the document is lost, stolen or damaged.

(3) The application must be—

(a) made in the approved form; and

(b) accompanied by the fee stated in schedule 2.

Authorised by the Parliamentary Counsel

Part 7 Savings and transitional provisions

Division 1 Transitional provisions for SL No. 142 of 2021

71 Particular persons approved for 1 year

(1) This section applies to a person in relation to a pest management activity if—

(a) the Pest Management Act, immediately before its repeal, did not apply to the person carrying out the activity because of a former relevant provision; and

(b) from the commencement, the person would be a member of a relevant class of person but for the person not having a statement of attainment or the training mentioned in the description of the relevant class.

(2) Despite not having the statement of attainment or training, the person is taken to be a member of the relevant class of person until the day that is 1 year after the commencement.

(3) In this section—

former relevant provision means the Pest Management Act, section 7(b), (c) or (d), as in force immediately before the repeal of that Act.

Pest Management Act means the repealed *Pest Management Act 2001*.

relevant class of person means a class of person mentioned in schedule 1, parts 3, 5 or 8.

72 Existing pest control advices

(1) This section applies in relation to a pest control advice under the repealed *Pest Management Regulation 2003*, section 13 if—

Authorised by the Parliamentary Counsel

(a) the advice was given by a licensed technician to a person for a pest control activity before the commencement; and

(b) the pest control activity was not completed immediately before the commencement.

(2) The licensed technician is taken to have satisfied both of the following conditions in relation to carrying out the pest control activity—

(a) the condition mentioned in section 13 for giving a pre-treatment pest control advice;

(b) the condition mentioned in section 15 for giving a post-treatment pest control advice.

Division 2 Transitional provision for Medicines and Poisons (Pest Management Activities) Amendment Regulation 2023

73 Existing activity risk management plans

(1) This section applies if—

(a) before the commencement, an activity risk management plan was prepared—

(i) that complied with former section 19 for a pest control activity; or

(ii) that complied with former section 24 for a fumigation activity; and

(b) immediately before the commencement, the activity had not been carried out.

(2) The activity risk management plan is—

(a) if the plan was for a pest control activity—taken to be an activity risk management plan that complies with new sections 18 and 19; or

Authorised by the Parliamentary Counsel

(b) if the plan was for a fumigation activity—taken to be an activity risk management plan that complies with new sections 23 and 24.

(3) In this section—

former, for a provision of this regulation, means the section as in force immediately before the commencement.

new, for a provision of this regulation, means the section as in force from the commencement.

74 Particular licensed technicians taken to hold competency for 1 year

(1) This section applies to a licensed technician who—

(a) immediately before the commencement, held a licence stating the technician was authorised to carry out a pest control activity for a customer at a high-risk or sensitive place; and

(b) from the commencement, does not have the statement of attainment or training mentioned in section 18(2) or 20A.

(2) The licensed technician is taken to hold the competency required under the section until the day that is 1 year after the commencement.

Authorised by the Parliamentary Counsel

Schedule 1 Approved persons

section 7

Part 1 Aerial distributors

Division 1 Commercial pilots

1 Class of person

A person who—

(a) holds a commercial pilot licence issued by CASA that is endorsed with an aerial application rating; and

(b) holds, or is employed by the holder of, an air operator's certificate issued by CASA that is endorsed with an aerial application rating; and

(c) has spraysafe accreditation issued by the Aerial Application Association of Australia Limited; and

(d) is employed to aerially distribute a pesticide.

2 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide	the pest control activity is carried out by aerial distribution

Authorised by the Parliamentary Counsel

Division 2 Operators of remotely operated aircraft

3 Class of person

A person who—

(a) holds a remote pilot licence issued by CASA; and

(b) holds, or is employed by the holder of, a remotely piloted aircraft operator's certificate issued by CASA; and

(c) has either—

(i) a statement of attainment stating the person has successfully completed the core pesticide competencies; or

(ii) spraysafe accreditation issued by the Aerial Application Association of Australia Limited; and

(d) is employed to aerially distribute a pesticide.

4 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide	the pest control activity is carried out by aerial distribution

Part 2 Ground distributors

5 Class of person

A person who—

(a) holds a commercial operator's licence granted under the *Agricultural Chemicals Distribution Control Act 1966*; and

Authorised by the Parliamentary Counsel

(b) holds, or is employed by the holder of—

(i) an aerial distribution contractor licence granted under the *Agricultural Chemicals Distribution Control Act 1966*; or

(ii) a ground distribution contractor's licence granted under the *Agricultural Chemicals Distribution Control Act 1966*; and

(c) is employed to distribute a pesticide with ground equipment on land used for agricultural or horticultural purposes.

6 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide	the pest control activity is carried out by ground distribution on land used for agricultural or horticultural purposes

Part 3 Commercial animal business operators and employees

Division 1 Business operators

7 Class of person

A person who—

(a) has—

(i) a statement of attainment stating the person has successfully completed the core pesticide competencies; or

Authorised by the Parliamentary Counsel

(ii) a statement of attainment stating the person has successfully completed the supervised pesticide competency; or

(iii) successfully completed training, approved by the chief executive, that is substantially equivalent to the competencies mentioned in subparagraph (i) or (ii); and

(b) is operating a business to treat pests on commercial animals.

8 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide	(a) the pest control activity is carried out to treat pests on a commercial animal; and (b) if the person is in the class because of the supervised pesticide competency or equivalent training—the pest control activity is carried out under the supervision of a licensed technician

Division 2 Employees

9 Class of person

A person who—

(a) has—

(i) a statement of attainment stating the person has successfully completed the core pesticide competencies; or

(ii) a statement of attainment stating the person has successfully completed the supervised pesticide competency; or

(iii) successfully completed training, approved by the chief executive, that is substantially equivalent to the competencies mentioned in subparagraph (i) or (ii); and

(b) is employed by another person operating a business to treat pests on commercial animals.

10 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide	(a) the pest control activity is carried out to treat pests on a commercial animal; and (b) if the person is in the class because of the supervised pesticide competency or equivalent training—the pest control activity is carried out under the supervision of a licensed technician

Part 4 Domestic animal business operators and employees

Division 1 Business operators

11 Class of person

A person who is operating a business to care for domestic animals.

Authorised by the Parliamentary Counsel

12 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide, other than an S7 substance	the pest control activity is carried out to treat pests on a domestic animal

Division 2 Employees

13 Class of person

A person who is employed by another person operating a business to care for domestic animals.

14 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide, other than an S7 substance	the pest control activity is carried out to treat pests on a domestic animal

Part 5 Food product treatment business operators and employees

Division 1 Business operators

15 Class of person

A person who—

(a) has—

(i) a statement of attainment stating the person has successfully completed the core pesticide competencies; or

(ii) a statement of attainment stating the person has successfully completed the supervised pesticide competency; or

(iii) successfully completed training, approved by the chief executive, that is substantially equivalent to the competencies mentioned in subparagraph (i) or (ii); and

(b) is operating a business to treat pests on food products.

Authorised by the Parliamentary Counsel

16 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide	(a) the pest control activity is carried out to treat a food product— • after the product has been harvested; and • before the product is moved to another place for further processing or storage; and • if the person is in the class because of the supervised pesticide competency or equivalent training—under the supervision of a licensed technician (b) the pest control activity is carried out to treat grains or seeds— • at the place where the grains or seeds are used for the manufacture of food intended for consumption by animals; and • if the person is in the class because of the supervised pesticide competency or equivalent training—under the supervision of a licensed technician

Authorised by the Parliamentary Counsel

Division 2 Employees

17 Class of person

A person who—

(a) has—

(i) a statement of attainment stating the person has successfully completed the core pesticide competencies; or

(ii) a statement of attainment stating the person has successfully completed the supervised pesticide competency; or

(iii) successfully completed training, approved by the chief executive, that is substantially equivalent to the competencies mentioned in subparagraph (i) or (ii); and

(b) is employed by another person operating a business to treat pests on food products.

Authorised by the Parliamentary Counsel

18 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide	(a) the pest control activity is carried out to treat a food product— • after the product has been harvested; and • before the product is moved to another place for further processing or storage; and • if the person is in the class because of the supervised pesticide competency or equivalent training—under the supervision of a licensed technician (b) the pest control activity is carried out to treat grains or seeds— • at the place where the grains or seeds are used for the manufacture of food intended for consumption by animals; and • if the person is in the class because of the supervised pesticide competency or equivalent training—under the supervision of a licensed technician

Authorised by the Parliamentary Counsel

Part 6 State officers and assistants

Division 1 Biosecurity officers

19 Class of person

An authorised officer under the *Biosecurity Act 2014*.

20 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide, other than an S7 substance	the pest control activity is carried out for biosecurity matter that is a pest

Division 1A Assistants to biosecurity officers

20A Class of person

A person who is directed by, or is helping, an authorised officer under the *Biosecurity Act 2014* to treat or destroy biosecurity matter that is a pest.

Authorised by the Parliamentary Counsel

20B Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide, other than an S7 substance	the pest control activity is carried out for the biosecurity matter— (a) if the person is subject to a direction—in accordance with the direction; or (b) if the person is helping an authorised officer—in the way agreed

Division 2 Public health officers

21 Class of person

An authorised person under the *Public Health Act 2005* who is authorised under that Act to take action in relation to a designated pest.

Authorised by the Parliamentary Counsel

22 Pest management activities authorised

	Column 1	Column 2	Column 3
	Pest management activities	**Fumigants or pesticides**	**Scope of activity**
1	a pest control activity	a pesticide, other than an S7 substance	the pest control activity is carried out, under the *Public Health Act 2005*— (a) for treating a designated pest that is a mosquito under a prevention and control program; or (b) as part of the surveillance of a designated pest that is a mosquito; or (c) to prevent and control a public health risk posed by a designated pest that is a mosquito

Part 7 Teachers

23 Class of person

A person who—

(a) has a diploma or equivalent in relation to pest management or agricultural studies; and

(b) is teaching a course about pest management at a secondary school or tertiary institution.

Authorised by the Parliamentary Counsel

24 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest management activity	a fumigant or pesticide	the pest management activity is carried out for teaching the course

Part 8 Timber infrastructure contractors

25 Class of person

A person who—

(a) has—

(i) a statement of attainment stating the person has successfully completed the core pesticide competencies; or

(ii) a statement of attainment stating the person has successfully completed the applying pesticides competency; or

(iii) successfully completed training, approved by the chief executive, that is substantially equivalent to the competencies mentioned in subparagraph (i) or (ii); and

(b) is employed to treat timber infrastructure for pests.

26 Pest management activities authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide	the pest control activity is carried out to treat timber infrastructure for pests

Authorised by the Parliamentary Counsel

Part 9 Trainees

Division 1 Pest management trainees

27 Class of person

A person who is undertaking a course about pest management that would enable the person to obtain a qualification in pest management.

28 Pest management activities authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest management activity	a fumigant or pesticide	the pest management activity is carried out under the supervision of a licensed technician, or an approved person mentioned in part 7, authorised under the Act to carry out the activity with the fumigant or pesticide

Division 2 Other trainees

29 Class of person

A person who is—

(a) undertaking training to become a member of a class of persons mentioned in parts 1 to 3, 5, 7, 8 or part 11, division 1 (the ***trainee's class***); and

(b) employed in the same way, or practising the same profession, as described in the trainee's class.

Authorised by the Parliamentary Counsel

30 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest management activity mentioned in the table for the trainee's class	a fumigant or pesticide mentioned in the table for the pest management activity for the trainee's class	the pest management activity is carried out under the supervision of a person authorised under the Act to carry out the activity with the fumigant or pesticide

Part 10 QBCC licensees for termite management

Division 1 Licensees

31 Class of person

A person who—

(a) holds a QBCC licence of the termite management class; and

(b) is employed to construct, extend or renovate a building or other structure.

Authorised by the Parliamentary Counsel

32 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity that is installing a physical termite barrier	a pesticide that is termite barrier sheet material	the pest control activity is carried out during the construction, extension or renovation of a building or other structure

Division 2 Persons supervised by licensees

33 Class of person

A person who is—

(a) supervised by a person holding a QBCC licence of the termite management class; and

(b) employed to construct, extend or renovate a building or other structure.

34 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity that is installing a physical termite barrier	a pesticide that is termite barrier sheet material	the pest control activity is carried out during the construction, extension or renovation of a building or other structure

Authorised by the Parliamentary Counsel

Part 11 Veterinary professions

Division 1 Veterinary surgeons

35 Class of person

A veterinary surgeon.

36 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide	the pest control activity is carried out for treating a pest on an animal

Division 2 Veterinary assistants

37 Class of person

A person employed by, or volunteering to assist, a veterinary surgeon.

38 Pest management activity authorised

	Column 1 Pest management activity	Column 2 Fumigant or pesticide	Column 3 Scope of activity
1	a pest control activity	a pesticide, other than an S7 substance	the pest control activity is carried out for treating a pest on an animal

Schedule 2 Fees

sections 66 and 70(3)(b)

		Fee units
1	Initial application for a pest management licence (Act, s 75(c))	168.50
2	Amendment application for a pest management licence (Act, s 78(2)(c))	55.50
3	Renewal application for a pest management licence (Act, s 82(2)(c))	168.50
4	Fee for processing an initial application for a pest management licence (Act, s 75(c))	140.50
5	Application for the replacement of a lost, stolen or damaged hard copy document evidencing a pest management licence (s 70(3)(b))	55.50

Authorised by the Parliamentary Counsel

Schedule 3 Dictionary

section 3

activity risk management plan—

(a) for a pest control activity—see section 18; or

(b) for a fumigation activity—see section 23.

applying pesticides competency means the unit of competency, CPPUPM3006—Manage pests by applying pesticides, in a VET course.

approved ovitrap means a pesticide that is an ovitrap approved under a permit within the meaning of the Agvet Code of Queensland, section 109, granted for the purposes of preventing, controlling or eradicating mosquitoes.

biosecurity matter see the *Biosecurity Act 2014*, section 15.

business operator means—

(a) a licensed technician who operates a pest management business; or

(b) a person, other than a licensed technician, who—

(i) operates a pest management business; and

(ii) employs a licensed technician or pest management trainee to carry out pest management activities for the business.

CASA see the *Civil Aviation Act 1988* (Cwlth), section 3.

clearance certificate, for a fumigation activity, see section 36(1).

commercial animal means livestock or another animal kept or exhibited for a commercial purpose.

competency standard means the departmental standard approved under section 8.

contact details means—

Authorised by the Parliamentary Counsel

(a) in relation to a person—the name and phone number of the person; or

(b) in relation to a business—the name and phone number of the business.

core pesticide competencies are the following units of competency in a VET course—

(a) AHCCHM304—Transport and store chemicals;

(b) AHCCHM307—Prepare and apply chemicals to control pest, weeds and diseases.

customer, in relation to a pest management activity at a place, means the person who requested the activity be carried out at the place, whether or not the person is the owner or occupier of the place or paid for the activity to be carried out.

designated pest means a designated pest under the *Public Health Act 2005*.

equivalent training, in relation to the supervised pesticide competency, means training approved by the chief executive that is substantially equivalent to the competency.

exposure area, for a fumigation activity, means the fumigation space and each risk area for the activity.

exposure period, for a fumigation activity, means the period—

(a) starting when the fumigant is introduced into the fumigation space for the activity; and

(b) ending when a clearance certificate is given for the activity.

food product means an agricultural or horticultural product intended for human consumption.

fumigation notice, for a fumigation activity, see section 25(1).

fumigation site means a place at which a fumigation activity is carried out, or proposed to be carried out, to the outer boundary of the place.

Authorised by the Parliamentary Counsel

fumigation space, for a fumigation activity, means the entire space at a fumigation site into which a fumigant is introduced when carrying out the activity.

grain storage facility means a bag, bunker, pad, shed or silo used for the storage of bulk amounts of grain.

high-risk place—

(a) means a place owned or occupied by a person and used for—

(i) intensive or high density livestock farming; or

(ii) large-scale manufacturing, processing or storage of food for sale primarily by wholesale; and

(b) includes land adjacent to the place that is owned or occupied by the same person.

licence number, of a licensed technician, means the number stated in the pest management licence held by the technician.

licensed technician means the holder of a pest management licence.

licensing fee, for part 6, division 1, see section 65.

pest management trainee means an approved person mentioned in schedule 1, part 9, division 1.

pest management vehicle means a vehicle used to store or transport a fumigant or pesticide.

post-treatment pest control advice, for a pest control activity, see section 15(1).

pre-treatment pest control advice, for a pest control activity, see section 13(1).

QBCC licence means each of the following licences under the *Queensland Building and Construction Commission Act 1991*—

(a) a contractor's licence under section 30 of that Act;

(b) a nominee supervisor's licence under section 30A of that Act;

(c) a site supervisor's licence under section 30B of that Act.

Authorised by the Parliamentary Counsel

qualified person see section 40.

retention period, of a fumigant introduced into a fumigation space for a fumigation activity, means the period that the fumigant is retained in the space.

risk area, for a fumigation activity, means the area—

(a) surrounding the fumigation space for the activity; and

(b) in which there is a likelihood a fumigant may escape in concentrations that exceed the safe exposure concentration for the fumigant.

safe exposure concentration, for a fumigant, means the concentration of the fumigant in the air—

(a) stated on the approved label for the fumigant; or

(b) stated to be the 8 hour time weighted average that is safe for human exposure in the document called 'Workplace exposure standards for airborne contaminants' published by Safe Work Australia.

sensitive place—

(a) means a building—

(i) used for providing aged care, child care or schooling; or

(ii) used as a hospital; and

(b) includes land adjacent to the building used for the same purposes.

supervised pesticide competency means the unit of competency, AHCCHM201—Apply chemicals under supervision, in a VET course.

supervisor, of a trainee, means the person supervising the trainee.

termite barrier sheet material means a chemically treated product manufactured for use as a termite barrier that is—

(a) tested in accordance with AS 3660.3 (Termite Management: Assessment criteria for termite management systems); and

Authorised by the Parliamentary Counsel

(b) registered with the Australian Pesticides and Veterinary Medicines Authority for use as a physical termite barrier.

termite management class means the licence class called 'Termite management—physical' under the *Queensland Building and Construction Commission Regulation 2018*, schedule 2, part 57.

timber infrastructure means timber infrastructure or structural works in the ground, other than residential premises or commercial buildings.

Examples of infrastructure or structural works—

bridges, electricity poles, fences, railway lines

timber pests means pests that attack, infest or destroy timber or timber products.

urban pests means pests that are commonly found in places where people live and work, including, for example, ants, cockroaches, mice, rats and spiders.

VET course see the *National Vocational Education and Training Regulator Act 2011* (Cwlth), section 3.

Authorised by the Parliamentary Counsel