

Queensland



*Agricultural Chemicals Distribution Control Act 1966*

# **AGRICULTURAL CHEMICALS DISTRIBUTION CONTROL REGULATION 1970**

**Reprinted as in force on 21 March 1997  
(includes amendments up to SL No. 54 of 1997)**

**Reprint No. 1A**

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the Office of the Queensland Parliamentary Counsel  
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# Information about this reprint

This regulation is reprinted as at 21 March 1997. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

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

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

**Also see endnotes for information about—**

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

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**AGRICULTURAL CHEMICALS  
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1970**

[as amended by all amendments that commenced on or before 21 March 1997]

**PART 1—PRELIMINARY**

**Short title**

1. This regulation may be cited as the *Agricultural Chemicals Distribution Control Regulation 1970*.

**Misleading documents and information**

2. The submission to the standards officer of any false document, statement or representation or fraudulent document, statement or misrepresentation shall constitute an offence against this regulation.

**Fees**

3. The fees set out in schedule 4 are the fees payable for the purposes of the Act.

**Definitions**

4. In this regulation—

“**hazardous area No. 1**” is the area delineated in schedule 1, part 1.

“**hazardous area No. 2**” is the area delineated in schedule 1, part 2.

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## **PART 2—AERIAL DISTRIBUTION—LICENSING**

### **Pilot chemical rating licence**

**5.(1)** A person shall not be eligible to apply for a pilot chemical rating licence or for the renewal of a pilot chemical rating licence unless such person—

- (a) is the holder of a valid commercial pilot's licence or a valid senior commercial pilot's licence endorsed with an agricultural rating issued under the Civil Aviation Regulations and in force at the material time; and
- (b) has passed the relevant examination as prescribed in section 16.

**(2)** An applicant for the examination to qualify for a pilot chemical rating licence shall—

- (a) complete and lodge with the standards officer an application for examination to qualify for a pilot chemical rating licence in the approved form; and
- (b) forward the prescribed fee with such application.

**(3)** An applicant for a pilot chemical rating licence shall—

- (a) complete and lodge with the standards officer an application in the approved form; and
- (b) forward the prescribed fee with such application.

**(4)** An applicant for renewal of a pilot chemical rating licence shall not less than 30 days prior to the expiration of the applicant's pilot chemical rating licence—

- (a) complete and lodge with the standards officer an application for renewal of a pilot chemical rating licence in the approved form; and
- (b) forward the prescribed fee with such application.

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### **Form of pilot chemical rating licence and renewal**

**6.(1)** A pilot chemical rating licence issued with respect to the Act shall be in the approved form.

**(2)** A renewal of a pilot chemical rating licence issued with respect to the Act shall be in the approved form.

### **Aerial distribution contractor licence**

**7.(1)** A person shall not be eligible to apply for an aerial distribution contractor licence or for renewal of an aerial distribution contractor licence unless such person is the holder of a valid aerial work licence, endorsed to conduct agricultural operations issued under the Civil Aviation Regulations and in force at the material time.

**(2)** An applicant for an aerial distribution contractor licence shall—

- (a) complete and lodge with the standards officer an application in the approved form; and
- (b) forward the prescribed fee with such application.

**(3)** An applicant for renewal of an aerial distribution contractor licence shall not less than 30 days prior to the expiration of the applicant's aerial distribution contractor licence—

- (a) complete and lodge with the standards officer an application for renewal of an aerial distribution contractor licence in the approved form; and
- (b) forward the prescribed fee with such application.

### **Form of aerial distribution contractor licence and renewal**

**8.(1)** An aerial distribution contractor licence issued with respect to the Act shall be in the approved form.

**(2)** A renewal of an aerial distribution contractor licence issued with respect to the Act shall be in the approved form.

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### **Alteration of particulars in aerial distribution contractor licence and renewal**

9. A licensed aerial distribution contractor shall within 14 days of any change in the particulars in the contractor's aerial distribution contractor licence or renewal of aerial distribution contractor licence give notice in writing to the standards officer and such notice shall be in the approved form.

## **PART 3—GROUND DISTRIBUTION—LICENSING**

### **Commercial operator's licence**

10.(1) A commercial operator's licence shall be of 2 classes, namely—

- (a) unrestricted;
- (b) restricted as to particular herbicides or equipment.

(2) A commercial operator's licence restricted as to particular herbicides or equipment and a renewal of such licence shall be endorsed to indicate such herbicides or equipment.

(3) A person shall not be eligible to apply for a commercial operator's licence unless the person has passed the relevant examination as prescribed in section 16.

(4) An applicant for an examination to qualify for a commercial operator's licence shall—

- (a) complete and lodge with the standards officer an application for examination to qualify for a commercial operator's licence in the approved form; and
- (b) forward the prescribed fee with such application.

(5) An applicant for a commercial operator's licence shall—

- (a) complete and lodge with the standards officer an application in the approved form; and
- (b) forward the prescribed fee with such application.

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(6) An applicant for renewal of a commercial operator's licence shall not less than 30 days prior to the expiration of the applicant's licence—

- (a) complete and lodge with the standards officer an application for renewal of a commercial operator's licence in the approved form; and
- (b) forward the prescribed fee with such application.

### **Form of commercial operator's licence and renewal**

11.(1) A commercial operator's licence issued with respect to the Act shall be in the approved form.

(2) A renewal of a commercial operator's licence issued with respect to the Act shall be in the approved form.

## **PART 4—LICENSING GENERALLY**

### **Refusal of licences**

12.(1) The board may refuse to issue or renew a pilot chemical rating licence or a commercial operator's licence of the pilot in command or licensed commercial operator, respectively, if such person—

- (a) fails to pass the relevant examination as prescribed in section 16; or
- (b) commits an offence against the Act or the *Poisons Regulation 1973*, section O 10.01.

(2) The board may refuse to issue or renew an aerial distribution contractor licence of an aerial distribution contractor if such person has—

- (a) committed an offence against the Act, the *Poisons Regulation 1973*, section O 10.01 or fails to observe the provisions of this regulation; or
- (b) failed to comply with a request made in writing by the standards officer pursuant to section 26(2) of the Act.

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(3) Notification of such refusal shall be forwarded by the standards officer to the pilot in command, to the aerial distribution contractor or to the commercial operator.

(4) On receipt of such notification the pilot in command, the aerial distribution contractor or the commercial operator shall, where it is a matter of refusal to renew the pilot chemical rating licence, the aerial distribution contractor licence or the commercial operator's licence, return such licence to the standards officer forthwith.

### **Cancellation or suspension of licences**

**13.(1)** Where in accordance with section 20 of the Act, the standards officer suspends a pilot chemical rating licence, an aerial distribution contractor licence or a commercial operator's licence, the standards officer shall notify the holder forthwith and the holder of such suspended licence shall return such licence to the standards officer forthwith.

(2) Where in accordance with section 21 of the Act, on the recommendation of the board, the chief executive has—

- (a) cancelled; or
- (b) suspended;

a pilot chemical rating licence, an aerial distribution contractor licence or a commercial operator's licence the holder of such cancelled or suspended licence shall return such licence to the standards officer forthwith.

### **Sighting of licences**

**14.(1)** The standards officer or an inspector or any other officer appointed under the Act who—

- (a) finds a person committing or reasonably suspects that a person has committed an offence against the Act; or
- (b) is making inquiries or investigations under the Act;

may require such person to produce any licence issued to the person under the Act.

(2) A person who, when required by this section so to do, fails without

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reasonable cause or refuses to produce a licence issued to the person under the Act shall be guilty of an offence.

(3) Notwithstanding the provisions of subsection (2) a licensed commercial operator required by the standards officer or an inspector or any other officer appointed under the Act to produce a commercial operator's licence issued to the operator under the Act shall be deemed not guilty of an offence, if not later than 48 hours after being required so to do, the operator produces, or causes to be produced, such licence to an officer of the department or to the officer in charge of a police station nominated, as the case may be, by the standards officer or inspector or other officer appointed under the Act.

## **PART 5—EXAMINATIONS**

### **Standards officer responsible for conducting qualifying examinations**

15. The standards officer shall be the person responsible for conducting qualifying examinations of applicants for pilot chemical rating licences or commercial operators' licences.

### **Examinations**

16.(1) A candidate for examination for qualification for a pilot chemical rating licence or a commercial operator's licence shall be notified by the standards officer of the time and place and of the conditions of such examination as soon as possible after receipt by the officer of the candidate's application.

(2) Each such examination shall—

- (a) be conducted by the standards officer who may appoint in writing such other persons as the officer considers necessary to conduct such examination; and
- (b) be based only on the information set out—
  - (i) in the case of candidates for a pilot chemical rating

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licence—in the Aerial Agriculture—Chemical Rating Manual compiled by Commonwealth and State authorities on behalf of the Australian Agricultural Council, as may be amended from time to time; or

- (ii) in the case of candidates for a commercial operator's licence—in the Pesticide Application Manual produced for and on behalf of the board as may be amended from time to time;

- (c) be an examination not exceeding 1½ hours duration.

(3) In the case of a failure a person may not resubmit himself or herself for examination sooner than 7 days from last failing to obtain a pass in the examination, except that an applicant who has failed on 3 consecutive attempts to obtain a pass in the examination shall not be eligible to resubmit himself or herself for examination sooner than 3 months after last failing to obtain a pass in the examination.

(4) At the discretion of the board, the standards officer may request a licensee to submit for re-examination and the licensee shall comply with such request.

## **PART 6—AERIAL AND GROUND DISTRIBUTION GENERALLY**

### **Equipment that is not ground equipment**

17. Except in hazardous areas, equipment used in the distribution of agricultural chemicals, being equipment of 1 of the following kinds—

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

shall not be ground equipment.

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**Security—Act, s 25(3)**

**18.** The security required to be lodged by the owner of ground equipment under the provisions of section 25(3) of the Act shall be for an amount of \$20 000 at the least.

**Notice of damage—Act, s 30**

**19.** A person who desires to give notice to the standards officer of suspected damage or injury to crops or stock as required by section 30 of the Act shall do so by completing and lodging with the officer the approved form.

**When distribution of agricultural chemicals not permitted**

**20.(1)** A pilot in command shall not carry out aerial distribution of agricultural chemicals unless each individual spray nozzle is fitted with a positive and effective leak-proof cut-off system.

**(2)** A pilot in command in charge of aerial distribution of agricultural chemicals or a licensed commercial operator in charge of ground distribution of herbicides shall not carry out distribution of agricultural chemicals with equipment or under meteorological conditions which could be expected to cause spray drift on to any crop or stock which is susceptible to damage from the chemical involved.

**When containers of certain chemicals not to be opened**

**21.** A person shall not open any container of a volatile formulation of any of the chemicals listed in schedule 3 within a distance of 25 m of any crop or stock which is susceptible to damage from that chemical.

**Register of licences**

**22.** The register of licences shall be kept in the office of the standards officer and shall contain the following particulars—

- (a) name of licensee;
- (b) address;

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- (c) number of licence or renewal of licence;
- (d) date of issue of—
  - (i) licence;
  - (ii) renewal;
- (e) such other particulars as the standards officer may from time to time deem necessary.

### **Aerial and ground equipment**

**23.** The board shall approve of the types or kinds of aerial and ground equipment to be used for aerial and ground distribution respectively.

## **PART 7—AERIAL AND GROUND DISTRIBUTION—HAZARDOUS AREAS**

### **Hazardous area No. 1**

**24.(1)** A person shall not carry out in hazardous area No. 1 aerial or ground distribution of dust formulations of any of the following chemicals, namely, MCPA; MCPB; 2,4-D; 2,4-DB; dichlorprop (2,4-DP); 2,4,5-T; fenoprop (2,4,5-TP); 4-CPA; picloram.

**(2)** Except in accordance with such conditions as may be specified in a permit granted to a pilot in command holding a chemical rating licence or to a licensed commercial operator pursuant to subsections (3) to (6) a person shall not carry out in hazardous area No. 1—

- (a) aerial distribution of picloram or of ester formulations of any of the other chemicals specified in subsection (1);
- (b) ground distribution of picloram or of ester formulations of any of the other chemicals specified in subsection (1) other than by the following techniques—
  - (i) cut stump treatment, frill ringing and basal bark treatment;

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provided that these operations are not carried out within 100 m of a crop which is susceptible to damage from the chemical being used other than a crop on such person's own property;

(ii) stem injections.

(3) A licensed aerial distribution contractor may make application for a permit to be granted to a pilot in command holding a valid pilot chemical rating licence, employed by the contractor and nominated by the contractor to carry out in hazardous area No. 1 aerial distribution as is specified in subsection (2)(a) from an aircraft which may be operated in the conduct of the contractor's business.

(4) An owner of ground equipment may make application for a permit to be granted to a licensed commercial operator nominated by such owner to carry out in hazardous area No. 1 ground distribution as is specified in subsection (2)(b).

(5) An application in the approved form shall be lodged with the standards officer not later than 10 days prior to the date upon which it is proposed to commence the aerial or ground distribution in respect of which the application is made.

(6) If the board approves of such application the standards officer shall issue to the pilot in command or licensed commercial operator nominated in the application as the case may be a permit in the approved form to distribute in hazardous area No. 1 or such part thereof as is described in such permit a specified formulation of the chemical or chemicals named in such permit within such period and subject to such conditions as the board may determine and as are specified in such permit.

(7) Notwithstanding subsections (1) to (6) a person shall not carry out in hazardous area No. 1 aerial distribution of agricultural chemicals of any kind or ground distribution of herbicides of any kind with equipment or under meteorological conditions which might reasonably be expected to result in damage or injury to any crop or stock.

(8) A person shall not carry out in hazardous area No. 1 aerial distribution of a herbicide after the 1 July 1984, unless—

(a) the aircraft has a smoke generating device installed or attached;  
and

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- (b) such smoke generating device is used to indicate air movement immediately prior to and from time to time during the course of the aerial distribution operation.

### **Hazardous area No. 2**

**25.(1)** A person shall not carry out in hazardous area No. 2 aerial or ground distribution of—

- (a) dust formulations of any of the following chemicals, namely, MCPA; MCPB; 2,4-D; 2,4-DB; dichlorprop (2,4-DP); 2,4,5-T; fenoprop (2,4,5-TP); 4-CPA; picloram;
- (b) ester formulations of 2,4-D.

**(2)** Except in accordance with such conditions as may be specified in a permit granted to a pilot in command holding a chemical rating licence or to a licensed commercial operator pursuant to subsections (3) to (6) a person shall not carry out in hazardous area No. 2—

- (a) aerial distribution of an ester formulation of picloram or 2,4,5-T;
- (b) ground distribution of an ester formulation of picloram or 2,4,5-T, other than by the following techniques—
  - (i) cut stump treatment, frill ringing and basal bark treatment; provided that these operations are not carried out within 100 m of a crop which is susceptible to damage from the chemical being used, other than a crop on such person's own property;
  - (ii) stem injections.

**(3)** A licensed aerial distribution contractor may make application for a permit to be granted to a pilot in command holding a valid pilot chemical rating licence, employed by the contractor and nominated by the contractor to carry out in hazardous area No. 2 aerial distribution as is specified in subsection (2)(a) from an aircraft which may be operated in the conduct of the contractor's business.

**(4)** An owner of ground equipment may make application for a permit to be granted to a licensed commercial operator nominated by such owner to carry out in hazardous area No. 2 ground distribution as is specified in

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subsection (2)(b).

(5) An application in the approved form shall be lodged with the standards officer not later than 10 days prior to the date upon which it is proposed to commence the aerial or ground distribution in respect of which the application is made.

(6) If the board approves of such application the standards officer shall issue to the pilot in command or licensed commercial operator nominated in the application as the case may be a permit in the approved form to distribute in hazardous area No. 2 or such part thereof as is described in such permit a specified formulation of the chemical or chemicals named in such permit within such period and subject to such conditions as the board may determine and as are specified in such permit.

(7) Notwithstanding subsections (1) to (6) a person shall not carry out in hazardous area No. 2 aerial distribution of agricultural chemicals of any kind or ground distribution of herbicides of any kind with equipment or under meteorological conditions which might reasonably be expected to result in damage or injury to any crop or stock.

(8) A person shall not carry out in hazardous area No. 2 aerial distribution of a herbicide after the 1 July 1984, unless—

- (a) the aircraft has a smoke generating device installed or attached, and
- (b) such smoke generating device is used to indicate air movement immediately prior to and from time to time during the course of the aerial distribution operation.

## **PART 8—EXEMPT AREA**

### **Area of State to which Act does not apply**

26. For section 3 of the Act, the part of the State specified in schedule 2 is declared to be an area to which the Act does not apply.

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## **PART 9—PENALTIES**

### **Penalties**

**27.** A person who in any respect contravenes or fails to comply with any provision of this regulation or any order, direction, or instruction given or made under or in force by virtue of this regulation shall be guilty of an offence against this regulation and shall be liable to—

- (a) in the case of any offence against part 7 a penalty not exceeding \$2 000; or
- (b) in the case of any offence otherwise a penalty not exceeding \$1 000.

## **PART 10—GENERAL**

## **SCHEDULE 1**

### **HAZARDOUS AREAS**

section 4

#### **PART 1—HAZARDOUS AREA No. 1**

That area of the State which is comprised of the local government areas of the Shires of Pine Rivers, Caboolture, Landsborough, Maroochy and Noosa, and the City of Redcliffe.

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**PART 2—HAZARDOUS AREA No. 2**

That area of the State which is comprised of the local government areas of the Shires of Allora, Cambooya, Clifton, Glengallan, Jondaryan, Millmerran, Pittsworth, Rosalie, Rosenthal, Wambo; the cities of Toowoomba and Warwick; and the town of Dalby.



**SCHEDULE 2****EXEMPT AREA**

section 26

Those parts of the State of Queensland comprised by the local government as are of the City of MOUNT ISA; the Town of THURSDAY ISLAND; the Shire of ARAMAC; that portion of the Shire of BALONNE west of the Narran, Balonne Minor and Balonne Rivers; the Shire of BARCALDINE; the Shire of BARCOO; that portion of the Shire of BAUHINIA bounded by a line drawn from the town of Rolleston in a westerly direction to Mount Hope, thence to Mount Cheops, thence to Mount Sunday, thence to the junction of the Nogoia River and Balmy Creek, thence along the Shire boundary firstly in a westerly direction, then in southerly, easterly, northerly and westerly directions to the junction with the Comet River and thence upstream in a southerly direction to the Town of Rolleston; that portion of the Shire of Belyando west of the Drummond Range; the Shire of BLACKALL; that portion of the Shire of BOORINGA west of the Maranoa and Merivale Rivers and Smith Creek; the Shire of BOULIA; that portion of the Shire of BOWEN south of a line drawn along the Clarke and Herbert Ranges to the Shire boundary; that portion of the Shire of BROADSOUND west of the Broadsound and Connors Ranges; the Shire of BULLOO; the Shire of BURKE; the Shire of CARPENTARIA; the Shire of CLONCURRY; the Shire of COOK; the Shire of CROYDON; the Shire of DALRYMPLE; the Shire of DIAMANTINA; that portion of the Shire of DUARINGA north of the Capricorn Highway; the Shire of ETHERIDGE; the Shire of FLINDERS; that portion of the Shire of HERBERTON west of a line drawn from the junction of the Shire boundary and the Herbert River, upstream along the Herbert River to its junction with Rudd Creek, thence upstream along Rudd Creek to its junction with Tunmirendah Creek thence upstream along Tunmirendah Creek to its source in the Great Dividing Range and the Shire boundary; the Shire of ILFRACOMBE; the Shire of ISISFORD; the Shire of JERICHO; that portion of the Shire of LIVINGSTONE south and west of the Boomer Range; the Shire of LONGREACH; that portion of the Shire of MAREEBA west of

SCHEDULE 2 (continued)

Geebung, Lead and Emu Creeks, south of the Walsh River, west of the border between the counties of Hodgkinson and Wrotham, north of Mitchell River up to its junction with the McLeod River, north of McLeod River and Middle Creek; the Shire of MCKINLAY; the Shire of MURWEH; the Shire of NEBO; the Shire of PAROO; the Shire of QUILPIE; the Shire of RICHMOND; the Shire of TAMBO; that portion of the Shire of WARROO west of the Maranoa River; the Shire of WINTON.

### **SCHEDULE 3**

Agricultural chemicals for the purposes of sections 21 and 24(1) to (6) shall be MCPA; MCPB; 2,4-D; 2,4-DB; 2,4,5-T; fenoprop (2,4,5-TP); 4-CPA; picloram.

**SCHEDULE 4****FEES**

section 3

	\$
1 Pilot chemical rating licence examination . . . . .	18.50
2 Pilot chemical rating licence . . . . .	18.50
3 Renewal of pilot chemical rating licence . . . . .	12.50
4 Aerial distribution contractor licence . . . . .	18.50
5 Renewal of aerial distribution contractor licence . . . . .	12.50
6 Commercial operator's licence examination . . . . .	18.50
7 Commercial operator's licence . . . . .	18.50
8 Renewal of commercial operator's licence . . . . .	12.50

## ENDNOTES

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### 2           **Date to which amendments incorporated**

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 21 March 1997. Future amendments of the Agricultural Chemicals Distribution Control Regulation 1970 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

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### 3 Key

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

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

### 4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

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

Reprint No.	Amendments included	Reprint date
1	to SL No. 268 of 1995	6 October 1995

### 5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

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## **6 List of legislation**

### **Agricultural Chemicals Distribution Control Regulation 1970**

pubd gaz 25 May 1970 pp 521–537  
commenced on date of publication

as amended by—

#### **regulations published gazette—**

30 June 1973 pp 1800–1  
commenced on date of publication

14 July 1973 p 2063  
commenced on date of publication

8 September 1973 p 209  
commenced on date of publication

28 September 1974 p 370  
commenced on date of publication

15 November 1975 p 1107  
commenced on date of publication

17 January 1976 p 195  
commenced on date of publication

25 December 1976 p 1865  
commenced 1 January 1977

22 July 1978 p 1437  
commenced 1 August 1978

11 August 1979 pp 1922–3  
commenced 1 September 1979

14 June 1980 pp 1213, 1214  
commenced on date of publication

20 September 1980 p 320  
commenced 1 October 1980

29 August 1981 p 2740  
commenced 1 October 1981

4 February 1984 p 441  
commenced 1 March 1984

5 May 1984 pp 111–25  
commenced 1 July 1984

8 December 1984 p 1961  
commenced 1 January 1985

26 January 1985 p 329  
commenced on date of publication

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9 November 1985 p 1303  
commenced 1 December 1985

29 November 1986 p 1920  
commenced 1 December 1986

27 February 1988 p 1137  
commenced 1 March 1988

11 February 1989 p 871  
commenced 1 March 1989

**Agricultural Chemicals Distribution Control Amendment Regulation 1991 SL No. 13**

pubd gaz 6 July 1991 pp 1423–4  
commenced on date of publication

**Primary Industries (Variation of Fees) Regulation 1993 SL No. 9 ss 1–2 sch**

notfd gaz 29 January 1993 pp 262–5  
commenced on date of notification

**Agricultural Chemicals Distribution Control Amendment Regulation (No. 1) 1995 SL No. 268**

notfd gaz 22 September 1995 pp 413–16  
commenced on date of notification

**Agricultural Chemicals Distribution Control Amendment Regulation (No. 1) 1997 SL No. 54**

notfd gaz 14 March 1997 pp 1153–4  
commenced on date of notification

## 7 List of annotations

### PART 1—PRELIMINARY

**pt hdg** prev pt 1 hdg om 1995 SL No. 268 s 5  
pres pt 1 hdg ins 1995 SL No. 268 s 3

### Misleading documents and information

**prov hdg** sub 1995 SL No. 268 s 4(1)  
**s 2** prev s 2 om R1 (see RA s 37)  
pres s 2 amd 1995 SL No. 268 s 4(2)

### Fees

**s 3** ins 1993 SL No. 9 s 2 sch

### Definitions

**s 4** prev s 4 om R1 (see RA s 36)  
pres s 4 sub 1995 SL No. 268 s 6

### Pilot chemical rating licence

**s 5** amd reg pubd gaz 15 November 1975 p 1107; 25 December 1976 p 1865;  
22 July 1978 p 1437; 11 August 1979 p 1922–3; 14 June 1980 p 1214;

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20 September 1980 p 320; 29 August 1981 p 2740; 4 February 1984 p 441; 5 May 1984 p 111–25; 8 December 1984 p 1961; 9 November 1985 p 1303; 29 November 1986 p 1920; 27 February 1988 p 1137; 11 February 1989 p 871; 1991 SL No. 13 s 3; 1995 SL No. 268 s 7

**Form of pilot chemical rating licence and renewal**

**s 6** amd 1995 SL No. 268 s 8

**Aerial distribution contractor licence**

**s 7** sub reg pubd gaz 5 May 1984 pp 111–25  
amd reg pubd gaz 8 December 1984 p 1961; 9 November 1985 p 1303;  
29 November 1986 p 1920; 27 February 1988 p 1137; 11 February 1989  
p 871; 1991 SL No. 13; 1995 SL No. 268 s 9

**Form of aerial distribution contractor licence and renewal**

**s 8** ins reg pubd gaz 5 May 1984 pp 111–25  
amd 1995 SL No. 268 s 10

**Alteration of particulars in aerial distribution contractor licence and renewal**

**s 9** ins reg pubd gaz 5 May 1984 pp 111–25  
amd 1995 SL No. 268 s 11

**Commercial operator's licence**

**s 10** amd reg pubd gaz 15 November 1975 p 1107; 25 December 1976 p 1865;  
22 July 1978 p 1437; 11 August 1979 pp 1922–3; 14 June 1980 p 1214;  
20 September 1980 p 320; 29 August 1981 p 2740; 4 February 1984  
p 441; 8 December 1984 p 1961; 26 January 1985 p 329; 9 November  
1985 p 1303; 29 November 1986 p 1920; 27 February 1988 p 1137;  
11 February 1989 p 871; 1991 SL No. 13 s 5; 1995 SL No. 268 s 12

**Form of commercial operator's licence and renewal**

**s 11** amd 1995 SL No. 268 s 13

**Refusal of licences**

**s 12** amd reg pubd gaz 5 May 1984 pp 111–25; 1995 SL No. 268 s 14

**Cancellation or suspension of Licences**

**s 13** prev s 13 amd reg pubd gaz 5 May 1984 pp 111–25  
om 1995 SL No. 268 s 16  
pres s 13 amd reg pubd gaz 5 May 1984 pp 111–25; 1995 SL No. 268 s 15

**Sighting of licences**

**s 14** amd 1995 SL No. 268 s 17

**Standards officer responsible for conducting qualifying examinations**

**prov hdg s 15** ins 1995 SL No. 268 s 18

**Examinations**

**prov hdg** ins 1995 SL No. 268 s 19(1)  
**s 16** amd 1995 SL No. 268 s 19(2)

**Equipment that is not ground equipment**

**prov hdg** ins 1995 SL No. 268 s 20(1)  
**s 17** amd 1995 SL No. 268 s 20(2)

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**Security—Act, s 25(3)**

**prov hdg** pres s 18 prov hdg ins 1995 SL No. 268 s 21  
**s 18** prev s 18 om reg pubd gaz 5 May 1984 pp 111–25

**Notice of damage—Act, s 30**

**prov hdg** ins 1995 SL No. 268 s 22(1)  
**s 19** prev s 19 sub reg pubd gaz 25 December 1976 p 1865; 22 July 1978 p 1437; 11 August 1979 pp 1922–3; 14 June 1980 p 1214; 20 September 1980 p 320; 29 August 1981 p 2740  
 om reg pubd gaz 5 May 1984 pp 111–125  
 pres s 19 amd 1995 SL No. 268 s 22(2)

**When distribution of agricultural chemicals not permitted**

**prov hdg s 20** ins 1995 SL No. 268 s 23

**When containers of certain chemicals not to be opened**

**prov hdg** ins 1995 SL No. 268 s 25  
**s 21** amd reg pubd gaz 5 May 1984 pp 111–25

**Aerial and ground equipment**

**s 23** prev s 23 renum as s 22(1) 1995 SL No. 268 s 24  
 pres s 23 sub reg pubd gaz 5 May 1984 pp 111–25

**Hazardous area No. 1**

**s 24** sub reg pubd gaz 30 June 1973 pp 1800–1  
 amd reg pubd gaz 14 July 1973 p 2063; 28 September 1974 p 370; 5 May 1984 pp 111–25; 1995 SL No. 268 s 26

**Hazardous area No. 2**

**s 25** ins reg pubd gaz 8 September 1973 p 209  
 amd reg pubd gaz 5 May 1984 pp 111–25; 1995 SL No. 268 s 27

**PART 8—EXEMPT AREA**

**pt hdg** ins 1995 SL No. 268 s 29

**Areas of State to which Act does not apply**

**s 26** ins 1995 SL No. 268 s 29

**Penalties**

**prov hdg** ins 1995 SL No. 268 s 28(1)  
**s 27** amd reg pubd gaz 5 May 1984 pp 111–25; 1995 SL No. 268 s 28(2)

**PART 10—GENERAL**

**pt hdg** ins 1995 SL No. 268 s 30

**Approved forms**

**s 28** ins 1995 SL No. 268 s 30  
 exp 29 December 1995 (see s 28(3))

**Repeals**

**s 30** ins 1995 SL No. 268 s 30  
 om R1 (see RA s 40)

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**Renumbering of regulation**

**s 31** ins 1995 SL No. 268 s 30  
om R1 (see RA s 7(1)(k))

**SCHEDULE 1—HAZARDOUS AREAS**

amd reg pubd gaz 30 June 1973 pp 1800–1; 8 September 1973 p 209;  
17 January 1976 p 195; 14 June 1980 p 1213, 4; 5 May 1984 pp 111–25  
sub 1995 SL No. 268 s 31

**pt 1** (prev o in c pubd gaz 30 June 1973 p 1760)  
reloc 1995 SL No. 268 s 32(2)

**pt 2** (prev o in c pubd gaz 8 September 1973 p 162)  
reloc 1995 SL No. 268 s 32(3)

**SCHEDULE 2—EXEMPT AREA**

ins 1995 SL No. 268 s 31  
(prev o in c pubd gaz 3 July 1971 pp 1350–51)  
reloc 1995 SL No. 268 s 32(1)

**SCHEDULE 4—FEES**

ins 1991 SL No. 13 s 6  
sub 1993 SL No. 9 s 2 sch; 1997 SL No. 54 s 3