

Queensland



Fisheries Act 1994

FISHERIES (BHC) QUARANTINE DECLARATION 2002

**Reprinted as in force on 2 August 2002
(declaration not amended up to this date)**

Reprint No. 1

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LAST REPRINT BEFORE REPEAL
See 2002 SL No. 193 s 12 but see also
1994 No. 34 s 102

Information about this reprint

This declaration is reprinted as at 2 August 2002.

See endnotes for information about when provisions commenced.

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Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

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FISHERIES (BHC) QUARANTINE DECLARATION 2002

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FISHERIES (BHC) QUARANTINE DECLARATION 2002

[reprinted as in force on 2 August 2002]

PART 1—PRELIMINARY

1 Short title

This declaration may be cited as the *Fisheries (BHC) Quarantine Declaration 2002*.

2 Definitions

In this declaration—

“**BHC**” means a chemical that is the sum of isomers of 1, 2, 3, 4, 5, 6-hexachlorocyclohexane, other than lindane.

“**BHC residue**” means a residue of BHC that has a concentration greater than 0.01 mg/kg for the residue in fisheries resources.

“**declared quarantine area**” means the area declared to be a quarantine area under section 3.

PART 2—DECLARED QUARANTINE AREA

3 Declaration of quarantine area—Act, s 95

Lot 1 on RP841658, Parish of Childers, County of Cook, Shire of Isis is declared to be a quarantine area for BHC residue.

4 Nature of quarantine

The nature of the quarantine is—

- (a) to prevent fisheries resources being sold from, or brought out of, the declared quarantine area; and
- (b) to take samples of any thing in the declared quarantine area; and
- (c) to treat and remove, or destroy, fisheries resources that may contain BHC residue in the declared quarantine area.

PART 3—DISEASE CONTROL MEASURES

5 Restriction on moving fisheries resources out of declared quarantine area

(1) A person must not, without an inspector's written consent, move fisheries resources out of the declared quarantine area.

(2) An inspector's consent may include directions about moving the fisheries resources.

(3) Without limiting subsection (2), a direction may be made about—

- (a) how, or to where, the fisheries resources may be moved; or
- (b) the purposes for which the fisheries resources may be used after they are moved.

6 Restriction on moving live fisheries resources into declared quarantine area

(1) A person must not, without an inspector's written consent, move live fisheries resources into the declared quarantine area.

(2) An inspector's consent may include directions about moving the live fisheries resources.

(3) Without limiting subsection (2), a direction may be made about—

- (a) how, or to where, the live fisheries resources may be moved; or
- (b) the purposes for which the live fisheries resources may be used after they are moved.

7 Restriction on selling fisheries resources

A person must not, without an inspector's written consent, sell fisheries resources that come from the declared quarantine area.

8 Treating fisheries resources

An occupier of a place in the declared quarantine area must not refuse to allow an inspector or a person authorised by an inspector to treat fisheries resources on the place.

9 Taking samples of fisheries resources and other thing

An occupier of a place in the declared quarantine area must not refuse to allow an inspector or a person authorised by an inspector to take a sample of fisheries resources or other thing on the place.

10 Taking and removing, or destroying, fisheries resources

If an inspector reasonably believes fisheries resources on a place in the declared quarantine area may contain BHC residue—

- (a) the inspector or a person authorised by the inspector may take and remove, or destroy, the fisheries resources; or
- (b) the inspector may direct the occupier of the place to remove or destroy the fisheries resources in a way the inspector directs.

11 Non-compliance with inspector's direction

A person to whom a direction under this declaration has been given must comply with the direction.

PART 4—EXPIRY

12 Expiry

This declaration expires 1 year after the commencement of this section, unless it is sooner revoked under section 102¹ of the Act.

¹ Section 102 (Revocation of quarantine or emergency quarantine declaration) of the Act

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). However, no amendments have commenced operation on or before that day. Future amendments of the Fisheries (BHC) Quarantine Declaration 2002 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

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

4 List of legislation

Fisheries (BHC) Quarantine Declaration 2002 SL No. 193

made by the chief executive, Department of Primary Industries, on 30 July 2002

notfd gaz 2 August 2002 pp 1291–2

commenced on date of notification

exp 2 August 2003 (see s 12 but see also 1994 No. 37 s 102)