



Queensland

Plant Protection Act 1989

Plant Protection (Electric Ant) Quarantine Notice 2006

Reprinted as in force on 15 June 2006

Reprint No. 0A

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

NOT FURTHER AMENDED
LAST REPRINT BEFORE REPEAL
See 1989 Act No. 14 s 11(9)(a)

Information about this reprint

This notice is reprinted as at 15 June 2006.

This page is specific to this reprint. A table of reprints is included in the endnotes.

Also see endnotes for information about when provisions commenced.

Dates shown on reprints

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.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



Queensland

Plant Protection (Electric Ant) Quarantine Notice 2006

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Plant Protection (Electric Ant) Quarantine Notice 2006

[reprinted as in force on 15 June 2006]

Part 1 Preliminary

1 Short title

This notice may be cited as the *Plant Protection (Electric Ant) Quarantine Notice 2006*.

Note—

Under section 11(9) of the Act, this notice remains in force until whichever of the following first happens—

- (a) the commencement of a regulation under section 11(1) of the Act in relation to the same matter; or
- (b) the end of 3 months.

2 Definitions

In this notice—

electric ant means the pest, electric ant *Wasmannia auropunctata* (Roger).

high risk item see section 3.

pest quarantine area means the pest quarantine area declared under section 4(1).

prescribed person means a person authorised by the chief executive.

soil includes a soil substitute that could be used as a growing medium for a plant.

Examples—

potting mix, organic mulch

3 Meaning of *high risk item*

(1) A *high risk item* means any of the following—

- (a) a plant;
- (b) soil or a thing that has soil attached;

Example—

turf

- (c) waste material, other than soil, that—
 - (i) comes from the ground; or
 - (ii) is manufactured from material that comes from the ground;

Examples—

- material extracted from the ground as part of building construction
- kiln dust

- (d) waste bio-solids that are a product of processing or manufacturing an animal, a plant or anything that comes from an animal or a plant;

Examples—

- solid waste from a sewage treatment plant
- solid waste produced by processing an animal at an abattoir

- (e) a container used for growing, harvesting, moving, packing or storing that contains soil or has soil attached;

Examples of a container—

bee hive, bin, carton, case, crate, pallet, pot

- (f) baled hay or straw;
- (g) an appliance used—
 - (i) to disturb soil; or
 - (ii) for packing or moving a thing mentioned in paragraph (a) to (e).

(2) Also, a thing is a *high risk item* if—

- (a) the thing is associated with an activity performed by a person; and

Part 3 Pest control measures

Division 1 Restrictions on movement

6 Restrictions on movement within or out of pest quarantine area

A person must not, without an inspector's approval, move a live electric ant or a high risk item within or out of the pest quarantine area.

Division 2 Other obligations of land owners

7 Definition for div 2

In this division—

land does not include a dwelling house on the land.

8 Obligation of owner of land to monitor for electric ant

- (1) An owner of land in the pest quarantine area must, if directed by an inspector, monitor the land for electric ant in the way the inspector considers appropriate for finding electric ant.
- (2) An inspector may give a direction under subsection (1) only if the inspector—
 - (a) reasonably believes the land may be infested with electric ant; or
 - (b) is satisfied there is a significant risk of spreading electric ant on the land.
- (3) If the owner becomes aware of electric ant on the land, the owner must notify the inspector within 24 hours after becoming aware of it.

9 Obligation of owner of land to allow surveillance

- (1) This section applies if an inspector or a prescribed person

requires an owner of land in the pest quarantine area to allow the inspector or prescribed person to carry out surveillance on the land to look for and monitor the spread of electric ant.

- (2) The owner must not refuse to allow the inspector or prescribed person to carry out the surveillance.
- (3) Without limiting subsection (1), an inspector or a prescribed person may carry out surveillance on the land by putting baits, lures or traps on the land.
- (4) The inspector or prescribed person may direct the owner to remove any thing on the land that would obstruct the inspector or prescribed person carrying out surveillance on the land.

Examples of things for subsection (4)—

rubbish, scrap metal, vegetation

- (5) When making the requirement or direction, the inspector or prescribed person must give the person an offence warning.

10 Restriction on who may treat land or things

An owner of land in the pest quarantine area must not, unless directed by an inspector, treat, or allow another person, other than an inspector or a prescribed person, to treat—

- (a) the land; or
- (b) the following on the land—
 - (i) electric ant;
 - (ii) a plant or other thing infested with electric ant.

11 Treatment of infested land or things

- (1) This section applies if an inspector directs an owner of land infested with electric ant to treat, or allow an inspector or a prescribed person to treat—
 - (a) the land; or
 - (b) the following on the land—
 - (i) electric ant;
 - (ii) a plant or other thing infested with electric ant.

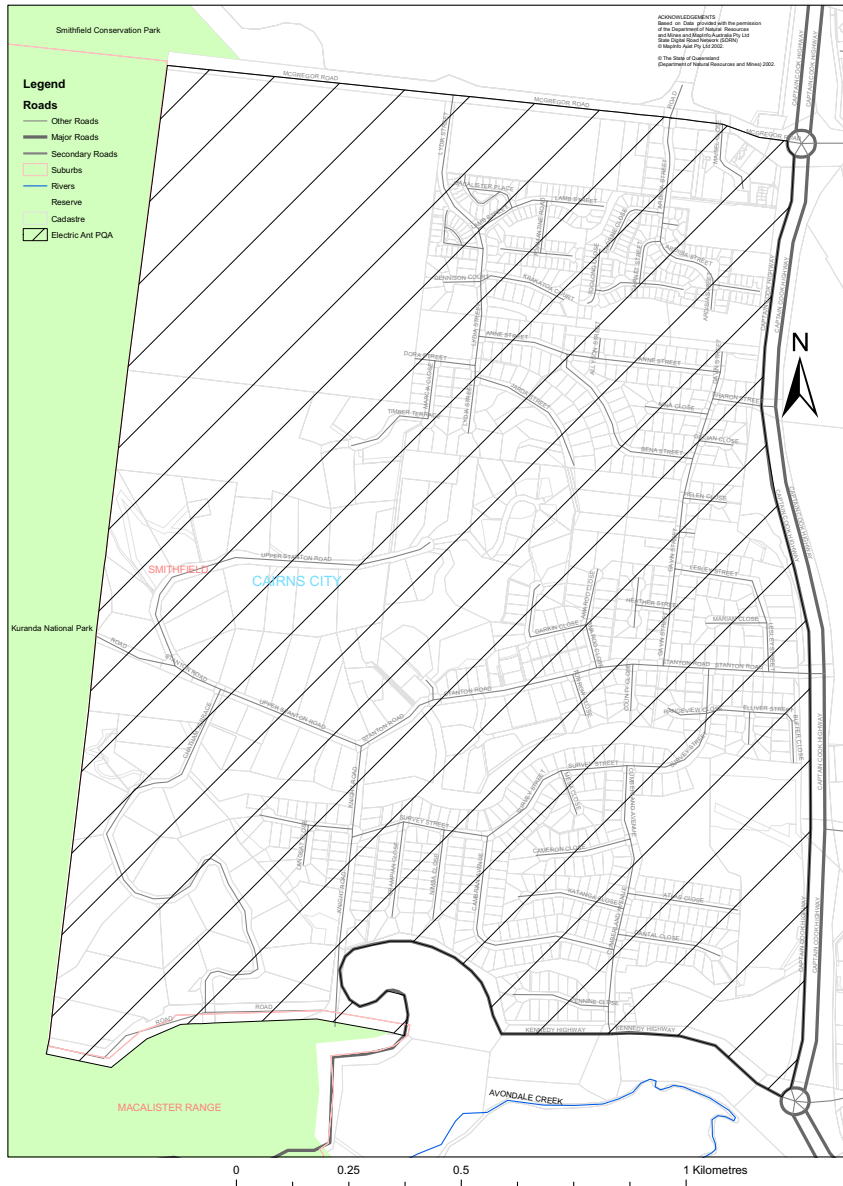
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2006*

- (2) If the owner is directed to carry out the treatment, the owner must carry out the treatment in the way directed by the inspector.
- (3) If the owner is directed to allow an inspector or a prescribed person to carry out the treatment, the owner must not refuse to allow the inspector or prescribed person to carry out the treatment.
- (4) When making the direction, the inspector must give the owner an offence warning.

Schedule

Pest quarantine area for electric ant

section 4(1)



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 Plant Protection (Electric Ant) Quarantine Notice 2006 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)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	15 June 2006	

5 List of legislation

Plant Protection (Electric Ant) Quarantine Notice 2006 SL No. 138

made by the Minister for Primary Industries and Fisheries on 13 June 2006

notfd gaz 15 June 2006 pp 691A-2

commenced on date of notification

exp 1989 No. 14 s 11(9) by either—

- (a) the commencement of a replacement regulation; or
- (b) the end of 3 months (16 September 2006)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.