



Plant Protection Act 1989

Plant Protection (Dickeya- Pineapple Strains) Notice 2016

Current as at 23 May 2016

Reprint note

This is the last reprint before lapse. Lapsed on 1 July 2016 by 2014 Act No. 7 s 504,



Queensland

Plant Protection (Dickeya-Pineapple Strains) Notice 2016

Contents

		Page
Part 1	Preliminary	
1	Short title	2
2	Definitions	2
Part 2	Pest declaration	
3	Pest declaration	3
Part 3	Quarantine declaration	
4	Pest quarantine area declaration	3
5	Objects of quarantine	4
6	Restriction on moving restricted item within or out of pest quarantine area	4
7	Obligation of land owner to allow surveillance	4

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[reprinted as in force on 23 May 2016]

Part 1 Preliminary

1 Short title

This notice may be cited as the *Plant Protection (Dickeya-Pineapple Strains) Notice 2016*.

Note—

The authorising Act for this notice, the *Plant Protection Act 1989*, will be repealed on the commencement of the *Biosecurity Act 2014* on or before 1 July 2016 (see sections 2(2) and 504 of the *Biosecurity Act 2014*). See the notes to sections 3 and 4 for the effect of the repeal on this notice.

2 Definitions

In this notice—

infected plant means a pineapple plant infected with pineapple-infecting *Dickeya* bacteria.

pest quarantine area, for pineapple-infecting *Dickeya* bacteria, is the area declared under section 4.

pineapple-infecting Dickeya bacteria means a strain of the *Dickeya* spp. bacteria that infects pineapples.

pineapple plant means a plant of the genus *Ananas comosus*.

Part 2 Pest declaration

3 Pest declaration

All pineapple-infecting *Dickeya* bacteria are declared to be pests for the Act, section 4(2).

Notes—

- 1 Under section 4(3) of the Act, a notice made under section 4(2) of the Act remains in force until whichever of the following happens first—
 - (a) a regulation under section 4(1) of the Act in relation to the same matter commences;
 - (b) 3 months ends.
- 2 On the commencement of the *Biosecurity Act 2014*, this notice is taken to be an emergency declaration made by the chief executive under that Act, chapter 2, part 2 and continues to have effect for the period mentioned in note 1. See the *Biosecurity Act 2014*, schedule 3, section 104.

Part 3 Quarantine declaration

4 Pest quarantine area declaration

The whole of Queensland is declared to be a pest quarantine area for pineapple-infecting *Dickeya* bacteria for the Act, section 11(1).

Notes—

- 1 Under section 11(9) of the Act, a notice made under section 11(1) of the Act remains in force until whichever of the following happens first—
 - (a) a regulation under section 11(1) of the Act in relation to the same matter commences;
 - (b) 3 months ends.
- 2 On the commencement of the *Biosecurity Act 2014*, this notice is taken to be a biosecurity emergency order made by the chief executive under that Act, section 113 and continues to have effect for the period mentioned in note 1. See the *Biosecurity Act 2014*, schedule 3, section 105.

[s 5]

5 Objects of quarantine

The objects of the quarantine are—

- (a) to prevent the spread of pineapple-infecting *Dickeya* bacteria in the pest quarantine area; and
- (b) to control or remove pineapple-infecting *Dickeya* bacteria in or from the pest quarantine area.

6 Restriction on moving restricted item within or out of pest quarantine area

- (1) A person must not, without an inspector's approval, move any of the following items (each a *restricted item*) within or out of the pest quarantine area—
 - (a) a pineapple plant grown, harvested or kept in the pest quarantine area;
 - (b) soil which has, or may have, come in contact with an infected plant;
 - (c) an appliance, container or other thing which has, or may have, come in contact with an infected plant.
- (2) An inspector may give an approval under subsection (1), with or without conditions, only if the inspector is satisfied movement of the restricted item will not pose a significant risk of spreading pineapple-infecting *Dickeya* bacteria in the pest quarantine area.

7 Obligation of land owner to allow surveillance

- (1) If an inspector requires an owner of land in the pest quarantine area to allow the inspector to carry out surveillance on the land to look for and monitor the spread of pineapple-infecting *Dickeya* bacteria, the owner must not refuse to allow the inspector to carry out surveillance.
- (2) Without limiting subsection (1), the inspector may carry out surveillance on the land by taking a sample of a plant or soil which may have come in contact with an infected plant and

testing the sample, or having another person test the sample, on the land or at another place.

- (3) The inspector may direct the owner to move or remove any thing on the land that would obstruct the inspector carrying out surveillance on the land.

Examples of things an inspector may direct to be moved or removed—
machinery, rubbish, vegetation

- (4) When making the requirement or direction, the inspector must warn the owner it is an offence not to comply with the requirement or direction.

- (5) In this section—

land does not include a dwelling house on the land.