



I hereby certify that this PUBLIC BILL has finally passed the Legislative Assembly of Queensland.

Legislative Assembly Chamber,
Brisbane,

The Clerk of the Parliament.

22 October

2015

In the name and on behalf of the Queen, I assent to this Bill.

L. Holmes

Government House,

Brisbane,

22nd October

2015



Queensland

No. 15 of 2015

A BILL for

An Act to amend the Agricultural and Veterinary Chemicals (Queensland) Act 1994, the Agricultural Chemicals Distribution Control Act 1966, the Animal Care and Protection Act 2001, the Animal Management (Cats and Dogs) Act 2008, the Biosecurity Act 2014, the Brands Act 1915, the Chemical Usage (Agricultural and Veterinary) Control Act 1988, the Exotic Diseases in Animals Act 1981, the Forestry Act 1959, the Nature Conservation and Other Legislation Amendment Act (No. 2) 2013 and the Stock Act 1915, for particular purposes



Queensland

Agriculture and Other Legislation Amendment Bill 2015

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2015

A Bill

for

An Act to amend the *Agricultural and Veterinary Chemicals (Queensland) Act 1994*, the *Agricultural Chemicals Distribution Control Act 1966*, the *Animal Care and Protection Act 2001*, the *Animal Management (Cats and Dogs) Act 2008*, the *Biosecurity Act 2014*, the *Brands Act 1915*, the *Chemical Usage (Agricultural and Veterinary) Control Act 1988*, the *Exotic Diseases in Animals Act 1981*, the *Forestry Act 1959*, the *Nature Conservation and Other Legislation Amendment Act (No. 2) 2013* and the *Stock Act 1915*, for particular purposes

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Agriculture and Other Legislation Amendment Act 2015*.

2 Commencement

- (1) The following provisions of this Act commence on a day to be fixed by proclamation—
 - (a) part 3 other than sections 5 and 16;
 - (b) part 5 other than sections 24 and 37;
 - (c) part 13;
 - (d) schedule 1.
- (2) Section 37 commences on the commencement of the *Biosecurity Act 2014*, section 550.
- (3) Part 7 commences immediately after the commencement of the *Biosecurity Act 2014*, schedule 4, part 2, entry for the *Brands Act 1915*.
- (4) Sections 86 to 88 commence on the commencement of the *Biosecurity Act 2014*, section 9.
- (5) Section 93(2) commences on the commencement of the *Biosecurity Act 2014*, section 21.

Part 2 **Amendment of Agricultural and Veterinary Chemicals (Queensland) Act 1994**

3 Act amended

This part amends the *Agricultural and Veterinary Chemicals (Queensland) Act 1994*.

4 Insertion of new s 6A

After section 6—

insert—

6A Application of legislative instruments made under Agricultural and Veterinary Chemicals Code Act

- (1) A legislative instrument in force under the Agricultural and Veterinary Chemicals Code Act applies as a legislative instrument for the purposes of the Agvet Code of Queensland and the Agvet Regulations of Queensland.
- (2) In this section—

legislative instrument means a legislative instrument under the *Acts Interpretation Act 1901* (Cwlth), section 15AE.

[s 5]

Part 3 Amendment of Agricultural Chemicals Distribution Control Act 1966

5 Act amended

This part amends the *Agricultural Chemicals Distribution Control Act 1966*.

6 Amendment of s 12 (Pilot chemical rating licence)

Section 12(2)—

omit, insert—

- (2) A person may apply under section 17 for a pilot chemical rating licence if the person gives the chief executive evidence that the person holds—
 - (a) if the person intends to pilot a manned aircraft under the licence—the authorisation mentioned in subsection (3); and
 - (b) if the person intends to use an unmanned aircraft other than a balloon or a kite (a **UAV**) under the licence—the authorisation mentioned in subsection (4); and
 - (c) the qualification prescribed by regulation.
- (3) For subsection (2)(a), the authorisation is a civil aviation authorisation under which the person may pilot (as pilot in command) the manned aircraft the person intends to use under the licence to carry out aerial distribution in the circumstances the person intends to carry out the aerial distribution.

Examples of circumstances for subsection (3)—

- aerial distribution to be conducted as a commercial operation

- application of agricultural chemicals to crops to control pests
 - application of agricultural chemicals for mosquito control
- (4) For subsection (2)(b), the authorisation is a civil aviation authorisation under which the person may act as the controller of the UAV the person intends to use under the licence to carry out aerial distribution in the circumstances the person intends to carry out the aerial distribution.

7 Amendment of s 13 (Effect of termination or suspension of pilot's licence)

Section 13(1), 'the licence referred to in section 12(2)(a)'—

omit, insert—

a civil aviation authorisation mentioned in section 12(3) or (4)

8 Amendment of s 15 (Aerial distribution contractor licence)

Section 15(2)—

omit, insert—

- (2) A person may apply under section 17 for an aerial distribution contractor licence if the person gives the chief executive evidence that the person holds—
- (a) if the person intends a manned aircraft to be used under the licence—the authorisation mentioned in subsection (3); and
 - (b) if the person intends a UAV to be used under the licence—the authorisation mentioned in subsection (4).
- (3) For subsection (2)(a), the authorisation is a civil aviation authorisation that is an AOC under

[s 9]

which the aircraft the person intends to be used under the licence to carry out aerial distribution may operate in Australian territory for commercial purposes that are the distribution of agricultural chemicals.

Example of an AOC complying with subsection (3)—

an AOC endorsed for aerial application operations to distribute agricultural chemicals

- (4) For subsection (2)(b), the authorisation is a civil aviation authorisation under which the person may operate for hire or reward the UAV the person intends to be used under the licence to carry out aerial distribution in the circumstances the person intends to carry out the aerial distribution.

Examples of circumstances for subsection (4)—

- the area in which aerial distribution is to be carried out
- application of agricultural chemicals to crops to control pests
- application of agricultural chemicals for mosquito control

9 Amendment of s 17 (Application for licences)

Section 17(4)—

omit, insert—

- (4) If the chief executive decides to grant the application, the chief executive must as soon as practicable—
- (a) issue a new licence to the applicant; and
 - (b) if the chief executive decides to impose a condition on the licence under section 17A(2)(a) or 17B(2)(a) when the licence is issued—give the licensee an information notice for the decision.

10 Insertion of new ss 17A–17C

After section 17—

insert—

17A Conditions of pilot chemical rating licence

- (1) A pilot chemical rating licence is subject to the following conditions—
 - (a) the licensee must hold a civil aviation authorisation under which the licensee may—
 - (i) if the licensee is piloting a manned aircraft under the licence to carry out aerial distribution—pilot (as pilot in command) the aircraft in the circumstances the aerial distribution is being carried out; and
 - (ii) if the licensee is using a UAV under the licence to carry out aerial distribution—act as the controller of the UAV in the circumstances the aerial distribution is being carried out;
 - (b) any reasonable conditions, imposed by the chief executive, that the chief executive considers appropriate for the proper control of aerial distribution carried out under the licence.
- (2) The chief executive may impose a condition under subsection (1)(b)—
 - (a) when the licence is issued or renewed; or
 - (b) at another time if the chief executive considers there is a risk relating to the licence that warrants the condition being imposed at that time.
- (3) If the chief executive decides to impose a condition on the licence under subsection (2)(b),

[s 10]

the chief executive must, as soon as practicable, give the licensee an information notice for the decision.

17B Conditions of aerial distribution contractor licence

- (1) An aerial distribution contractor licence is subject to the following conditions—
 - (a) the licensee must hold a civil aviation authorisation—
 - (i) if a manned aircraft is being used under the licence to carry out aerial distribution—that is an AOC under which the aircraft may operate in Australian territory for commercial purposes that are the distribution of agricultural chemicals; and
 - (ii) if a UAV is being used under the licence to carry out aerial distribution—under which the licensee may operate for hire or reward the UAV in the circumstances the aerial distribution is being carried out;
 - (b) any reasonable conditions, imposed by the chief executive, that the chief executive considers appropriate for the proper control of aerial distribution carried out under the licence.
- (2) The chief executive may impose a condition under subsection (1)(b)—
 - (a) when the licence is issued or renewed; or
 - (b) at another time if the chief executive considers there is a risk relating to the licence that warrants the condition being imposed at that time.

- (3) If the chief executive decides to impose a condition on the licence under subsection (2)(b), the chief executive must, as soon as practicable, give the licensee an information notice for the decision.

17C Licence holder must not contravene condition of licence

- (1) The holder of a licence must not contravene a condition of the licence unless the holder has a reasonable excuse.

Maximum penalty—100 penalty units.

- (2) The penalty under subsection (1) may be imposed whether or not the licence is suspended or cancelled because of the contravention.

11 Amendment of s 19 (Renewal of licence)

Section 19(6)—

omit, insert—

- (6) If the chief executive decides to grant the application, the chief executive must as soon as practicable—
- (a) issue a new licence to the applicant; and
 - (b) if the chief executive decides to impose a condition on the licence under section 17A(2)(a) or 17B(2)(a) when the licence is renewed—give the licensee an information notice for the decision.

12 Amendment of s 21 (Grounds for suspension or cancellation of licence by chief executive)

- (1) Section 21(e)—

[s 13]

renumber as section 21(f).

(2) Section 21—

insert—

- (e) the licensee has contravened a condition of the licence;

13 Amendment of s 22 (Right of review by QCAT)

Section 22(1)(b)—

omit, insert—

- (b) to impose a condition on a licence; or
- (c) to suspend or cancel a licence.

14 Amendment of s 26 (Records to be kept)

Section 26(3)—

insert—

Note—

See section 44.

15 Omission of ss 30–33

Sections 30 to 33—

omit.

16 Replacement of ss 44 and 44A

Sections 44 and 44A—

omit, insert—

44 Liability of executive officer—offence committed by corporation against s 26(3)

- (1) An executive officer of a corporation commits an offence if—

- (a) the corporation commits an offence against section 26(3); and
- (b) the officer did not take all reasonable steps to ensure the corporation did not engage in the conduct constituting the offence.

Maximum penalty—the penalty for a contravention of section 26(3) by an individual.

- (2) In deciding whether things done or omitted to be done by the executive officer constitute reasonable steps for subsection (1)(b), a court must have regard to—
 - (a) whether the officer knew, or ought reasonably to have known, of the corporation's conduct constituting the offence against section 26(3); and
 - (b) whether the officer was in a position to influence the corporation's conduct in relation to the offence against section 26(3); and
 - (c) any other relevant matter.
- (3) The executive officer may be proceeded against for, and convicted of, an offence against subsection (1) whether or not the corporation has been proceeded against for, or convicted of, the offence against section 26(3).
- (4) This section does not affect—
 - (a) the liability of the corporation for the offence against section 26(3); or
 - (b) the liability, under the Criminal Code, chapter 2, of any person, whether or not the person is an executive officer of the corporation, for the offence against section 26(3).

[s 17]

17 Insertion of new pt 8

After section 48—

insert—

Part 8 **Transitional provisions
for Agriculture and
Other Legislation
Amendment Act 2015**

49 Definition for pt 8

In this part—

amending Act means the *Agriculture and Other
Legislation Amendment Act 2015*.

50 Holder of former pilot chemical rating licence

- (1) This section applies if, immediately before the commencement, a person held a pilot chemical rating licence.
- (2) The licence is taken to have been issued under section 17.

51 Undecided application for pilot chemical rating licence

- (1) This section applies if, immediately before the commencement—
 - (a) a person held a commercial pilot's licence; and
 - (b) an application by the person for a pilot chemical rating licence had not been decided.
- (2) The application may be decided as if the amending Act had not been enacted.

- (3) If the person is granted a pilot chemical rating licence on the application, the person is taken to hold the authorisation mentioned in section 17A(1)(a) while the person holds a commercial pilot's licence.
- (4) In this section—
commercial pilot's licence means a commercial pilot's licence, endorsed with an agricultural rating, issued under the Civil Aviation Regulations or Orders (Cwlth).

52 Holder of former aerial distribution contractor licence

- (1) This section applies if, immediately before the commencement, a person held an aerial distribution contractor licence.
- (2) The licence is taken to have been issued under section 17.

53 Undecided application for aerial distribution contractor licence

- (1) This section applies if, immediately before the commencement—
 - (a) a person held a formerly required civil aviation authorisation; and
 - (b) an application by the person for an aerial distribution contractor licence had not been decided.
- (2) The application may be decided as if the amending Act had not been enacted.
- (3) If the person is granted an aerial distribution contractor licence on the application, the person is taken to hold the authorisation mentioned in

[s 18]

section 17B(1)(a) while the person holds a formerly required civil aviation authorisation.

(4) In this section—

formerly required civil aviation authorisation means a civil aviation authorisation required to apply for an aerial distribution contractor licence.

18 Amendment of schedule (Dictionary)

(1) Schedule, definition *executive officer*—
omit.

(2) Schedule—
insert—

civil aviation authorisation means a civil aviation authorisation under the *Civil Aviation Act 1988* (Cwlth), section 3.

executive officer, of a corporation, means a person who is concerned with, or takes part in, the corporation's management, whether or not the person is a director or the person's position is given the name of executive officer.

UAV see section 12(2)(b).

Part 4 Amendment of Animal Care and Protection Act 2001

19 Act amended

This part amends the *Animal Care and Protection Act 2001*.

20 Amendment of s 36 (Prohibitions)

- (1) Section 36(1), from ‘A person’ to ‘veterinary surgeon.’—

omit, insert—

A person must not, with the intention of injuring or killing an animal, administer to, or feed, the animal a substance the person knows is harmful or poisonous to the animal.

- (2) Section 36(2) and (3)—

renumber as section 36(3) and (4).

- (3) Section 36—

insert—

- (2) However, subsection (1) does not apply to a person authorised to administer or feed the substance to the animal under the *Health Act 1937*.

Note—

See, for example, the *Health (Drugs and Poisons) Regulation 1996*.

21 Amendment of s 49 (What is the *scientific use code*)

Section 49(1)—

omit, insert—

- (1) The *scientific use code* means the ‘Australian code for the care and use of animals for scientific purposes 8th edition (2013)’, published by or for the National Health and Medical Research Council, including each new edition, as in force from time to time.

Editor’s note—

On the commencement of this subsection, the scientific use code was available on the National Health and Medical Research Council’s website at <<https://www.nhmrc.gov.au/guidelines/publications/ea28>>.

[s 22]

22 Amendment of s 209A (Executive officer may be taken to have committed offence)

Section 209A(4), definition *deemed executive liability provision*,
'section 36(2)'—

omit, insert—

section 36(3)

23 Amendment of s 215 (Protection from liability)

(1) Section 215(1)(a) to (c)—

omit.

(2) Section 215(1)(d) and (e)—

renumber as section 215(1)(a) and (b).

(3) Section 215(2)—

omit, insert—

(2) A relevant person does not incur civil liability for engaging, or for the result of engaging, in conduct in connection with giving the help or acting under the direction, order or requirement.

(4) Section 215(4)—

renumber as section 215(7).

(5) Section 215—

insert—

(4) If liability attaches to the State under subsection (3), the State may recover contribution from the relevant person but only if the conduct was engaged in—

(a) other than in good faith; and

(b) with gross negligence.

(5) In a proceeding under subsection (4) to recover contribution, the amount of contribution

recoverable is the amount found by the court to be just and equitable in the circumstances.

- (6) This section does not apply to a person who is a State employee under the *Public Service Act 2008*, section 26B(4) engaging in conduct in an official capacity under section 26C of that Act.

Note—

For protection from civil liability in relation to State employees, see the *Public Service Act 2008*, section 26C.

- (6) Section 215(7), as renumbered—

insert—

conduct means an act or an omission to perform an act.

Part 5 Amendment of Animal Management (Cats and Dogs) Act 2008

24 Act amended

This part amends the *Animal Management (Cats and Dogs) Act 2008*.

Note—

See also the amendments in schedule 1.

25 Replacement of s 12 (Identification devices under Act)

Section 12—

omit, insert—

[s 26]

12 Identification devices under Act

- (1) A *prescribed permanent identification device* or **PPID** is a microchip or other electronic device that—
- (a) is capable of being permanently implanted in a cat or dog; and
 - (b) is designed to record information in a way that can be electronically retrieved; and
 - (c) complies with the requirements prescribed by regulation for the device.
- (2) A *registration device* is a device, to help identify a dog, decided by a resolution of the relevant local government for the dog.

Example of a registration device—

a tag for the collar of a dog

26 Omission of ch 2, pt 1, div 2 (Supplying PIDs)

Chapter 2, part 1, division 2—

omit.

27 Replacement of ch 2, pt 1, div 3, hdg (Implanting PIDs)

Chapter 2, part 1, division 3, heading—

omit, insert—

Division 3 Implanting PPIDs

28 Replacement of s 22 (PID that is not PPID must not be implanted)

Section 22—

omit, insert—

22 Electronic identification device that is not a PPID must not be implanted

An authorised implanter must not implant an electronic identification device that is not a PPID into a cat or dog.

Maximum penalty—60 penalty units.

29 Amendment of s 23 (Requirements for PPID)

Section 23(a)—

omit, insert—

- (a) stores the unique identification number for the PPID; and

30 Amendment of s 25 (PID information must be given to licence holder)

- (1) Section 25, heading, ‘PID’—

omit, insert—

PPID

- (2) Section 25(2), ‘PID registry service’—

omit, insert—

PPID registry service

- (3) Section 25(2)(b)—

omit, insert—

- (b) the unique identification number for the PPID.

- (4) Section 25(2), note, ‘PID’—

omit, insert—

PPID

[s 31]

31 Replacement of ch 2, pt 1, div 4, hdg (Removing PIDs)

Chapter 2, part 1, division 4, heading—

omit, insert—

Division 4 Removing PPIDs

32 Replacement of ch 2, pt 1, div 5, hdg (PID registry services)

Chapter 2, part 1, division 5, heading—

omit, insert—

Division 5 PPID registry services

33 Replacement of ch 2, pt 1, div 6, hdg (Giving identifying information and PID information)

Chapter 2, part 1, division 6, heading—

omit, insert—

Division 6 Giving identifying information and PPID information

34 Amendment of s 47 (What registration form must state)

Section 47(1)(c)(vii)—

omit, insert—

(vii) if it is implanted with a PPID, the unique identification number stored on the PPID;

35 Amendment of s 103 (Cost of regulated dog enclosure—dividing fence)

Section 103(4)(b)—

omit, insert—

- (b) the *Residential Tenancies and Rooming Accommodation Act 2008*, chapter 3, part 5, division 1 applies.

36 Replacement of ch 6, hdg (PID registry licences)

Chapter 6, heading—

omit, insert—

**Chapter 6 PPID registry
licences**

37 Insertion of new ch 9, pt 2A

Chapter 9—

insert—

**Part 2A Destruction of
particular dogs**

197A Destruction of particular dogs

- (1) This section applies if—
- (a) an animal is a designated animal under the *Biosecurity Act 2014*, other than a bee, pig or captive bird; and
 - (b) the animal is on an area of land zoned rural land under the *Land Valuation Act 2010*, section 10; and
 - (c) 1 or more owners of the land, or an authorised person, reasonably believes a dog on the land—
 - (a) is not under someone's control; and
 - (b) is attacking, or is about to attack, the animal.

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- (2) Each of the following persons may destroy the dog—
 - (a) each owner of the land who has that belief;
 - (b) an authorised person.
- (3) To remove any doubt, it is declared that a person mentioned in subsection (2) may, as well as or instead of acting personally, use an agent or assistant, or both, in destroying the dog.
- (4) Compensation is not payable for the destruction.
- (5) In this section—

owner, of land, includes a person in charge of an animal, that is stock, on the land.

person in charge, of an animal, see the *Animal Care and Protection Act 2001*, section 12.

38 Amendment of s 208 (Payment of penalties for offences against particular provisions)

- (1) Section 208(1)(b), ‘*Local Government Act 1993*, section 1076’—

omit, insert—

Local Government Act 2009, section 246
- (2) Section 208(1)(b), editor’s note—

omit, insert—

Note—

See the *Local Government Act 2009*, section 246 (Where fines are to be paid to) and the *Acts Interpretation Act 1954*, section 43 (Appropriation of penalties).

39 Amendment of s 210 (Regulation-making power)

- (1) Section 210(2)(c), ‘PIDs’—

omit, insert—

PPIDs

- (2) Section 210(2)(d), ‘PID’—

omit, insert—

PPID

40 Amendment of sch 2 (Dictionary)

- (1) Schedule 2, definitions *permanent identification device*, *PID*, *PID register* and *PID registry service*—

omit.

- (2) Schedule 2—

insert—

licence holder register see section 172(3).

PPID registry service means a service, provided by a licence holder, of keeping records containing—

- (a) identifying information for a cat or dog; or
- (b) the unique identification number stored on the PPID for a cat or dog.

- (3) Schedule 2, definition *authorised implanter*, paragraph (b), ‘PIDs’—

omit, insert—

PPIDs

- (4) Schedule 2, definitions *licence*, *licence holder*, *PID information*, *PID number*, *PID registry licence*, *PID review application*, *PID review decision* and *seller*, ‘PID’—

omit, insert—

PPID

[s 41]

- (5) Schedule 2, definitions *PPID* and *prescribed permanent identification device*, ‘section 12(2)’—
omit, insert—
section 12(1)

Part 6 Amendment of Biosecurity Act 2014

41 Act amended

This part amends the *Biosecurity Act 2014*.

42 Amendment of s 42 (Reporting presence of category 1 or 2 restricted matter)

Section 42(6), definition *appropriate authorised officer*, paragraph (b), ‘authorised person appointed by the chief executive’—

omit, insert—

authorised officer

43 Amendment of s 43 (Distributing or disposing of category 3 restricted matter)

Section 43(1)—

insert—

- (d) for the purpose of the Board of the Queensland Museum, or the Queensland Herbarium, identifying the restricted matter; or
- (e) for the purpose of identifying the restricted matter by, or at the request of, a government entity with expertise in the identification of the restricted matter; or

(f) for a purpose prescribed by regulation.

44 Replacement of s 46 (Designated animals feeding on animal matter)

Section 46—

omit, insert—

46 Prohibitions on feeding or supplying restricted animal material for ruminants

- (1) A person must not feed restricted animal material for ruminants to a ruminant.

Maximum penalty—400 penalty units.

- (2) A person who deals with a ruminant must take all reasonable steps to ensure the ruminant does not feed on restricted animal material for ruminants.

Maximum penalty—400 penalty units.

- (3) A person (the *relevant person*) must not supply restricted animal material for ruminants to another person if the relevant person knows the other person intends that a particular person (whether or not the relevant person or other person) is to feed the material to a ruminant.

Maximum penalty—400 penalty units.

- (4) A person to whom subsection (1), (2) or (3) applies does not commit an offence against the subsection if—

(a) the person has a reasonable excuse; or

(b) both of the following apply—

- (i) a regulation states that the subsection does not apply in a stated circumstance or other state of affairs (including, for example, if stated requirements are satisfied or stated attributes exist);

[s 44]

- (ii) the circumstance or other state of affairs exists in relation to the person for the ruminant the subject of the offence.
- (5) A person who feeds restricted animal material for ruminants to a ruminant does not commit an offence against subsection (1), (2) or (3) if—
 - (a) the material has been treated under a process approved by the chief executive under section 46B; or
 - (b) the person—
 - (i) is, under section 46C, permitted by the chief executive to feed the material to a ruminant lawfully used for a scientific purpose; and
 - (ii) feeds the material to the ruminant in the way permitted by the chief executive; or
 - (c) the feeding is authorised under another Act or a law of the Commonwealth.

Note—

For the effect of a biosecurity emergency order, see section 115.

46A Prohibitions on feeding or supplying restricted animal material for pigs or poultry

- (1) A person must not feed restricted animal material for pigs or poultry to a pig or poultry.
Maximum penalty—400 penalty units.
- (2) A person who deals with a pig or poultry must take all reasonable steps to ensure the pig or poultry does not feed on restricted animal material for pigs or poultry.
Maximum penalty—400 penalty units.

- (3) A person (the *relevant person*) must not supply restricted animal material for pigs or poultry to another person if the relevant person knows the other person intends that a particular person (whether or not the relevant person or other person) is to feed the material to a pig or poultry.
- Maximum penalty—400 penalty units.
- (4) A person to whom subsection (1), (2) or (3) applies does not commit an offence against the subsection if—
- (a) the person has a reasonable excuse; or
 - (b) both of the following apply—
 - (i) a regulation states that the subsection does not apply in a stated circumstance or other state of affairs (including, for example, if stated requirements are satisfied or stated attributes exist);
 - (ii) the circumstance or other state of affairs exists in relation to the person for the pig or poultry the subject of the offence.
- (5) A person who feeds restricted animal material for pigs or poultry to a pig or poultry does not commit an offence against subsection (1), (2) or (3) if—
- (a) the material has been treated under a process approved by the chief executive under section 46B; or
 - (b) the person—
 - (i) is, under section 46C, permitted by the chief executive to feed the material to a pig or poultry lawfully used for a scientific purpose; and

[s 44]

- (ii) feeds the material to the ruminant, pig or poultry in the way permitted by the chief executive; or
- (c) the feeding is authorised under another Act or a law of the Commonwealth.

Note—

For the effect of a biosecurity emergency order, see section 115.

- (6) A person who feeds restricted animal material for pigs or poultry to a pig for the purpose of disease control does not commit an offence against subsection (1), (2) or (3) if—
 - (a) all of the following apply—
 - (i) the feeding is done by or carried out under the written direction of a veterinary surgeon;
 - (ii) the material is derived from a pig;
 - (iii) the pig from which the material was derived was kept only at the designated place where the pig being fed is kept; or
 - (b) the person uses the material—
 - (i) in a poisoned bait for killing a feral pig; or
 - (ii) as a preliminary to baiting a feral pig to kill it, and the material is not poisoned.

46B Approval of process to treat restricted animal material for ruminants or restricted animal material for pigs or poultry

- (1) This section empowers the chief executive to give an approval of a treatment process for section 46(5)(a) or 46A(5)(a).

- (2) The chief executive may, in writing, approve a process to treat a stated type of—
 - (a) restricted animal material for ruminants to be fed to a ruminant; or
 - (b) restricted animal material for pigs or poultry to be fed to a pig or poultry.
- (3) The chief executive may approve a process mentioned in subsection (1) if the chief executive is satisfied on reasonable grounds the process will ensure the level of biosecurity risk posed by the material is no more than the maximum allowable level of biosecurity risk—
 - (a) if the process is for restricted animal material for ruminants—for ruminants; or
 - (b) if the process is for restricted animal material for pigs or poultry—for pigs or poultry.
- (4) The ***maximum allowable level of biosecurity risk*** for ruminants or for pigs or poultry is the same level of biosecurity risk that there would be if the material were used cooking oil that has been treated in a way stated in prescribing used cooking oil under—
 - (a) if the process is for restricted animal material for ruminants—schedule 5, definition *restricted animal material for ruminants*, paragraph 2(d);
 - (b) if the process is for restricted animal material for pigs or poultry—schedule 5, definition *restricted animal material for pigs or poultry*, paragraph 2(d).

[s 45]

46C Permission to feed restricted animal material for ruminants or restricted animal material for pigs or poultry to particular animals

- (1) This section empowers the chief executive to permit feeding of particular animals for section 46(5)(b)(i) or 46A(5)(b)(i).
- (2) The chief executive may, in writing, permit a person to feed—
 - (a) restricted animal material for ruminants to a ruminant lawfully used for a scientific purpose; or
 - (b) restricted animal material for pigs or poultry to a pig or poultry lawfully used for a scientific purpose.
- (3) The chief executive may permit the feeding if the chief executive is satisfied on reasonable grounds the research or other use for a scientific purpose will be conducted under controls that ensure—
 - (a) any risks posed by the research or other use for a scientific purpose can be managed in a way that protects the health and safety of people and animals; and
 - (b) the person will know the location of, and have control of, the ruminant, pig or poultry at all times the research is being conducted.

45 Amendment of s 115 (Effect and duration of biosecurity emergency order)

Section 115(4)(a), example, from ‘that is animal matter’—

omit, insert—

that is restricted animal material for ruminants may stop a person from feeding the material to a ruminant even if the ruminant were to be fed the material in a way mentioned in section 46(5).

46 Amendment of s 118 (Inspection of stopped vehicle)

- (1) Section 118(6), ‘inspector or authorised person’—

omit, insert—

authorised officer

- (2) Section 118(8), definition *non-emergency power*, ‘inspector or authorised person’—

omit, insert—

authorised officer

47 Amendment of s 126 (Compliance with movement control order)

Section 126(2), note, ‘section 132(5)’—

omit, insert—

section 132(6)

48 Amendment of s 132 (Biosecurity instrument permit)

- (1) Section 132(3) to (9)—

renumber as section 132(4) to (10).

- (2) Section 132—

insert—

- (3) However, the person can not apply to an inspector for a biosecurity instrument permit authorising the person to move particular biosecurity matter, if—

- (a) biosecurity zone regulatory provisions provide in relation to the movement of the biosecurity matter; and

Example for paragraph (a)—

a biosecurity zone regulatory provision that prohibits, regulates or requires the movement of the biosecurity matter

[s 49]

- (b) an acceptable biosecurity certificate that would enable the person to move the biosecurity matter despite the provisions could be given to the person.

Example for this subsection—

Assume biosecurity zone regulatory provisions restrict movement of banana plants within and into the zone established by the provisions. A person can not apply for a biosecurity instrument permit authorising movement of particular banana plants within or into the zone if an acceptable biosecurity certificate could be given to the person that would enable the person to move the banana plants within or into the zone.

- (3) Section 132(5), as renumbered, ‘subsection (3)’—

omit, insert—

subsection (4)

49 Amendment of s 236 (What program authorisation must state)

- (1) Section 236(1)(g), examples of a measure an authorised officer may take under a surveillance program, first dot point, ‘animal matter’—

omit, insert—

restricted animal material for ruminants

- (2) Section 236(1)(h)—

omit.

- (3) Section 236(1)(i)—

renumber as section 236(1)(h).

- (4) Section 236(1)(h), as renumbered, examples, ‘paragraph (i)’—

omit, insert—

paragraph (h)

50 Amendment of s 237 (Giving a direction for prevention and control program)

Section 237(3), ‘authorised person’—

omit, insert—

authorised officer

51 Amendment of s 391 (Entering into government and industry agreements)

Section 391(1)(b)—

insert—

(v) 1 or more other entities.

Example for subparagraph (v)—

utility service provider, port authority

52 Amendment of s 484 (Cancellation, suspension or amendment by chief executive—show cause notice)

Section 484—

insert—

(4) This section does not apply if the proposed action is to amend an auditor’s approval by imposing a condition under section 454(3)(b).

53 Amendment of s 488 (Immediate suspension of relevant authority)

Section 488(1)(b)(iii), after ‘consideration’—

insert—

, or to the trade in a particular commodity,

54 Amendment of s 496 (Protecting officials from liability)

(1) Section 496(1)—

[s 54]

omit, insert—

- (1) An official does not incur civil liability for engaging, or for the result of engaging, in conduct under this Act.
- (2) Section 496(4)—
renumber as section 496(8).
- (3) Section 496—
insert—
 - (4) If liability attaches to a local government under subsection (2)(a), the local government may recover contribution from the official but only if the conduct was engaged in—
 - (a) other than in good faith; and
 - (b) with gross negligence.
 - (5) If liability attaches to the State under subsection (2)(b), the State may recover contribution from the official but only if the conduct was engaged in—
 - (a) other than in good faith; and
 - (b) with gross negligence.
 - (6) In a proceeding under subsection (4) or (5) to recover contribution, the amount of contribution recoverable is the amount found by the court to be just and equitable in the circumstances.
 - (7) This section does not apply to a person—
 - (a) who is a State employee under the *Public Service Act 2008*, section 26B(4) engaging in conduct in an official capacity under section 26C of that Act; or

Note—

For protection from civil liability in relation to State employees, see the *Public Service Act 2008*, section 26C.

(b) to whom the *Police Service Administration Act 1990*, section 10.5 applies.

(4) Section 496(8), as renumbered—

insert—

conduct means an act or an omission to perform an act.

engage in conduct under this Act means engage in conduct as part of, or otherwise in connection with, a person's role, as an official, under the Act, including, for example, engaging in conduct under or purportedly under the Act.

Example of an official engaging in conduct under this Act—

an official making a decision in relation to an application for registration of a registrable biosecurity entity

(5) Section 496(8), as renumbered, definition *official*, paragraphs (a), (b) and (i)—

omit.

(6) Section 496(8), as renumbered, definition *official*, paragraphs (c) to (h)—

renumber as paragraphs (a) to (f).

55 Amendment of sch 1 (Prohibited matter)

(1) Schedule 1, part 6, from 'piranhas' to 'Piaractus brachypomus'—

omit, insert—

piranhas, pacus (fish of the subfamily Serrasalminae) other than *Metynnis* spp., *Myloplus rubripinnis*, *Myloplus asterias*, *Myloplus planquettei* and *Piaractus brachypomus*

[s 56]

- (2) Schedule 1, part 7, ‘Oriental fruit fly (*Bactrocera dorsalis*)’, ‘papaya fruit fly (*Bactrocera papayae*)’ and ‘Philippine fruit fly (*Bactrocera philippinensis*)’—

omit.

- (3) Schedule 1, part 7—

insert—

Mango malformation disease (MMD)

Oriental fruit fly (*Bactrocera dorsalis* syn. *B. papayae*, *B. invadens* and *B. philippinensis*)

56 Amendment of sch 2 (Restricted matter and categories)

- (1) Schedule 2, part 2, entries for Mexican bean tree (*C. pachystachya*, *C. palmata* and *C. peltata*) and for thunbergias—

omit.

- (2) Schedule 2, part 2—

insert—

Mexican bean tree (<i>Cecropia pachystachya</i> , <i>C. palmata</i> and <i>C. peltata</i>)	2, 3, 4, 5
thunbergia (<i>Thunbergia grandiflora</i> syn. <i>T. laurifolia</i>)	3

57 Amendment of sch 5 (Dictionary)

- (1) Schedule 5, definitions *animal material*, *animal matter*, *designated animal transit facility* and *rendering*—

omit.

- (2) Schedule 5—

insert—

poultry means—

- (a) birds of the order Galliformes (including, for example, chickens, turkeys, pheasants,

partridge, quail, guineafowl, peafowl),
ducks, geese, pigeons and doves; or

(b) any other bird prescribed by regulation.

restricted animal material for pigs or poultry—

1 *Restricted animal material for pigs or poultry* is food or food scraps that—

(a) contain or may contain—

(i) a carcass of a mammal or of a bird; or

(ii) any material derived from a mammal or bird; or

Example of material—

blood, bone, faeces, meal, meat, tissue

(b) have been or may have been in contact with—

(i) a carcass of a mammal or of a bird; or

(ii) any material derived from a mammal or bird.

Example—

food or food scraps that may have been in contact with meat used in the preparation of food at a restaurant, hotel or domestic premises

2 However, *restricted animal material for pigs or poultry* does not include the following—

(a) gelatine prescribed by regulation;

Examples—

- a type of gelatine
- gelatine that has undergone a stated process
- gelatine from a stated source, origin, location or environment

[s 57]

- gelatine fed in a stated way or under stated circumstances or conditions
- (b) tallow prescribed by regulation;
- (c) milk, a milk product or a milk by-product prescribed by regulation;
- (d) used cooking oil prescribed by regulation.

Note—

The examples in paragraph (a) also apply to paragraphs (b), (c) and (d) as if paragraphs (b), (c) and (d) were about gelatine.

restricted animal material for ruminants—

1 *Restricted animal material for ruminants* is any of the following—

- (a) a carcass of an animal that is a vertebrate;
- (b) any material derived from an animal that is a vertebrate;

Example of material—

blood, bone, faeces, meal, meat, tissue

- (c) any material that contains or may contain—
 - (i) a carcass of an animal that is a vertebrate; or
 - (ii) material derived from an animal that is a vertebrate;
- (d) any material that has been or may have been in contact with—
 - (i) a carcass of an animal that is a vertebrate; or
 - (ii) material derived from an animal that is a vertebrate.

2 However, *restricted animal material for ruminants* does not include the following—

(a) gelatine prescribed by regulation;

Examples—

- a type of gelatine
- gelatine that has undergone a stated process
- gelatine from a stated source, origin, location or environment
- gelatine fed in a stated way or under stated circumstances or conditions

(b) tallow prescribed by regulation;

(c) milk, a milk product or a milk by-product prescribed by regulation;

(d) used cooking oil prescribed by regulation.

Note—

The examples in paragraph (a) also apply to paragraphs (b), (c) and (d) as if paragraphs (b), (c) and (d) were about gelatine.

(3) Schedule 5, definition *holding facility*, paragraph (e)—
omit.

(4) Schedule 5, definition *holding facility*, paragraphs (f) to (j)—
renumber as paragraphs (e) to (i).

(5) Schedule 5, definition *tallow*, paragraph (a)—
omit, insert—

(a) contains rendered animal fat or rendered oil from an animal; and

[s 58]

Part 7 Amendment of Brands Act 1915

58 Act amended

This part amends the *Brands Act 1915*.

59 Omission of s 32 (Protection from liability)

Section 32—

omit.

Part 8 Amendment of Chemical Usage (Agricultural and Veterinary) Control Act 1988

60 Act amended

This part amends the *Chemical Usage (Agricultural and Veterinary) Control Act 1988*.

61 Amendment of s 9 (Person not to possess or use proscribed chemical)

Section 9—

insert—

Note—

This provision is an executive liability provision—see section 30A.

62 Amendment of s 12 (Use of registered veterinary chemical products)

Section 12(4)—

insert—

Note—

This subsection is an executive liability provision—see section 30A.

63 Amendment of s 12E (Use of unregistered veterinary chemical products)

Section 12E(4)—

insert—

Note—

This subsection is an executive liability provision—see section 30A.

64 Amendment of s 12I (Use of compounded veterinary chemical products)

Section 12I(5)—

insert—

Note—

This subsection is a deemed executive liability provision—see section 31.

65 Amendment of s 12V (Observance of withholding period)

Section 12V(2)—

insert—

Note—

This subsection is an executive liability provision—see section 30A.

[s 66]

66 Amendment of s 13 (Use of registered agricultural chemical products in contravention of labels)

Section 13(1)—

insert—

Note—

This subsection is an executive liability provision—see section 30A.

67 Amendment of s 13A (Use of unregistered agricultural chemical products)

Section 13A(1)—

insert—

Note—

This subsection is an executive liability provision—see section 30A.

68 Amendment of s 13E (Use etc. of registered agricultural ERA products for agricultural ERAs)

Section 13E(1)—

insert—

Note—

This subsection is a deemed executive liability provision—see section 31.

69 Amendment of s 14 (Recall of chemicals etc.)

Section 14(3)—

insert—

Note—

This subsection is a deemed executive liability provision—see section 31.

70 Amendment of s 16 (Agricultural produce etc. containing chemical residues not to be used etc.)

Section 16(6)—

insert—

Note—

This subsection is an executive liability provision—see section 30A.

71 Amendment of s 17 (Approval to use etc. agricultural produce etc. or cultivate plants on land)

Section 17(5)—

insert—

Note—

This subsection is an executive liability provision—see section 30A.

72 Amendment of s 18 (Destruction of agricultural produce etc. at direction of chief executive)

Section 18(2)—

insert—

Note—

This subsection is an executive liability provision—see section 30A.

73 Replacement of ss 30A and 31

Sections 30A and 31—

omit, insert—

30A Liability of executive officer—particular offences committed by corporation

- (1) An executive officer of a corporation commits an offence if—

[s 73]

- (a) the corporation commits an offence against an executive liability provision; and
- (b) the officer did not take all reasonable steps to ensure the corporation did not engage in the conduct constituting the offence.

Maximum penalty—the penalty for a contravention of the executive liability provision by an individual.

- (2) In deciding whether things done or omitted to be done by the executive officer constitute reasonable steps for subsection (1)(b), a court must have regard to—
 - (a) whether the officer knew, or ought reasonably to have known, of the corporation's conduct constituting the offence against the executive liability provision; and
 - (b) whether the officer was in a position to influence the corporation's conduct in relation to the offence against the executive liability provision; and
 - (c) any other relevant matter.
- (3) The executive officer may be proceeded against for, and convicted of, an offence against subsection (1) whether or not the corporation has been proceeded against for, or convicted of, the offence against the executive liability provision.
- (4) This section does not affect—
 - (a) the liability of the corporation for the offence against the executive liability provision; or
 - (b) the liability, under the Criminal Code, chapter 2, of any person, whether or not the person is an executive officer of the

corporation, for the offence against the executive liability provision.

(5) In this section—

executive liability provision means any of the following provisions—

- section 9
- section 12(4)
- section 12E(4)
- section 12V(2)
- section 13(1)
- section 13A(1)
- section 16(6)
- section 17(5)
- section 18(2).

31 Executive officer may be taken to have committed offence

- (1) If a corporation commits an offence against a deemed executive liability provision, each executive officer of the corporation is taken to have also committed the offence if—
- (a) the officer authorised or permitted the corporation's conduct constituting the offence; or
 - (b) the officer was, directly or indirectly, knowingly concerned in the corporation's conduct.
- (2) The executive officer may be proceeded against for, and convicted of, the offence against the deemed executive liability provision whether or not the corporation has been proceeded against for, or convicted of, the offence.

[s 74]

- (3) This section does not affect either of the following—
- (a) the liability of the corporation for the offence against the deemed executive liability provision;
 - (b) the liability, under the Criminal Code, chapter 2, of any person, whether or not the person is an executive officer of the corporation, for the offence against the deemed executive liability provision.
- (4) In this section—
- deemed executive liability provision*** means any of the following provisions—
- section 12I(5)
 - section 13E(1)
 - section 14(3).

74 Amendment of schedule (Dictionary)

- (1) Schedule, definition *executive officer*—
omit.
- (2) Schedule—
insert—

executive officer, of a corporation, means a person who is concerned with, or takes part in, the corporation's management, whether or not the person is a director or the person's position is given the name of executive officer.

Part 9 Amendment of Exotic Diseases in Animals Act 1981

75 Act amended

This part amends the *Exotic Diseases in Animals Act 1981*.

76 Replacement of s 10 (Notification of restricted area)

Section 10—

omit, insert—

10 Notification of restricted area

- (1) The chief executive may, by notice signed by the chief executive and published on the department's website (a ***restricted area notice***), notify a stated area as a restricted area for a stated exotic disease.

Editor's note—

The address of the department's website is
<<https://www.daf.qld.gov.au>>.

- (2) A restricted area notice may state the species or class of animal or animals to which the notice relates.
- (3) For this section, a restricted area notice is given when it is published on the department's website.
- (4) The chief executive may give a restricted area notice for an exotic disease—
- (a) if the chief executive is satisfied on reasonable grounds that giving the notice is necessary having regard to—
- (i) the seriousness or potential seriousness of the disease; and

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- (ii) its impact or likely impact on human or animal health, the economy or the environment; and
 - (iii) the nature and cause of the disease and its ability to spread or be spread; and
 - (b) even if, when the notice is given, it has not been confirmed to the chief executive that the disease is present in the area, if the chief inspector considers there is a real possibility the disease—
 - (i) is present in the area; or
 - (ii) has been or may be introduced into the area.
- (5) A restricted area notice is not subordinate legislation.
- (6) As soon as practicable after giving a restricted area notice, the chief executive must—
 - (a) publish the following in the gazette—
 - (i) the notice;
 - (ii) the places where a copy of the notice may be obtained;
 - (iii) that the notice is available on the department's website, and the address of the website; and
 - (b) take all reasonable steps to ensure that persons likely to be directly affected by the notice are made aware of the notice, including, for example, by some or all of the following—
 - (i) advertising in newspapers, on radio or on television;
 - (ii) electronically using emails or text;

Example—

SMS messaging in an area to which the notice relates

(iii) automated telephoning.

- (7) The chief executive must table a copy of each restricted area notice given under subsection (1) (an ***original notice***) in the Legislative Assembly within 14 sitting days after giving the notice.
- (8) An original notice is not invalid only because of a failure of the chief executive to comply with subsection (6) or (7).
- (9) While an original notice is in force, the chief executive may make a replacement restricted area notice (a ***replacement notice***) that is subordinate legislation, in substantially the same terms as the original notice, with or without an expiry date for the replacement notice.
- (10) Unless it is sooner revoked, an original notice stays in force until—
 - (a) a replacement notice for the original notice is made; or
 - (b) otherwise—3 months have elapsed after the original notice is given.
- (11) To remove any doubt, it is declared that subsections (2) to (9) also apply for the amendment or revocation of a restricted area notice, to the greatest practicable extent.

77 Replacement of s 16 (Notification of standstill zone)

Section 16—

omit, insert—

16 Notification of standstill zone

- (1) The chief executive may, by notice signed by the chief executive and published on the

[s 77]

department's website (a *standstill zone notice*), notify a stated area as a standstill zone for a stated exotic disease.

Editor's note—

The address of the department's website is <<https://www.daf.qld.gov.au>>.

- (2) A standstill zone notice must state both of the following to which the notice relates—
 - (a) the species or class of animal or animals;
 - (b) the category, class or type of carcass, animal product, biological preparation, property, vehicle or vessel.
- (3) For this section, a standstill zone notice is given when it is published on the department's website.
- (4) The chief executive may give a standstill zone notice for an exotic disease—
 - (a) if the chief executive is satisfied on reasonable grounds that giving the notice is necessary having regard to—
 - (i) the seriousness or potential seriousness of the disease; and
 - (ii) its impact or likely impact on human or animal health, the economy or the environment; and
 - (iii) the nature and cause of the disease and its ability to spread or be spread; and
 - (b) even if, when the notice is given, it has not been confirmed to the chief executive that the disease is present in the area, if the chief inspector considers there is a real possibility the disease—
 - (i) is present in the area; or
 - (ii) has been or may be introduced into the area.

- (5) A standstill zone notice is not subordinate legislation.
- (6) As soon as practicable after giving a standstill zone notice, the chief executive must—
 - (a) publish the following in the gazette—
 - (i) the notice;
 - (ii) the places where a copy of the notice may be obtained;
 - (iii) that the notice is available on the department's website, and the address of the website; and
 - (b) take all reasonable steps to ensure that persons likely to be directly affected by the notice are made aware of the notice, including, for example, by some or all of the following—
 - (i) advertising in newspapers, on radio or on television;
 - (ii) electronically using emails or text;
 - Example—*
 - SMS messaging in an area to which the notice relates
 - (iii) automated telephoning.
- (7) The chief executive must table a copy of each standstill zone notice given under subsection (1) (an ***original notice***) in the Legislative Assembly within 14 sitting days after giving the notice.
- (8) An original notice is not invalid only because of a failure of the chief executive to comply with subsection (6) or (7).
- (9) While an original notice is in force, the chief executive may make a replacement standstill zone notice (a ***replacement notice***) that is subordinate legislation, in substantially the same

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terms as the original notice, with or without an expiry date for the replacement notice.

- (10) Unless it is sooner revoked, an original notice stays in force until—
 - (a) a replacement notice for the original notice is made; or
 - (b) otherwise—3 months have elapsed after the original notice is given.
- (11) To remove any doubt, it is declared that subsections (2) to (9) also apply for the amendment or revocation of a standstill zone notice, to the greatest practicable extent.

Part 10 Amendment of Forestry Act 1959

78 Act amended

This part amends the *Forestry Act 1959*.

79 Amendment of s 32B (Particular areas of conservation value to be removed from State plantation forest)

- (1) Section 32B, table, first entry for Palen Creek, column 2, 'Lots A,B,C,D & E on PLP0200'—

omit, insert—

Lots A,B & C on PLP0200

- (2) Section 32B, table, entry for Brooweena, column 2, 'Lot N on PLP1924'—

omit, insert—

Lot N on PLP1294

80 Amendment of s 33 (Cardinal principle of management of State forests)

Section 33(2)(a) and (b), at the end—

insert—

and

81 Amendment of s 34 (Use of State forests)

Section 34(1)(a) to (i), at the end—

insert—

and

82 Amendment of s 34C (Feature protection area)

Section 34C(a) and (b), at the end—

insert—

and

83 Amendment of s 34D (State forest park)

Section 34D(a) to (c), at the end—

insert—

and

84 Amendment of s 34E (Scientific area)

Section 34E(1)(a) and (b), at the end—

insert—

and

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85 Amendment of s 34F (Forest drive)

Section 34F(a) and (b), at the end—

insert—

and

86 Amendment of s 53 (Interference with forest products on Crown holdings and particular entitlements)

(1) Section 53(1)(b) to (d)—

renumber as section 53(1)(a) to (c).

(2) Section 53(2)—

renumber as section 53(3).

(3) Section 53—

insert—

(2) Subsection (1) does not apply if—

(a) the person is acting under the *Biosecurity Act 2014*; and

(b) that action destroys the tree or gets the other forest products; and

(c) the tree, or other forest products, is restricted matter.

87 Amendment of s 53A (Interfering with forest products on forest consent area)

Section 53A—

insert—

(2) Subsection (1) does not apply if—

(a) the person is acting under the *Biosecurity Act 2014*; and

- (b) that action interferes with, or causes to be interfered with, the forest products; and
- (c) the forest products are restricted matter.

88 Amendment of s 54 (Interfering with forest products on Crown lands etc.)

(1) Section 54(2)—

renumber as section 54(3).

(2) Section 54—

insert—

(2) Subsection (1) does not apply if—

- (a) the person is acting under the *Biosecurity Act 2014*; and
- (b) that action interferes with, or causes to be interfered with, the forest products; and
- (c) the forest products are restricted matter.

89 Amendment of s 69H (Abandoning waste materials or human waste)

Section 69H(4) and (5)—

renumber as section 69H(3) and (4).

90 Amendment of s 69J (Littering)

Section 69J(5)—

omit.

91 Amendment of s 69N (Maximum number of people who may camp under permit or approval)

Section 69N(1), second paragraph (a)—

renumber as section 69N(1)(b).

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92 Amendment of s 73E (Bringing plants into State forest or timber reserve)

- (1) Section 73E(1)—

insert—

Maximum penalty—50 penalty units.

- (2) Section 73E(2), penalty—

omit.

93 Amendment of sch 3 (Dictionary)

- (1) Schedule 3—

insert—

apiary permits see section 35(1)(d).

occupation permits see section 35(1)(a).

stock grazing permits see section 35(1)(c).

- (2) Schedule 3—

insert—

restricted matter see the *Biosecurity Act 2014*, section 21.

- (3) Schedule 3, definition *place*, ‘ship,’—

omit.

Part 11 Amendment of Nature Conservation and Other Legislation Amendment Act (No. 2) 2013

94 Act amended

This part amends the *Nature Conservation and Other Legislation Amendment Act (No. 2) 2013*.

95 Omission of pt 4 (Amendments about forest reserves commencing by proclamation)

Part 4—

omit.

96 Amendment of sch 1 (Consequential and minor amendments)

Schedule 1, part 3—

omit.

Part 12 Amendment of Stock Act 1915

97 Act amended

This part amends the *Stock Act 1915*.

98 Amendment of s 14 (Quarantine)

(1) Section 14(1), ‘shall’—

omit, insert—

may

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- (2) Section 14(2), ‘that, but for this subsection, would be required to be placed in quarantine’—

omit.

Part 13 Other amendments of Animal Management (Cats and Dogs) Act 2008

99 Act amended

Schedule 1 amends the *Animal Management (Cats and Dogs) Act 2008*.

Schedule 1 Other amendments of Animal Management (Cats and Dogs) Act 2008

section 99

**1 Each of the following provisions is amended by omitting
‘PID’ and inserting ‘PPID’—**

- section 4(g)
- section 13(1)
- section 16
- section 26
- section 34
- section 35
- section 36(1)
- section 37
- section 38
- section 40(2)
- section 41(1)(a)(i)
- section 144(e)
- section 147(b)
- section 173(2)(d)
- section 181(1)
- section 182
- section 184
- section 185
- section 187

Schedule 1

2 Section 168, ‘PID service’—

omit, insert—

PPID registry service

3 Schedule 1, section 2(1), note—

omit.

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