

## **Biosecurity and Agriculture Management (Aerial Application) Amendment Regulations 2021**

**SL 2021/216**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Biosecurity and Agriculture Management (Aerial Application) Amendment Regulations 2021*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Biosecurity and Agriculture Management (Aerial Application) Regulations 2018*.

**4. Regulation 5 amended**

In regulation 5(3):

- (a) delete paragraph (a) and insert:
  - (a) a unit of competency in preparing and applying chemicals known as —
    - (i) “AHCCHM303 Prepare and apply chemicals”; or
    - (ii) “AHCCHM307 Prepare and apply chemicals to control pest, weeds and diseases”;

and

- (b) in paragraph (b) delete “entitled” and insert:

known as

Note: The heading to amended regulation 5 is to read:

**Qualifications or authorisations to apply controlled chemical product (Act s. 56(1))**

**5. Regulation 7 amended**

(1) Delete regulation 7(1) and insert:

- (1) If a controlled chemical product is applied from an aircraft, the person responsible for applying the product from the aircraft must —
- (a) ensure that a record containing the information set out in subregulation (2) is made no later than 48 hours after the product was applied on the land; and
  - (b) keep the record until the end of the period of 3 years beginning on the day on which the product was applied on the land.

Penalty for this subregulation: a fine of \$20 000.

(2) In regulation 7(2):

- (a) delete “the prescribed records are records of the following made within 48 hours of the controlled chemical product being applied on the land —” and insert:

the information is as follows —

- (b) in paragraph (a) delete “product” and insert:

controlled chemical product

- (c) delete paragraph (e) and insert:

- (e) the exact location of the land on which the product was applied, described in sufficient detail to enable that location to be readily identified;

(3) In regulation 7(3):

- (a) delete “a” (1<sup>st</sup> occurrence) and insert:

the

(b) delete “an” (1<sup>st</sup> occurrence) and insert:

the

Note: The heading to amended regulation 7 is to read:

**Person responsible to have record of application of controlled chemical product**

V. MOLAN, Clerk of the Executive Council.

## **Biosecurity and Agriculture Management (Agriculture Standards) Amendment Regulations 2021**

**SL 2021/214**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Biosecurity and Agriculture Management (Agriculture Standards) Amendment Regulations 2021*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Biosecurity and Agriculture Management (Agriculture Standards) Regulations 2013*.

**4. Regulation 37 amended**

Delete regulation 37(5) and (6) and insert:

- (5) A fertiliser —
  - (a) that contains an ingredient referred to in Schedule 5 items 7 to 13 must not contain more than 0.05% of lead or lead compounds by weight; or
  - (b) other than a fertiliser referred to in paragraph (a), must not contain more than 0.01% of lead or lead compounds by weight.
- (6) A fertiliser must not contain more than 0.0005% of mercury or mercury compounds by weight.

V.MOLAN, Clerk of the Executive Council.

## **Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2021**

**SL 2021/204**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2021*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 January 2022.

**3. Regulations amended**

These regulations amend the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*.

**4. Regulations 76 and 77 replaced**

Delete regulations 76 and 77 and insert:

**76. Owners must identify cattle and buffalo**

- (1) An owner of cattle or buffalo kept on a property in the south-west of the State must identify each animal, or cause it to be identified, with an NLIS device —
  - (a) if the animal is moved from the property on which it is kept before it reaches 6 months of age and before it is identified in accordance with this regulation — before it is moved; or
  - (b) otherwise — before it reaches 6 months of age.Penalty for this subregulation: a fine of \$2 000.
- (2) An owner of cattle or buffalo, other than cattle or buffalo kept on a property in the south-west of the

State, must identify each animal, or cause it to be identified, with an NLIS device —

- (a) if the animal is moved from the property on which it is kept before it reaches 18 months of age and before it is identified in accordance with this regulation — before it is moved; or
- (b) otherwise — before it reaches 18 months of age.

Penalty for this subregulation: a fine of \$2 000.

- (3) Nothing in these regulations prevents an owner of cattle or buffalo from applying to each animal, in addition to an NLIS device —
  - (a) either one or both of the following identifiers —
    - (i) a brand in accordance with regulation 78;
    - (ii) an earmark in accordance with regulation 79;
  - or
  - (b) an approved identifier for cattle or buffalo.

**77. Exemption for unweaned animals**

It is not necessary for an unweaned animal to be identified in accordance with regulation 76(1)(a) or (2)(a) if it is being moved with its mother from the property on which it is kept to another property with the same relevant PIC.

**5. Regulation 78 amended**

In regulation 78 delete “regulation 76(5)(a),” and insert:

regulation 76(3)(a)(i),

**6. Regulation 79 amended**

In regulation 79 delete “regulation 76(5)(b),” and insert:

regulation 76(3)(a)(ii),

**7. Regulation 80 amended**

In regulation 80:

- (a) delete “cattle or buffalo” and insert:

an animal

- (b) in paragraph (a) delete “cattle or buffalo, as the case may be; and” and insert:

the animal; and

**8. Regulation 81 amended**

In regulation 81(1) delete “bovine”.

Note: The heading to amended regulation 81 is to read:

**Spayed female animals must be marked**

**9. Regulation 120 replaced**

Delete regulation 120 and insert:

**120. Owners must identify sheep**

- (1) An owner of a sheep that is kept on a property in the south-west of the State must identify the sheep, or cause it to be identified, with an NLIS device or an NLIS tag —
  - (a) if the sheep is weaned before it reaches 6 months of age and before it is identified in accordance with this regulation — when it is weaned; or
  - (b) if the sheep is moved from the property on which it is kept before it reaches 6 months of age and before it is identified in accordance with this regulation — before it is moved; or
  - (c) otherwise — before it reaches 6 months of age.

Penalty for this subregulation: a fine of \$2 000.

- (2) An owner of a sheep other than a sheep that is kept on a property in the south-west of the State must identify the sheep, or cause it to be identified, with an NLIS device or an NLIS tag —
  - (a) if the sheep is moved from the property on which it is kept before it is first shorn and before it is identified in accordance with this regulation — before it is moved; or
  - (b) otherwise — when it is first shorn.

Penalty for this subregulation: a fine of \$2 000.

- (3) Nothing in these regulations prevents an owner of a sheep from applying to it, in addition to an NLIS device or an NLIS tag, one of the following identifiers —

- (a) a registered identifier applied as an earmark in accordance with regulation 122;
- (b) an approved identifier for sheep.

**10. Regulation 121 amended**

In regulation 121 delete “regulation 120(1)(b), (2)(d), (3)(a) or (4)(a)” and insert:

regulation 120(1)(b) or (2)(a)

**11. Regulation 122 amended**

In regulation 122 delete “regulation 120(5)(b),” and insert:

regulation 120(3)(a),

**12. Regulation 123 amended**

In regulation 123(a):

- (a) delete “animal; or” and insert:

sheep; or

- (b) delete “animal;” and insert:

sheep;

Note: The heading to amended regulation 123 is to read:

**Application of markings: sheep**

**13. Regulation 127 amended**

In regulation 127(a):

- (a) delete “animal; or” and insert:

goat; or

- (b) delete “animal;” and insert:

goat;

Note: The heading to amended regulation 127 is to read:

**Application of markings: goat**



**14. Various penalties amended**

In the provisions listed in the Table delete “Penalty:” and insert:

Penalty for this subregulation:

**Table**

r. 7(1)	r. 10(1)
r. 13(1) and (3)	r. 19(1) and (2)
r. 35(5)	r. 37(1)
r. 38(8)	r. 40(1), (2) and (4)
r. 44(1), (2) and (3)	r. 49(1)
r. 54(1) and (2)	r. 55(1) and (2)
r. 62(1), (2), (3), (4), (5) and (7)	r. 64(1), (2) and (3)
r. 65(1), (2), (4), (5) and (6)	r. 66(2) and (4)
r. 67(1), (2), (3), (4), (5) and (7)	r. 70(7)
r. 72(1)	r. 73(1)
r. 81(1)	r. 84(1)
r. 87(3)	r. 88(1) and (2)
r. 89(1), (2), (3) and (4)	r. 91(2)
r. 92(2)	r. 94(1)
r. 95(1), (2) and (3)	r. 97(1) and (3)
r. 98(2)	r. 100(2)
r. 101(2)	r. 104(1) and (3)
r. 105(2)	r. 108(1), (2) and (3)
r. 109(3), (5) and (6)	r. 110(2)
r. 112(1), (3), (4) and (5)	r. 113(1) and (2)
r. 114(1) and (2)	r. 115(1) and (3)
r. 116(2)	r. 118(1), (3), (4), (5) and (6)
r. 124(1), (2) and (3)	r. 130(1)

r. 133(3)	r. 134(1) and (2)
r. 135(1), (2), (3), (5) and (7)	r. 137(2)
r. 138(3)	r. 140(1)
r. 141(1), (2) and (3)	r. 142(2) and (4)
r. 143(2)	r. 145(1)
r. 146(1)	r. 148(2) and (4)
r. 149(2)	r. 151(1) and (2)
r. 152(1)	r. 153(3) and (5)
r. 154(2)	r. 156(1)
r. 157(1)	r. 158(1), (2) and (4)
r. 159(1)	r. 160(2) and (4)
r. 161(2)	r. 163(1)
r. 164(1), (3) and (5)	r. 165(1), (2) and (3)
r. 181(1), (2) and (3)	r. 190(5)
r. 192(1) and (2)	r. 196(9) and (11)
r. 198(5)	r. 199(1)
r. 200(1) and (3)	r. 201(1) and (3)
r. 206(1)	r. 208(1)
r. 209(1) and (3)	r. 210(1) and (2)
r. 211(1)	

V.MOLAN, Clerk of the Executive Council.