

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” (1st occurrence) and insert:

the

(b) delete “an” (1st 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.