



Queensland

*Plant Protection Act 1989*

# Plant Protection Regulation 2002

Reprinted as in force on 18 April 2008

Reprint No. 4E

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This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
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Queensland

# Plant Protection Regulation 2002

## Contents

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		Page
<b>Chapter 1</b>	<b>Preliminary</b>	
1	Short title . . . . .	11
2	Commencement . . . . .	11
3	Definitions . . . . .	11
<b>Chapter 2</b>	<b>General provisions</b>	
<b>Part 1</b>	<b>Prescribed pests and notifiable pests</b>	
4	Prescription of pests . . . . .	11
5	References to prescribed pests . . . . .	12
6	Notifiable pests . . . . .	12
<b>Part 2</b>	<b>Authorised persons</b>	
6A	Declared class for appointment—Act, s 6D . . . . .	12
<b>Part 3</b>	<b>General offences</b>	
7	Sale of infested plant prohibited . . . . .	13
8	Labelling for introduction . . . . .	13
9	Certification of disinfestation . . . . .	13
10	Plant to be repacked if certificate given . . . . .	14
11	Graft union . . . . .	14
<b>Part 4</b>	<b>Corresponding laws</b>	
12	Declaration of corresponding laws . . . . .	14
<b>Chapter 3</b>	<b>Pest quarantine areas and related matters</b>	
<b>Part 1</b>	<b>Banana pests</b>	
<b>Division 1</b>	<b>Preliminary</b>	
17	Definitions for pt 1 . . . . .	15
<b>Division 2</b>	<b>Pest quarantine areas and objects of quarantine</b>	
18	Declaration of pest quarantine areas . . . . .	16
19	Objects of quarantine . . . . .	16

---

<b>Division 3</b>	<b>General pest control measures</b>	
20	Definition for div 3. . . . .	16
21	Restriction on introducing banana plants . . . . .	17
22	Restriction on moving banana plants . . . . .	17
23	Restriction on moving soil, appliances and other things . . . . .	17
24	Restriction on planting and cultivating banana plants . . . . .	18
<b>Division 4</b>	<b>Pest control measures for movement of fruit</b>	
25	Definitions for div 4. . . . .	19
26	Declaration of pest area . . . . .	19
27	Restriction on moving fruit . . . . .	20
<b>Division 5</b>	<b>Other pest control measures</b>	
<b>Subdivision 1</b>	<b>Treatment methods for banana plants</b>	
28	Treatment methods. . . . .	20
<b>Subdivision 2</b>	<b>Notifiable pests</b>	
29	Bacterial wilt of banana . . . . .	21
30	Banana black Sigatoka disease . . . . .	21
31	Banana bract mosaic and banana bunchy top . . . . .	22
32	Fusarial wilt of banana, also known as banana Panama disease . . . . .	23
33	Pest banana plants. . . . .	23
<b>Subdivision 3</b>	<b>Other pests</b>	
34	Banana yellow Sigatoka and leaf speckle . . . . .	24
<b>Subdivision 4</b>	<b>Volunteer plants</b>	
35	Treating volunteer plants . . . . .	25
<b>Subdivision 5</b>	<b>Regrowth and weeds</b>	
36	Treating regrowth . . . . .	25
37	Keeping land free of weeds and other plants . . . . .	26
<b>Part 2</b>	<b>Fire ants</b>	
<b>Division 1</b>	<b>Preliminary</b>	
38	Definitions for pt 2. . . . .	26
38A	Meaning of high risk item . . . . .	27
<b>Division 2</b>	<b>Pest quarantine area and objects of quarantine</b>	
39	Declaration of pest quarantine area . . . . .	28
40	Objects of quarantine . . . . .	28
<b>Division 3</b>	<b>Pest control measures for pest quarantine area</b>	
<b>Subdivision 1</b>	<b>Restrictions on moving live fire ants, restricted items and other things</b>	
41	Restriction on moving live fire ants. . . . .	29

*Plant Protection Regulation 2002*


---

42	Restriction on land owner's movement of restricted items and other things. . . . .	29
43	Restriction on other person's movement of restricted items and other things. . . . .	30
<b>Subdivision 2</b>	<b>Other obligations of land owners</b>	
44	Definition for sdiv 2. . . . .	30
45	Obligation of land owner to allow surveillance . . . . .	30
46	Preventative treatment of land, plants and other things . . . . .	31
47	Obligation of owner of land in the vicinity of infested land . . . . .	32
47A	Restriction on who may treat fire ant and infested thing. . . . .	32
48	Treatment of infested land, plants and other things . . . . .	32
<b>Division 4</b>	<b>Pest control measures for restricted areas</b>	
<b>Subdivision 1</b>	<b>Restricted areas</b>	
49	Declaration of restricted area . . . . .	33
<b>Subdivision 2</b>	<b>Movement, treatment and other restrictions</b>	
49A	Application of sdiv 2. . . . .	34
50	Owner must sign fire ant declaration when moving restricted item . . . . .	34
51	Restriction on moving infested thing. . . . .	35
51A	Disturbing soil. . . . .	35
51B	Treatment of high risk item by person carrying on commercial activity . . . . .	35
51C	When person carrying on commercial activity must sign fire ant declaration . . . . .	36
<b>Subdivision 3</b>	<b>Risk management plans</b>	
52	Business person must have risk management plan. . . . .	36
53	Restriction on business person moving thing associated with commercial activity. . . . .	37
53A	Certifying high risk item . . . . .	38
54	Requirements for risk management plan . . . . .	39
55	Approval of risk management plan. . . . .	39
56	DPI fire ant approved symbol. . . . .	40
57	Term of approved risk management plan. . . . .	40
58	Audits . . . . .	40
<b>Subdivision 4</b>	<b>Cancellation and suspension of approved risk management plan</b>	
59	Grounds for cancellation and suspension . . . . .	41
60	Procedure for cancellation and suspension—general . . . . .	41
61	Immediate suspension . . . . .	42

---

62	Notice of decision and appeal . . . . .	42
<b>Division 5</b>	<b>Introduction restrictions for tropical fire ants</b>	
63	Live tropical fire ants and infested things . . . . .	42
64	Restricted items . . . . .	43
<b>Division 6</b>	<b>Reward scheme under pest surveillance program for red imported fire ant</b>	
<b>Subdivision 1</b>	<b>Preliminary</b>	
64A	Application of div 6 . . . . .	43
64B	Definitions for div 6 . . . . .	43
<b>Subdivision 2</b>	<b>Provisions about reward scheme</b>	
64C	Purpose of sdiv 2 . . . . .	44
64D	Who is an eligible person . . . . .	44
64E	What is a new fire ant colony . . . . .	45
64F	Eligibility criteria provision . . . . .	45
64G	How to report finding of, or information about, fire ant colony . . .	47
64H	Payment of reward amount. . . . .	48
64I	Verification of new fire ant colony . . . . .	48
64J	Proof of identity . . . . .	49
<b>Part 3</b>	<b>Fire blight</b>	
65	Definitions for pt 3. . . . .	49
66	Declaration of pest quarantine area . . . . .	50
67	Object of quarantine . . . . .	50
68	Restriction on introducing regulated fire blight host plant. . . . .	50
<b>Part 4</b>	<b>Grape phylloxera</b>	
69	Definitions for pt 4. . . . .	51
70	Declaration of pest quarantine area . . . . .	52
71	Object of quarantine . . . . .	52
72	Restriction on introducing grape phylloxera and infested plant . .	52
73	Restriction on introducing grape plant, grape plant product, appliance and other thing . . . . .	53
74	Introducing fruit of grape plant . . . . .	53
<b>Part 5</b>	<b>Mango leafhopper</b>	
<b>Division 1</b>	<b>Preliminary</b>	
75	Definitions for pt 5. . . . .	53
<b>Division 2</b>	<b>Pest quarantine areas and objects of quarantine</b>	
76	Declaration of pest quarantine areas . . . . .	54
77	Objects of quarantine . . . . .	54

---

<b>Division 3</b>	<b>General pest control measures</b>	
78	Restriction on introducing mango leafhopper and infested plant .	55
79	Restriction on introducing mango plant . . . . .	55
80	Restrictions on movement out of pest quarantine area . . . . .	55
81	Restrictions on movement within pest quarantine area . . . . .	56
<b>Part 6</b>	<b>Red banded mango caterpillar</b>	
82	Definition for pt 6 . . . . .	56
83	Declaration of pest quarantine area . . . . .	56
84	Object of quarantine . . . . .	57
85	Restriction on moving live mango caterpillars and mango plants	57
<b>Part 7</b>	<b>Mediterranean fruit fly</b>	
86	Definitions for pt 7. . . . .	57
87	Declaration of pest quarantine area . . . . .	57
88	Object of quarantine . . . . .	57
89	Restriction on introducing mediterranean fruit fly and infested plant . . . . .	58
90	Restriction on introducing Mediterranean fruit fly host plant . . . .	58
<b>Part 8</b>	<b>Papaya ringspot</b>	
91	Definition for pt 8 . . . . .	59
92	Declaration of pest quarantine area . . . . .	59
93	Object of quarantine . . . . .	59
94	Restriction on moving prohibited plants . . . . .	59
<b>Part 9</b>	<b>Potato pests</b>	
<b>Division 1</b>	<b>Preliminary</b>	
95	Definitions for pt 9. . . . .	60
<b>Division 2</b>	<b>Pest quarantine area and object of quarantine</b>	
96	Declaration of pest quarantine area . . . . .	61
97	Object of quarantine . . . . .	61
<b>Division 3</b>	<b>General pest control measures</b>	
98	Introduction of restricted item. . . . .	61
99	Introduction of other thing. . . . .	61
100	Restrictions on planting potato tuber . . . . .	62
<b>Part 10</b>	<b>Strawberry plant pests</b>	
101	Definitions for pt 10. . . . .	62
102	Declaration of pest quarantine area . . . . .	63
103	Object of quarantine . . . . .	63

---

104	Restriction on introducing strawberry plant pest and infested plant . . . . .	63
105	Restriction on introducing strawberry plants . . . . .	63
<b>Part 11</b>	<b>Pests of sugarcane</b>	
<b>Division 1</b>	<b>Preliminary</b>	
113	Definitions for pt 11. . . . .	64
<b>Division 2</b>	<b>Pest quarantine areas and objects of quarantine</b>	
114	Declaration of pest quarantine areas . . . . .	64
115	Objects of quarantine . . . . .	65
<b>Division 3</b>	<b>General pest control measures</b>	
116	Restriction on introducing sugarcane plant . . . . .	65
117	Restriction on moving sugarcane plant . . . . .	65
118	Restriction on moving appliances. . . . .	66
118A	Restriction on planting and cultivating non-approved sugarcane variety . . . . .	66
119	Restriction on planting infested plant . . . . .	66
120	Restriction on cultivating sugarcane plant infested with sugarcane Fiji disease . . . . .	66
121	Restriction on cultivating sugarcane plant infested with sugarcane plant pest other than sugarcane smut . . . . .	67
122	Restriction on moving sugarcane plant infested with sugarcane plant pest . . . . .	67
<b>Part 12</b>	<b>Asian sugarcane planthopper</b>	
123	Definitions for pt 12. . . . .	68
124	Declaration of pest quarantine area . . . . .	68
125	Objects of quarantine . . . . .	68
126	Restriction on moving Asian sugarcane planthopper. . . . .	68
126A	Restriction on moving appliances. . . . .	69
126B	Restriction on moving sugarcane plants . . . . .	69
<b>Part 13</b>	<b>Cape York Peninsula targeted pests</b>	
127	Definitions for pt 13. . . . .	70
128	Declaration of pest quarantine area . . . . .	70
129	Objects of quarantine . . . . .	70
130	Restriction on moving targeted pest and plant infested with targeted pest out of pest quarantine area . . . . .	70
131	Restriction on moving plant infested with targeted pest within pest quarantine area . . . . .	71
132	Treatment of targeted pest or infested plant. . . . .	71



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<b>Part 15</b>	<b>Canker</b>	
<b>Division 1</b>	<b>Definitions</b>	
136	Definitions for pt 15. . . . .	71
<b>Division 2</b>	<b>Pest quarantine area and objects of quarantine</b>	
137	Declaration of pest quarantine area . . . . .	74
138	Objects of quarantine . . . . .	74
<b>Division 3</b>	<b>Restrictions and obligations relating to movement</b>	
<b>Subdivision 1</b>	<b>Restrictions on movement</b>	
139	Restrictions on movement into, within or out of pest quarantine area . . . . .	75
<b>Subdivision 2</b>	<b>Obligation to keep particular documents relating to movement of host plants</b>	
142	Obligation to keep relevant business document—movements within Queensland . . . . .	76
143	Obligation to keep relevant business document—movements into Queensland . . . . .	76
<b>Division 4</b>	<b>Obligations and requirements about removing infestation and creating buffer zone</b>	
144	Purpose of div 4 . . . . .	77
145	Destruction of particular host plants. . . . .	77
146	Requirement to treat appliances or other things . . . . .	78
147	Restriction on planting particular plants . . . . .	78
148	Requirement to destroy regrowth of relevant host plants . . . . .	78
149	Restriction on possessing relevant host plants . . . . .	79
150	Obligation of land owner to erect or allow erection of particular sign on land . . . . .	80
151	Prohibition on interfering with particular signs . . . . .	81
152	Obligation of land owner to allow surveillance . . . . .	81
<b>Part 16</b>	<b>Electric ant</b>	
<b>Division 1</b>	<b>Preliminary</b>	
153	Definitions for pt 16. . . . .	82
154	Meaning of high risk item . . . . .	82
<b>Division 2</b>	<b>Pest quarantine area and objects of quarantine</b>	
155	Declaration of pest quarantine area . . . . .	84
156	Objects of quarantine . . . . .	84
<b>Division 3</b>	<b>Pest control measures for pest quarantine area</b>	
<b>Subdivision 1</b>	<b>Restrictions on movement</b>	
157	Restrictions on movement within or out of pest quarantine area . . . . .	85

---

<b>Subdivision 2</b>	<b>Other obligations of land owners</b>	
158	Definition for subdiv 2 . . . . .	85
159	Obligation of owner of land to allow surveillance . . . . .	85
160	Restriction on who may treat land or things . . . . .	86
161	Treatment of infested land or things . . . . .	86
<b>Division 4</b>	<b>Restricted areas</b>	
<b>Subdivision 1</b>	<b>Declaration</b>	
162	Declaration of restricted area . . . . .	87
<b>Subdivision 2</b>	<b>Pest control measures for restricted areas</b>	
163	Application of sdiv 2 . . . . .	87
164	Restrictions on movement within or out of restricted area . . . . .	87
<b>Chapter 4</b>	<b>Transitional provision for Plant Protection Amendment Regulation (No. 5) 2003</b>	
169	Notification of new restrictions for restricted area . . . . .	88
<b>Schedule 1</b>	<b>Prescribed pests</b> . . . . .	90
<b>Schedule 2</b>	<b>Notifiable pests</b> . . . . .	108
<b>Schedule 3</b>	<b>Pest quarantine areas for pests of banana plants</b> . . . . .	116
<b>Schedule 4</b>	<b>Cultivars for residential plantations</b> . . . . .	122
<b>Schedule 5</b>	<b>Treatment methods</b> . . . . .	124
<b>Schedule 6</b>	<b>Banana black sigatoka resistant cultivars</b> . . . . .	126
<b>Schedule 7</b>	<b>Regulated fire blight host plants</b> . . . . .	127
<b>Schedule 7A</b>	<b>Pest quarantine areas for mango leafhopper</b> . . . . .	128
<b>Schedule 8</b>	<b>Mediterranean fruit fly host plants</b> . . . . .	129
<b>Schedule 10</b>	<b>Pest quarantine areas for pests of sugarcane plants</b> . . . . .	137
1	Far northern pest quarantine area . . . . .	137
2	Coen to Townsville pest quarantine area . . . . .	137
3	Townsville to Bowen-Collinsville pest quarantine area . . . . .	137
4	Bowen-Collinsville to Rockhampton pest quarantine area . . . . .	138
5	Rockhampton to Howard pest quarantine area . . . . .	138
6	Howard to New South Wales border pest quarantine area . . . . .	138
7	Woodford special pest quarantine area . . . . .	139
<b>Schedule 11</b>	<b>Sugarcane plant pests</b> . . . . .	140
<b>Schedule 12</b>	<b>Cape York Peninsula targeted pests</b> . . . . .	141
<b>Schedule 12B</b>	<b>Pest quarantine area for canker</b> . . . . .	145
<b>Schedule 13</b>	<b>Dictionary</b> . . . . .	146
<b>Attachment 2</b>	. . . . .	153

**Endnotes**

1	Index to endnotes . . . . .	155
2	Date to which amendments incorporated . . . . .	155
3	Key . . . . .	155
4	Table of reprints . . . . .	156
5	List of legislation . . . . .	156
6	List of annotations . . . . .	158



# **Plant Protection Regulation 2002**

[as amended by all amendments that commenced on or before 18 April 2008]

## **Chapter 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Plant Protection Regulation 2002*.

### **2 Commencement**

This regulation commences on 1 September 2002.

### **3 Definitions**

The dictionary in schedule 13 defines particular words used in this regulation.

## **Chapter 2 General provisions**

### **Part 1 Prescribed pests and notifiable pests**

#### **4 Prescription of pests**

Each organism, virus, viroid, disorder, condition or cause of specified symptoms in plants mentioned in schedule 1 is prescribed for section 4(1)<sup>1</sup> of the Act.

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<sup>1</sup> Section 4 (Pest declarations) of the Act

## **5 References to prescribed pests**

- (1) If a prescribed pest has a life cycle, a reference in this regulation to the pest includes a reference to the pest at each stage of the pest's life cycle.

*Examples of stages of the pest's life cycle—*

egg, larva, pupa, adult

- (2) If schedule 1 states an abbreviated or common name for a prescribed pest, the body of this regulation refers to the pest by that name.

## **6 Notifiable pests**

Each pest mentioned in schedule 2 is declared to be a notifiable pest for section 12(1)<sup>2</sup> of the Act.

# **Part 2 Authorised persons**

## **6A Declared class for appointment—Act, s 6D**

For section 6D(2)(a)(ii) of the Act, the class of individual declared to be an approved class is an individual employed by—

- (a) BSES Ltd ACN 103 760 005; or
- (b) Queensland Cane Growers Organisation Ltd ACN 089 992 969; or
- (c) Isis Productivity Ltd ACN 108 518 216; or
- (d) a mill owner under the *Sugar Industry Act 1999*; or
- (e) an entity engaged in sugarcane production in Queensland; or
- (f) an entity whose objects include improving sugar industry production.

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<sup>2</sup> Section 12 (Notification of pests) of the Act



**10 Plant to be repacked if certificate given**

A person must, within 24 hours of receiving a certificate issued under section 9, repack and remove the plant from the place of treatment.

Maximum penalty—20 penalty units.

**11 Graft union**

A person must not sell a grafted citrus fruit tree unless it is of upright growth with the stock-scion union at least 100mm above the point where the first lateral root branches from the main stem.

Maximum penalty—20 penalty units.

**Part 4 Corresponding laws****12 Declaration of corresponding laws**

For the definition *corresponding law* in schedule 2 of the Act, each of the following is declared to be a corresponding law to the Act—

- (a) *Fruit and Plant Protection Act 1992* (SA);
- (b) *Plant Diseases Act 1914* (WA);
- (c) *Plant Diseases Act 1924* (NSW);
- (d) *Plant Diseases Act 2002* (ACT);
- (e) *Plant Diseases Control Act* (NT);
- (f) *Plant Health and Plant Products Act 1995* (Vic);
- (g) *Plant Quarantine Act 1997* (Tas).



## Chapter 3      Pest quarantine areas and related matters

### Part 1            Banana pests

#### Division 1        Preliminary

#### 17      Definitions for pt 1

In this part—

*banana plant*—

- (a) generally, means a plant of the genera *Musa* or *Ensete*; and
- (b) for division 3, see also section 20.

*banana plant pest* see section 25.

*ground cover vegetation* means any low spreading plant that covers the soil and retards movement of soil.

*pest banana plant* means a plant of the genera—

- (a) *Musa* spp., other than—
  - (i) a plant that produces edible fruit; or
  - (ii) an indigenous plant that is not a volunteer plant.
- (b) *Ensete* spp.

*pest quarantine area* means each of the pest quarantine areas declared under section 18.

*pest site* see section 25.

*treatment method A* see schedule 5, item 1.

*treatment method B* see schedule 5, item 2.

*treatment method C* see schedule 5, item 3.

*treatment method D* see schedule 5, item 4.

## **Division 2                    Pest quarantine areas and objects of quarantine**

### **18        Declaration of pest quarantine areas**

- (1) Each area shown on a map in schedule 3 is declared to be a pest quarantine area for pests of banana plants.
- (2) The exact location of the boundary of each of the pest quarantine areas is held in digital electronic form by the department.
- (3) Maps showing the exact location of the boundary of each of the pest quarantine areas can be accessed, free of charge, on the department's website.

*Editor's note—*

The department's website address is <[www.dpi.qld.gov.au](http://www.dpi.qld.gov.au)>.

- (4) The information held in digital electronic form can be reduced or enlarged to show the details of the boundaries.

### **19        Objects of quarantine**

The objects of the quarantine for each pest quarantine area are—

- (a) to prevent the introduction into Queensland of pests that infest banana plants; and
- (b) to prevent the spread of the pests in Queensland; and
- (c) to prevent, control or remove pest infestations of banana plants in the pest quarantine area.

## **Division 3                    General pest control measures**

### **20        Definition for div 3**

In this division—

*banana plant* does not include the fruit of the plant.

**21 Restriction on introducing banana plants**

- (1) A person must not, without an inspector's approval, introduce a banana plant into Queensland unless the plant—
  - (a) is a banana plantlet; and
  - (b) is in a sealed pest-proof container; and
  - (c) is accompanied by an inspector's certificate, or assurance certificate, stating the plant is free from banana bunchy top, banana streak and cucumber mosaic; and
  - (d) is transported in a way that prevents infestation by a banana plant pest.
- (2) In this section—

*banana plantlet* means a banana plant that has been grown in a tissue culture medium in a closed container.

**22 Restriction on moving banana plants**

- A person must not, without an inspector's approval, move a banana plant—
- (a) into a pest quarantine area; or
  - (b) from a parcel of land in a pest quarantine area to another parcel of land in the area; or
  - (c) out of a pest quarantine area.

**23 Restriction on moving soil, appliances and other things**

- (1) A person must not, without an inspector's approval, move soil on which a banana plant has been growing or an appliance or other thing that has been in contact with an infested plant or soil on which an infested plant has been growing—
  - (a) into a pest quarantine area; or
  - (b) from a parcel of land in a pest quarantine area to another parcel of land in the area; or
  - (c) out of a pest quarantine area.
- (2) In this section—

***infested plant*** means a banana plant infested with 1 or more of the following—

- (a) bacterial wilt of banana, also known as—
  - (i) banana blood disease; or
  - (ii) banana bugtok disease; or
  - (iii) banana moko disease;
- (b) fusarial wilt of banana, also known as banana Panama disease;
- (c) leaf spot of banana, also known as banana black Sigatoka disease.

***other thing*** includes clothing, footwear, packaging material and banana bunch covers, but does not include fruit of a banana plant.

## **24 Restriction on planting and cultivating banana plants**

- (1) A person must not, without an inspector's approval—
  - (a) plant a banana plant in a pest quarantine area; or
  - (b) cultivate a banana plant in a pest quarantine area.
- (2) However, a person may plant or cultivate a banana cultivar mentioned in schedule 4, parts 1 or 2, if the cultivar is planted and cultivated in—
  - (a) a pest quarantine area for the part of the schedule in which the cultivar is in; and
  - (b) a residential plantation.
- (3) An inspector may give an approval to plant or cultivate a pest banana plant only if satisfied the planting and cultivation are to be carried out—
  - (a) for research or educational purposes; and
  - (b) in a way that is not likely to spread the plant's seed.
- (4) In this section—

***residential plantation*** means a group of no more than 10 banana plants or 30 pseudostems that are not cultivated for sale.

## **Division 4                      Pest control measures for movement of fruit**

### **25            Definitions for div 4**

In this division—

*banana plant pest* means the following pests—

- (a) bacterial wilt of banana, also known as—
  - (i) banana blood disease; or
  - (ii) banana bugtok disease; or
  - (iii) banana moko disease;
- (b) banana black Sigatoka disease.

*pest site* means an area within approximately 50km of a place where a banana plant pest has been found.

### **26            Declaration of pest area**

- (1) If the chief executive considers it necessary to prevent a banana plant pest spreading in Queensland, the chief executive may—
  - (a) declare an area in a pest quarantine area to be a pest area; and
  - (b) define the boundaries of the area so declared.
- (2) The chief executive must give notice of the declaration—
  - (a) in a newspaper, if any, published at least 5 days in any week, and circulating generally throughout the locality in which the pest area is situated; or
  - (b) in another newspaper published in Brisbane and circulating generally throughout Queensland.<sup>4</sup>
- (3) The notice must state the following—
  - (a) that an area has been declared to be a pest area;

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<sup>4</sup> A copy of the notice may be inspected on the department's website at <[www.dpi.qld.gov.au](http://www.dpi.qld.gov.au)>.

- (b) the location and boundaries of the area;
- (c) where a map showing the boundaries of the area is available for public inspection;
- (d) the restrictions on movement of fruit of a banana plant growing in the pest area.

## **27 Restriction on moving fruit**

- (1) This section applies to fruit of a banana plant growing in a pest site if—
  - (a) the chief executive declares the pest site to be a pest area under section 26; and
  - (b) the person moves the fruit—
    - (i) out of the pest area; or
    - (ii) from a parcel of land in the pest area to another parcel of land in the area.
- (2) The person must not, without an inspector's approval, move the fruit unless the person moves the fruit in a way that complies with the restrictions on movement of fruit stated in the declaration.

## **Division 5 Other pest control measures**

### **Subdivision 1 Treatment methods for banana plants**

#### **28 Treatment methods**

Treatment methods A, B, C and D for treating banana plants under this part are described in schedule 5, items 1 to 4.

## Subdivision 2      Notifiable pests

### 29      **Bacterial wilt of banana**

- (1) This section applies to an owner of land in a pest quarantine area if a banana plant is growing on the land in a pest site.
- (2) Unless the owner has an inspector's approval stating the plant does not have to be treated under this section, the owner must—
  - (a) treat the plant using treatment method B or C; and
  - (b) fence off the pest site from other banana plants.
- (3) The owner must—
  - (a) treat the plant and fence off the pest site within 1 day after becoming aware the pest has been found; and
  - (b) as soon as practicable after the day the plant is treated, plant and grow ground cover vegetation on the pest site.
- (4) The owner must not, without an inspector's approval, plant a banana plant on the pest site.
- (5) The owner must grow the ground cover vegetation on the pest site unless the owner has an inspector's approval stating the vegetation need not be grown on the site.
- (6) In this section—

*pest site* means an area within 20m of a place where bacterial wilt of banana, also known as the following, has been found—

  - (a) banana blood disease;
  - (b) banana bugtok disease;
  - (c) banana moko disease.

### 30      **Banana black Sigatoka disease**

- (1) This section applies to an owner of land in a pest quarantine area who grows a banana plant on the land within 500m of a place where banana black Sigatoka disease has been found.

- (2) Unless the owner has an inspector's approval stating the plant does not have to be treated under this section, the owner must—
- (a) treat the plant's leaf tissue that is dead or not green in colour by—
    - (i) burning it; or
    - (ii) burying it under at least 60cm of soil; and
  - (b) treat the plant using treatment method B, C or D.
- (3) The owner must—
- (a) treat the leaf tissue mentioned in subsection (2)(a) within 1 day after an inspector gives the owner a direction to treat the leaf tissue; and
  - (b) treat the plant within 3 days after an inspector gives the owner a direction to treat the plant.
- (4) In this section—
- banana plant* does not include a banana black Sigatoka resistant cultivar mentioned in schedule 6.

### **31 Banana bract mosaic and banana bunchy top**

- (1) This section applies to an owner of land in a pest quarantine area who grows a banana plant on the land within 20m of a place where the following viruses have been found—
- (a) banana bract mosaic;
  - (b) banana bunchy top.
- (2) Unless the owner has an inspector's approval stating the plant does not have to be treated under this section, the owner must—
- (a) spray the plant with diesel or kerosene; and
  - (b) treat it using treatment method A or B.
- (3) The owner must spray and treat the plant within 1 day after becoming aware the virus has been found.



**32 Fusarial wilt of banana, also known as banana Panama disease**

- (1) This section applies to an owner of land in a pest quarantine area if—
  - (a) the owner is growing a banana plant on the land; and
  - (b) the plant is infested with banana Panama disease.
- (2) Unless the owner has an inspector's approval stating the plant does not have to be treated under this section, the owner must—
  - (a) treat the plant using treatment method B or C; and
  - (b) fence off the pest site from other banana plants.
- (3) The owner must—
  - (a) treat the plant and fence off the pest site within 7 days after becoming aware the plant is infested; and
  - (b) as soon as practicable after treating the plant, plant and grow ground cover vegetation on the pest site.
- (4) The owner must not, without an inspector's approval, plant a banana plant on the pest site for at least 5 years after the day the plant is treated.
- (5) The owner must grow the ground cover vegetation for at least 5 years after the day the plant is treated unless the owner has an inspector's approval to plant a banana plant on the pest site.
- (6) In this section—

*pest site* means the area within 5m of a plant infested with banana Panama disease.

**33 Pest banana plants**

- (1) This section applies to an owner of land in a pest quarantine area if a pest banana plant is growing on the land.
- (2) Unless the owner has an inspector's approval to grow the plant, the owner must, within 1 day after becoming aware the plant is on the land—
  - (a) collect and burn the fruit and seeds of the plant; and

- (b) inject the plant's pseudostem at a height of 30cm above the ground with—
  - (i) 15ml of a 1% solution of 2,4-D; or
  - (ii) 15ml of a 3.6% solution of glyphosate.

### **Subdivision 3      Other pests**

#### **34      Banana yellow Sigatoka and leaf speckle**

- (1) This section applies to an owner of land in a pest quarantine area if—
  - (a) the owner grows a banana plant on the land; and
  - (b) there is an infested leaf on the plant.
- (2) Unless the owner has an inspector's approval stating the plant does not have to be treated under this section, the owner must treat each infested leaf by—
  - (a) removing it from the plant; and
  - (b) leaving it to rot on the surface of the soil.
- (3) The owner must treat each infested leaf within 7 days after the owner becomes aware it is an infested leaf.
- (4) In this section—

*infested leaf* means a banana plant leaf that is infested with the banana yellow Sigatoka pest or banana leaf speckle pest and the visible symptoms of the infestation of either or both of the pests are showing—

  - (a) if the banana plant is grown on land in the northern pest quarantine area<sup>5</sup>—on more than 5% of the leaf; or
  - (b) if the banana plant is grown on land in any other pest quarantine area—
    - (i) at any time between 1 November and 31 May—on more than 15% of the leaf; or

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<sup>5</sup> See schedule 3 (Pest quarantine areas for pests of banana plants), part 3 (Northern pest quarantine area).

- (ii) at any time between 1 June and 31 October—on more than 30% of the leaf.

## **Subdivision 4 Volunteer plants**

### **35 Treating volunteer plants**

- (1) This section applies to an owner of land in a pest quarantine area if a volunteer plant that is a banana plant is growing on the land.
- (2) The owner must, within 5 days after becoming aware the plant is on the land, treat it using treatment method A, B or C.

## **Subdivision 5 Regrowth and weeds**

### **36 Treating regrowth**

- (1) If a person treats a banana plant under section 29, 32 or 33,<sup>6</sup> the person must treat any regrowth of the plant by spraying it with a 0.2% solution of 2,4-D.
- (2) If a person treats a banana plant under section 30, 31 or 35,<sup>7</sup> the person must treat any regrowth of the plant by—
  - (a) removing the regrowth from the soil and cutting it into pieces no more than 5cm in diameter; or
  - (b) spraying it with a 0.2% solution of 2,4-D.
- (3) The person must treat the regrowth as soon as practicable after becoming aware of it.

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6 Section 29 (Bacterial wilt of banana), 32 (Fusarial wilt of banana, also known as banana Panama disease) or 33 (Pest banana plants)

7 Section 30 (Banana black Sigatoka disease), 31 (Banana bract mosaic and banana bunchy top) or 35 (Treating volunteer plants)

**37 Keeping land free of weeds and other plants**

An owner of land in a pest quarantine area who grows a banana plant on the land must keep the land within 2m of the plant free from weeds or other plants that are—

- (a) more than 60cm high; and
- (b) growing in numbers that an inspector reasonable believes would be likely to hinder—
  - (i) symptom expression of a pest infestation on the banana plant; or
  - (ii) inspection of the banana plant by an inspector.

**Part 2 Fire ants****Division 1 Preliminary****38 Definitions for pt 2**

In this part—

*approved disposal site*, for a restricted area, means a site in or near the restricted area approved by an inspector for treatment and disposal of things infested or possibly infested with fire ant.

*approved risk management plan* see section 52(2).

*authorised person*, at an approved disposal site, means a person authorised in writing by an inspector to receive fire ant declarations at the site from an owner.

*business person* see section 52(1).

*DPI fire ant approved symbol* see section 56.

*fire ant* means the following pests—

- (a) tropical fire ant;
- (b) red imported fire ant.

***fire ant declaration*** see section 50(2).

***high risk item*** see section 38A.

***pest quarantine area*** means the pest quarantine area declared under section 39.

***restricted area*** means a restricted area declared under section 49.

***restricted item*** means any of the following—

- (a) soil;
- (b) baled hay or straw;
- (c) an appliance used in agriculture or for moving soil.

***show cause period*** see section 60(1)(e).

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

*Examples—*

- potting mix
- organic mulch

***treat*** means treat in a way directed by an inspector.

### **38A Meaning of *high risk item***

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

- (a) red imported fire ant;
- (b) soil or any thing that has soil attached;

*Examples—*

- a plant that has soil on the plant's roots
  - 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 sewerage 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 (f).
- (2) Also, if an inspector decides any thing associated with a person's commercial activity may spread fire ant, and notifies the person of the decision, the thing is a ***high risk item***.

## **Division 2                      Pest quarantine area and objects of quarantine**

### **39            Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for fire ant.

### **40            Objects of quarantine**

The objects of the quarantine are—

- (a) to prevent fire ant spreading in Queensland; and

- (b) to eradicate it in Queensland; and
- (c) to prevent the introduction of tropical fire ant into Queensland.

### **Division 3                    Pest control measures for pest quarantine area**

#### **Subdivision 1            Restrictions on moving live fire ants, restricted items and other things**

##### **41            Restriction on moving live fire ants**

A person must not, without an inspector's approval, move a live fire ant—

- (a) from a parcel of land in the pest quarantine area to another parcel of land in the area; or
- (b) out of the pest quarantine area.

##### **42            Restriction on land owner's movement of restricted items and other things**

- (1) This section applies to an owner of land if an inspector—
  - (a) reasonably believes the land is infested with fire ant; and
  - (b) gives the owner a written notice stating—
    - (i) the land is infested with fire ant; and
    - (ii) the things on the land the inspector reasonably believes are infested with fire ant.
- (2) The owner must not, without an inspector's approval, move, or allow another person to move, a restricted item or other thing mentioned in subsection (1)(b)(ii)—
  - (a) from the owner's land to another parcel of land in the pest quarantine area; or
  - (b) out of the pest quarantine area.

**43 Restriction on other person's movement of restricted items and other things**

- (1) This section applies to a person carrying on a commercial activity in the pest quarantine area if an inspector—
  - (a) reasonably believes the activity may spread fire ant in the pest quarantine area; and
  - (b) gives the person a written notice stating—
    - (i) that the activity may spread fire ant in the pest quarantine area; and
    - (ii) the things associated with the activity the inspector reasonably believes may spread fire ant.
- (2) The person must not, without an inspector's approval, move, or allow another person to move, a restricted item or other thing mentioned in subsection (1)(b)(ii)—
  - (a) from a parcel of land in the pest quarantine area to another parcel of land in the area; or
  - (b) out of the pest quarantine area.
- (3) In deciding whether the activity or other thing may spread fire ant, the inspector must have regard to—
  - (a) the nature of the activity or thing; and
  - (b) where the activity is carried out.

**Subdivision 2 Other obligations of land owners****44 Definition for sdiv 2**

In this subdivision—

*land* does not include a dwelling house on the land.

**45 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 fire ant, the owner



must not refuse to allow the inspector to carry out surveillance.

- (2) Without limiting subsection (1), an inspector may carry out surveillance on the land by putting fire ant baits, lures or traps on the land.
- (3) The inspector may direct the owner to 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 removed—*

- rubbish
  - scrap
  - vegetation
- (4) When making the requirement or direction, the inspector must give the person an offence warning.

#### **46 Preventative treatment of land, plants and other things**

- (1) If an inspector considers it necessary to prevent fire ant spreading in the pest quarantine area, the inspector may require an owner of land in the pest quarantine area to allow the inspector to treat—
  - (a) the land; or
  - (b) a plant, or other thing the inspector reasonably believes may spread fire ant, on the land.
- (2) The owner must not refuse to allow the inspector to carry out the treatment.
- (3) The inspector may direct the owner to remove any thing on the land that would obstruct the inspector treating the land, or plant or other thing on the land.

*Examples of things an inspector may direct to be removed—*

- rubbish
  - scrap metal
  - vegetation
- (4) When making the requirement or direction, the inspector must give the person an offence warning.

**47 Obligation of owner of land in the vicinity of infested land**

An owner of land in the vicinity of land infested with fire ant must, if directed by an inspector, monitor the owner's land for fire ant in the way the inspector considers appropriate for finding fire ant.

**47A Restriction on who may treat fire ant and infested thing**

(1) An owner of land in the pest quarantine area must not, without an inspector's approval, treat, or allow another person other than an inspector or an authorised person to treat, the following on the land—

- (a) fire ant;
- (b) a thing infested with fire ant.

(2) In this section—

***authorised person*** means a person authorised by the chief executive.

**48 Treatment of infested land, plants and other things**

(1) If an inspector requires an owner of land infested with fire ant to allow an inspector or an authorised person to treat—

- (a) the land; or
- (b) a plant, or other thing infested with fire ant, on the land;

the owner must not refuse to allow an inspector or authorised person to carry out the treatment.

(2) When making the requirement, the inspector must give the person an offence warning.

(3) In this section—

***authorised person*** means a person authorised by the chief executive.

## **Division 4                    Pest control measures for restricted areas**

### **Subdivision 1            Restricted areas**

#### **49            Declaration of restricted area**

- (1) If the chief executive considers it necessary to prevent fire ant spreading or to eradicate fire ant in Queensland, the chief executive may—
  - (a) declare an area in the pest quarantine area to be a restricted area; and
  - (b) define the boundaries of the area so declared.
- (2) The chief executive must give notice of the declaration—
  - (a) in a newspaper published in Brisbane and circulating generally throughout Queensland; and
  - (b) in another newspaper, if any, published at least 5 days in any week, and circulating generally throughout the locality in which the restricted area is situated.
- (3) The notice must state each of the following—
  - (a) that an area has been declared to be a restricted area;
  - (b) the location and boundaries of the area;
  - (c) where a map showing the boundaries of the area is available for public inspection;
  - (d) if a person is an owner of land in the area, the circumstances under which the owner must sign a fire ant declaration;
  - (e) if a person is carrying on a commercial activity in the area, the circumstances under which the person is required to treat high risk items and sign a fire ant declaration;
  - (f) the restriction on disturbing soil in the area;
  - (g) the circumstances under which high risk items associated with a business person's commercial activity must be treated and certified;

- (h) where a copy of the fire ant declaration can be obtained;
- (i) if a person is carrying on a commercial activity in the area, the circumstances under which the person must have an approved risk management plan;
- (j) if a person is required under section 52 to implement a risk management plan, the day from which the plan must be implemented.

## **Subdivision 2      Movement, treatment and other restrictions**

### **49A      Application of sdiv 2**

This subdivision does not limit another provision of this part.

### **50      Owner must sign fire ant declaration when moving restricted item**

- (1) This section applies to an owner of land in a restricted area if the owner moves a restricted item that the owner knows, or reasonably believes, is not infested with fire ant—
  - (a) from the owner's land to another person's parcel of land in the restricted area; or
  - (b) out of the restricted area.
- (2) The owner must not, without an inspector's approval, move the item unless the owner signs a declaration in the approved form (a *fire ant declaration*) stating that the owner will move the item in a way that complies with the requirements of the declaration.
- (3) The owner must give the declaration to the person receiving the item.
- (4) The person receiving the item must keep the declaration for at least 1 year, unless the person has a reasonable excuse.
- (5) However, an owner need not comply with this section if the owner has an approved risk management plan under section 52.

**51 Restriction on moving infested thing**

- (1) An owner of land in a restricted area must not, without an inspector's approval, move, or allow another person to move a restricted item, or other thing, infested with fire ant—
  - (a) from the owner's land to another person's parcel of land in the restricted area; or
  - (b) out of the restricted area.<sup>8</sup>
- (2) However, the owner may move the thing to an approved disposal site for the restricted area.
- (3) If the owner moves the thing to an approved disposal site, the owner must—
  - (a) sign a fire ant declaration for the thing before the owner moves the thing to the site; and
  - (b) give the declaration to an authorised person at the site.
- (4) The authorised person must keep the declaration for at least 1 year, unless the person has a reasonable excuse.

**51A Disturbing soil**

An owner of land in a restricted area must not, without an inspector's approval, disturb more than 1m<sup>3</sup> of soil on the land.

*Examples of disturbing soil—*

- compacting, covering, excavating or exposing soil
- moving soil from a part of the land to another part
- stockpiling soil

**51B Treatment of high risk item by person carrying on commercial activity**

- (1) This section applies to a person carrying on a commercial activity in a restricted area if the person—
  - (a) has a high risk item on the site where the commercial activity is carried out; and

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<sup>8</sup> See section 12(2) (Notification of pests) of the Act.

- (b) knows, or reasonably believes, the item is not infested with fire ant.
- (2) The person must treat the high risk item before moving, or allowing another person to move, the item—
  - (a) from a parcel of land in the restricted area to another parcel of land in the area; or
  - (b) out of the restricted area.
- (3) However, an inspector may give the person an approval stating the high risk item does not have to be treated under this section.
- (4) This section applies whether or not the person is required to implement and keep an approved risk management plan.

**51C When person carrying on commercial activity must sign fire ant declaration**

- (1) This section applies to a person mentioned in section 51B(1) who is not required to implement and keep an approved risk management plan.
- (2) The person must, before moving the high risk item under section 51B(2), sign a fire ant declaration.
- (3) The person must give the declaration to the person receiving the item.
- (4) The person receiving the item must keep the declaration for at least 1 year, unless the person has a reasonable excuse.

**Subdivision 3 Risk management plans**

**52 Business person must have risk management plan**

- (1) This section applies to a person (a *business person*) carrying on a commercial activity in a restricted area if an inspector—
  - (a) reasonably believes the activity may spread fire ant—
    - (i) from a parcel of land in the restricted area to another parcel of land in the area; or
    - (ii) out of the restricted area; and

- (b) gives the person notice, either in writing or orally, to that effect.
- (2) The business person must implement and keep a risk management plan that complies with section 54 for the commercial activity (an ***approved risk management plan***).
- (3) In deciding whether the activity or other thing may spread fire ant, the inspector must have regard to—
  - (a) the nature of the activity or thing; and
  - (b) where the activity is carried out.
- (4) If an inspector gives a business person oral notice under subsection (1)(b), the person may request written notice.
- (5) The inspector must give the business person written notice within 14 business days after the request.
- (6) However, the business person is taken to have been given notice on the day the inspector gives the person oral notice.
- (7) This section does not limit another provision of this part.

**53 Restriction on business person moving thing associated with commercial activity**

- (1) A business person who has been given a notice under section 52 must not, without an inspector's approval, move, or allow another person to move, a thing associated with the business person's commercial activity unless—
  - (a) the person has an approved risk management plan for the person's commercial activity; and
  - (b) the movement complies with the plan.
- (2) This section does not limit another provision of this part.

**53A Certifying high risk item**

- (1) This section applies to a business person who is, under section 51B(2),<sup>9</sup> required to treat a high risk item associated with the person's commercial activity.
- (2) The person must ensure the item is accompanied by a certificate, comprising of 1 or more documents, complying with subsection (3).
- (3) The certificate must—
  - (a) state each of the following—
    - (i) the name of the person's business;
    - (ii) the number of the person's approved risk management plan;
    - (iii) the date of movement of the high risk item;
    - (iv) a description of the high risk item;
    - (v) the number or amount of the high risk item; and
  - (b) if the person has been given a sign under section 56(1)<sup>10</sup>—display the DPI fire ant approved symbol shown on the sign; and
  - (c) be either—
    - (i) attached to the high risk item; or
    - (ii) if the high risk item is in a package—attached to the package; or
    - (iii) part of another document connected with the sale or movement of the high risk item.

*Examples—*

- a receipt for the sale of the high risk item
- an invoice for the movement of the high risk item

- (4) However, an inspector may give the person an approval stating the high risk item is not required to have a certificate accompanying it.

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<sup>9</sup> Section 51B (Treatment of high risk item by person carrying on commercial activity)

<sup>10</sup> Section 56 (DPI fire ant approved symbol)



**54 Requirements for risk management plan**

- (1) A risk management plan must manage the risks associated with the commercial activity carried on in a restricted area by a business person by using appropriate management techniques to protect the activity, or the things associated with the activity, from spreading fire ant.
- (2) A business person must seek advice from an inspector on matters relevant to the preparation of the person's plan.
- (3) The plan has no effect unless it has been approved by an inspector.

**55 Approval of risk management plan**

- (1) An inspector must, when deciding whether to approve the risk management plan, consider if it—
  - (a) takes into account the risks posed by the commercial activity carried on by the person that may spread fire ant; and
  - (b) identifies each high risk item or procedure associated with the activity that may spread fire ant; and
  - (c) ensures each high risk item is not infested with fire ant.
- (2) The factors the inspector must consider, if applicable to the commercial activity, include, but are not limited to, the following—
  - (a) purchase of high risk items;
  - (b) movement of high risk items onto and off the site where the commercial activity is carried out;
  - (c) storage and use of high risk items on the site;
  - (d) methods to increase the early detection of fire ant on the site;
  - (e) monitoring of the site to detect the presence of fire ant;
  - (f) treatment for fire ant at the site;
  - (g) treatment of a high risk item before moving the item off the site;
  - (h) staff training on detection of fire ant.

- (3) The person must provide information the inspector reasonably requires to decide whether the plan should be approved.
- (4) Before approving the risk management plan, the inspector may—
  - (a) inspect, test or treat or take samples of a high risk item or other thing associated with the person's commercial activity; or
  - (b) do anything else the inspector reasonably considers necessary or desirable.
- (5) An inspector may approve a business person's risk management plan subject to conditions.

#### **56 DPI fire ant approved symbol**

- (1) If a business person has an approved risk management plan, an inspector may give the person a sign displaying a symbol (a *DPI fire ant approved symbol*).
- (2) If the business person is given a sign under subsection (1), the person must display the sign—
  - (a) in a conspicuous position at the site where the person's commercial activity is carried out; and
  - (b) so it is clearly visible when entering the site.

#### **57 Term of approved risk management plan**

An approved risk management plan remains in force—

- (a) for any term stated initially in it; or
- (b) for any term an inspector later directs; or
- (c) until it is cancelled or suspended.

#### **58 Audits**

An inspector may audit a risk management plan to decide if it has been satisfactorily implemented and kept under this part.

## **Subdivision 4      Cancellation and suspension of approved risk management plan**

### **59      Grounds for cancellation and suspension**

Each of the following is a ground for cancelling or suspending a business person's approved risk management plan—

- (a) an inspector reasonably believes the person has not complied with the plan;
- (b) the approval was obtained by incorrect or misleading information or documents;
- (c) the person has not complied with—
  - (i) a condition of the approval; or
  - (ii) a direction by an inspector to amend the plan.

### **60      Procedure for cancellation and suspension—general**

- (1) If an inspector considers a ground exists to cancel or suspend a business person's approved risk management plan, the inspector must give the person written notice stating each of the following—
  - (a) the proposed action;
  - (b) the grounds for the proposed action;
  - (c) the facts and circumstances that form the basis for the grounds;
  - (d) if the proposed action is a suspension—the proposed suspension period;
  - (e) that the person may make, within a stated period (the *show cause period*), written representations to show why the proposed action should not be taken.
- (2) The show cause period must end at least 14 business days after the person is given the notice.

- (3) If the inspector decides to take the proposed action, the inspector must, within 5 business days after making the decision, inform the person of the decision by written notice.
- (4) The decision takes effect when the notice is given.

## **61 Immediate suspension**

- (1) This section applies despite sections 59 and 60.
- (2) If an inspector considers it necessary to prevent fire ant spreading or to eradicate fire ant in Queensland, the inspector may, by written notice to a business person, immediately suspend the person's approved risk management plan until the earlier of the following—
  - (a) the inspector informs the person of the inspector's decision by notice under section 60(3), given after complying with section 60(1) and (2);
  - (b) the end of 60 days after notice to the person.

## **62 Notice of decision and appeal**

If the inspector cancels, suspends or immediately suspends an approval, the notice under section 60(3) or 61(2) must state—

- (a) the decision, and the reasons for it; and
- (b) that the person may apply to the chief executive under section 21M<sup>11</sup> of the Act for reconsideration of the decision; and
- (c) how to apply.

## **Division 5 Introduction restrictions for tropical fire ants**

### **63 Live tropical fire ants and infested things**

- (1) A person must not, without an inspector's approval, introduce the following into Queensland—

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11 Section 21M (Application for reconsideration of administrative decisions) of the Act

- (a) a live tropical fire ant;
  - (b) any thing the person reasonably believes may be infested with tropical fire ant.
- (2) An inspector may give an approval only if the inspector is satisfied the introduction of the thing will not pose a significant risk of introducing tropical fire ant into Queensland.

#### **64 Restricted items**

- (1) This section applies for restricted items that come from another State in which tropical fire ant is known to be living.
- (2) A person must not, without an inspector's approval, introduce the restricted item into Queensland.
- (3) An inspector may give an approval only if the restricted item is accompanied by a certificate, from an interstate inspector, that states—
  - (a) the item is dispatched from a property that is more than 5km from an infestation of tropical fire ant; or
  - (b) the item, when inspected by the interstate inspector, was free from evidence of tropical fire ant.

### **Division 6                      Reward scheme under pest surveillance program for red imported fire ant**

#### **Subdivision 1              Preliminary**

##### **64A      Application of div 6**

This division applies to red imported fire ant.

##### **64B      Definitions for div 6**

In this division—

*eligibility criteria provision* means section 64F.

*eligible person* see section 64D.

*new fire ant colony* see section 64E.

*property* means 1 or more parcels of land—

- (a) consisting of a single holding or operating as a single enterprise; or
- (b) consisting of—
  - (i) the scheme land for a community titles scheme under the *Body Corporate and Community Management Act 1997*; or
  - (ii) the land for another complex similar to a community titles scheme; or
- (c) forming an area of parkland.

*reward amount* see section 64H(1).

*scheme* means the reward scheme under subdivision 2.

*scheme period* means the period of 8 weeks starting on the commencement of this section.

## **Subdivision 2 Provisions about reward scheme**

### **64C Purpose of sdiv 2**

- (1) This subdivision provides for a reward scheme under the pest surveillance program.

*Editor's note—*

Information about the reward scheme is available on the department's website at <[www.dpi.qld.gov.au](http://www.dpi.qld.gov.au)>.

- (2) In this section—

*pest surveillance program* means the pest surveillance program for fire ant, authorised to be conducted by the chief executive under section 20B of the Act and applying to the pest quarantine area.

### **64D Who is an eligible person**

- (1) An *eligible person* is an individual who is at least 18 years.

- (2) However, a person is not an *eligible person* if the person is an employee of the department or a member of an employee's household.

#### **64E What is a *new fire ant colony***

A fire ant colony is a *new fire ant colony* if—

- (a) the colony—
  - (i) is on a property in the State; and
  - (ii) has not, whether or not under this scheme, been previously reported to the department; and
- (b) the property has not, on or after 1 July 2006, been identified on operational maps held by the department as a property that is infested with fire ant; and
- (c) the department is not aware of any other fire ant colony on the property.

#### **64F Eligibility criteria provision**

- (1) For a person to be eligible to be paid a reward under the scheme—
- (a) the person must—
    - (i) be an eligible person; and
    - (ii) report, in the way stated in section 64G and in the scheme period, the finding of a fire ant colony or information that leads to the discovery of a fire ant colony; and
    - (iii) if the person reports the finding of a fire ant colony under subparagraph (ii)—within 15 business days after being asked to do so, if asked to do so, give the department's Biosecurity Queensland Control Centre a fire ant collected from the fire ant colony; and

*Editor's note—*

An ant submission kit will be sent to the person together with instructions on how to send in the ant. A dead fire ant may be posted to the General Manager, Biosecurity Queensland Control

*Plant Protection Regulation 2002*

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Centre, 53 Seventeen Mile Rocks Road, Oxley, Queensland, 4075.

- (b) the fire ant colony must be a new fire ant colony when its finding, or information leading to its discovery, is reported under paragraph (a)(ii); and
  - (c) a fire ant collected from a fire ant colony under paragraph (a)(iii) must be dead when it leaves the property on which the fire ant colony is located.
- (2) However, if the person is asked, but is unable, to collect a fire ant from a fire ant colony, the person must, within 15 business days after being asked to give the department's Biosecurity Queensland Control Centre a fire ant collected from the fire ant colony, notify the department's Biosecurity Queensland Control Centre that the person is unable to collect a fire ant.

*Examples of circumstances in which a person may be unable to collect a fire ant from a fire ant colony—*

- the fire ant colony is on another person's land
  - the person is physically incapacitated
  - the person considers the person's health may be endangered by collecting the fire ant
- (3) If the person notifies the department's Biosecurity Queensland Control Centre under subsection (2) or if the person is not asked under subsection (1)(a)(iii) to give a fire ant, a suitably authorised officer or employee of the department may collect a fire ant from the fire ant colony.
- (4) Reporting under subsection (1) must be by 1 person only.
- (5) A person is not eligible to be paid a reward in relation to a fire ant colony if—
- (a) in the finding of the fire ant colony or in the obtaining of information leading to the discovery of the fire ant colony, or in doing or failing to do anything else in relation to the fire ant colony, the person—
    - (i) contravenes a provision of the Act, or a regulation or notice made under the provision; or
    - (ii) otherwise acts unlawfully; or

*Example of failing to do something for paragraph (a)(i)—*



A person, having found a fire ant colony and reported it for the purposes of the scheme, fails to comply with any obligation to notify, or to confirm a notification, applying to the person under section 12(3) of the Act in relation to notifiable pests located in the fire ant colony.

*Example of acting unlawfully for paragraph (a)(ii)—*

A person trespasses on land to find a fire ant colony on the land.

- (b) the person acts unlawfully in seeking to be paid the reward.
- (6) A person is not eligible to be paid a reward in relation to a fire ant colony if the person conducts surveillance for fire ant as part of the person's employment or business and, as a result of the surveillance, finds the fire ant colony or obtains information leading to the discovery of the fire ant colony.

*Example of surveillance—*

surveillance conducted under an approved risk management plan

## **64G How to report finding of, or information about, fire ant colony**

A person reports under section 64F(1)(a)(ii) by taking the action necessary to ensure that, within 24 hours of the finding of a fire ant colony or the obtaining of information that could lead to the discovery of a fire ant colony, the department's Biosecurity Queensland Control Centre is notified of the following—

- (a) the person's name and contact details;
- (b) the location of—
  - (i) the fire ant colony; or
  - (ii) the place where the person suspects there is a fire ant colony;
- (c) any other information that may help—
  - (i) the fire ant colony to be located; or
  - (ii) a fire ant colony to be discovered.

*Note—*

This section does not affect any obligation applying under section 12(3) of the Act.

*Editor's note—*

The Biosecurity Queensland Control Centre may be notified by, for example—

- reporting in person to the department's Biosecurity Queensland Control Centre at 53 Seventeen Mile Rocks Road, Oxley, Queensland, 4075 during office hours
- telephoning, faxing, sending a text message to, e-mailing or submitting an online form to the Biosecurity Queensland Control Centre.

**64H Payment of reward amount**

- (1) The chief executive may pay a reward of \$500 (*reward amount*) to a person who, in the chief executive's opinion, satisfies the eligibility criteria provision.
- (2) To claim a reward amount, a person must give the chief executive an application in the approved form.
- (3) A reward amount may be paid only to the person who makes the report under the eligibility criteria provision, and may be given only once in relation to any fire ant colony.
- (4) Despite any other provision of this regulation, only 1 reward amount may be paid in relation to any property.

*Examples for subsections (3) and (4)—*

- If a person reports the finding of a fire ant colony on a property, and a second person reports the finding of the same or a different fire ant colony on the same property, the 2 persons can not both be paid the reward amount.
- Only 1 reward amount can be paid to a person who reports the finding of 2 fire ant colonies on the 1 property, whether the 2 colonies are reported on the same day, or on 2 different days.

**64I Verification of new fire ant colony**

- (1) The chief executive must—
  - (a) examine each fire ant from a fire ant colony that is given to the department's Biosecurity Queensland Control Centre, or collected, under the eligibility criteria provision; and

- (b) verify whether or not the fire ant colony is a new fire ant colony; and
  - (c) within 15 days after receiving or collecting the fire ant, notify the person who, under the eligibility criteria provision, reported the finding of the fire ant colony, of the results of the chief executive's findings under paragraph (b).
- (2) If, under the eligibility criteria provision, a person gives information that could lead to the discovery of a fire ant colony, and, as a result of the information, a fire ant colony is located, the chief executive must—
- (a) verify whether or not the fire ant colony is a new fire ant colony; and
  - (b) within 15 days after locating the fire ant colony, notify the person who gave the information of the results of the chief executive's findings under paragraph (a).

### **64J Proof of identity**

The chief executive may require a person claiming a reward amount to give the chief executive—

- (a) proof of the person's identity; and
- (b) any other proof the chief executive reasonably requires to be satisfied that the person is a person to whom the chief executive may pay the reward amount.

## **Part 3 Fire blight**

### **65 Definitions for pt 3**

In this part—

*authorised person* means a person authorised by—

- (a) the chief executive of an interstate department; or
- (b) an interstate inspector.

***fire blight area*** means an area in a State, other than Queensland, where there is an infestation of fire blight.

***pest quarantine area*** means the pest quarantine area declared under section 66.

***regulated fire blight host plant***, for a fire blight area, means a plant that—

- (a) is—
  - (i) a hybrid mentioned in schedule 7; or
  - (ii) of a species mentioned in schedule 7; or
  - (iii) of a species within a genus mentioned in schedule 7; and
- (b) has—
  - (i) for fruit—been grown within 5km of the fire blight area; or
  - (ii) for a plant (other than fruit)—been within 20km of the fire blight area.

## **66 Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for fire blight.

## **67 Object of quarantine**

The object of the quarantine is to prevent the introduction of fire blight into Queensland.

## **68 Restriction on introducing regulated fire blight host plant**

- (1) A person must not, without an inspector's approval, introduce a regulated fire blight host plant into Queensland.
- (2) However, the person may introduce the plant, other than its fruit, if—
  - (a) the plant has been grown in a nursery that has been certified, by an interstate inspector, to be—

- (i) located more than 10km from a fire blight area; and
  - (ii) free from evidence of fire blight when inspected by an interstate inspector in the autumn and spring before the certificate was made; and
- (b) the plant is accompanied by a certificate, from an interstate inspector or authorised person, that states the plant was growing in the nursery for the entire year before the certificate was made.

## Part 4                      Grape phylloxera

### 69      Definitions for pt 4

In this part—

*clarified juice* means juice of grapes—

- (a) that is visibly clear; and
- (b) from which solids have been removed such that it contains no more than 1% of solids.

*filtered juice* means clarified juice processed through a filter that removes all particles larger than 50 microns in diameter.

*fresh juice* means the liquid fraction from must that—

- (a) excludes skins, seeds and other large solids; but
- (b) may contain some suspended solids.

*fruit of a grape plant* includes whole table grapes and whole wine grapes.

*grape plant* means a grape plant *Vitis* Spp. and includes the following—

- (a) vine cuttings, buds and vegetative tissue (or plant parts) for propagation;
- (b) germplasm establishment cuttings;
- (c) any vegetative part of the grape plant.

***grape plant product***, of a grape plant, means a product derived from the plant and includes—

- (a) fruit of the grape plant, other than fruit packed in the fresh state for human consumption; and
- (b) clarified juice, filtered juice, fresh juice, marc and must.

***marc*** means the solids residue, containing skins, seeds, and possibly stems, from pressing must or wine fermented on skins.

***must***, for grapes, means the total product of crushing grape berries and includes juice, skins, seeds, pulp, and possibly some stems and leaves.

***pest quarantine area*** means the pest quarantine area declared under section 70.

## **70 Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for grape phylloxera.

## **71 Object of quarantine**

The object of the quarantine is to prevent the introduction of grape phylloxera into Queensland.

## **72 Restriction on introducing grape phylloxera and infested plant**

- (1) A person must not, without an inspector's approval, introduce into Queensland—
  - (a) grape phylloxera; or
  - (b) a grape plant infested with grape phylloxera.
- (2) An inspector may give an approval only if the inspector is satisfied—
  - (a) the introduction of the pest or plant will not pose a significant risk of introducing grape phylloxera into Queensland; and
  - (b) the pest or plant has been treated in an approved way.

**73 Restriction on introducing grape plant, grape plant product, appliance and other thing**

- (1) A person must not, without an inspector's approval, introduce into Queensland—
  - (a) a grape plant, other than fruit of the plant packed in the fresh state for human consumption; or
  - (b) a grape plant product that comes from the plant; or
  - (c) an appliance or other thing that has been in contact with the plant or the soil on which the plant has been growing.
- (2) An inspector may give an approval only if the inspector is satisfied—
  - (a) the introduction of the plant, product, appliance or other thing will not pose a significant risk of introducing grape phylloxera into Queensland; and
  - (b) the plant, product, appliance or other thing has been introduced in an approved way.
- (3) In this section—

*other thing* includes clothing, footwear, tools and packaging material, but does not include fruit of a grape plant packed in the fresh state for human consumption.

**74 Introducing fruit of grape plant**

A person may introduce into Queensland fruit of a grape plant packed in the fresh state for human consumption.

**Part 5 Mango leafhopper****Division 1 Preliminary****75 Definitions for pt 5**

In this part—

**authorised person** means a person authorised (by the chief executive, or an interstate inspector, of an interstate department of the State in which mango leafhopper has been detected and a mango plant was grown or despatched) to—

- (a) competently treat the mango plant in an approved way; and
- (b) issue a treatment certificate.

**pest quarantine area** means a pest quarantine area declared under section 76.

**treatment certificate**, for a plant, means a certificate stating the plant has been treated in an approved way.

## **Division 2                    Pest quarantine areas and objects of quarantine**

### **76            Declaration of pest quarantine areas**

- (1) Each area shown on the map in schedule 7A is declared to be a pest quarantine area for mango leafhopper.
- (2) The exact location of the boundary of each of the pest quarantine areas is held in digital electronic form by the department.
- (3) A map showing the exact location of the boundary of each of the pest quarantine areas can be accessed, free of charge, on the department's website.

*Editor's note—*

The department's website address is <[www.dpi.qld.gov.au](http://www.dpi.qld.gov.au)>.

- (4) The information held in digital electronic form can be reduced or enlarged to show the details of the boundaries.

### **77            Objects of quarantine**

The objects of the quarantine are—

- (a) to prevent mango leafhopper being brought out of a pest quarantine area; and



- (b) to prevent the spread of mango leafhopper in a quarantine area; and
- (c) for the pest quarantine area declared under section 76(a)—to prevent the introduction of mango leafhopper into Queensland.

### **Division 3                    General pest control measures**

#### **78            Restriction on introducing mango leafhopper and infested plant**

A person must not, without an inspector's approval, introduce into Queensland—

- (a) mango leafhopper, or
- (b) a plant infested with mango leafhopper.

#### **79            Restriction on introducing mango plant**

- (1) A person must not, without an inspector's approval, introduce into Queensland a mango plant grown in or despatched from another State in which mango leafhopper has been detected.
- (2) Subsection (1) does not apply—
  - (a) to the fruit of the mango plant if the stem of the fruit is removed at the abscission layer; or
  - (b) to a mango plant if it is accompanied by a treatment certificate for the plant issued by—
    - (i) an interstate inspector; or
    - (ii) an authorised person.

#### **80            Restrictions on movement out of pest quarantine area**

- (1) A person must not, without an inspector's approval, move a mango leafhopper, or a prescribed part of a mango plant, out of a pest quarantine area.
- (2) An inspector may give an approval under subsection (1) only if the inspector is satisfied the movement of the mango

leafhopper or prescribed part will not pose a significant risk of spreading mango leafhopper in Queensland.

(3) In this section—

***prescribed part***, of a mango plant, means a part of the mango plant other than the fruit of the plant and any stems attached to the fruit.

## **81 Restrictions on movement within pest quarantine area**

- (1) A person must not, without an inspector's approval, move a mango leafhopper, or a plant infested with mango leafhopper, from a parcel of land within a pest quarantine area to another parcel of land within the area.
- (2) An inspector may give an approval under subsection (1) only if the inspector is satisfied the movement of the mango leafhopper or plant will not pose a significant risk of spreading mango leafhopper in the pest quarantine area.

## **Part 6 Red banded mango caterpillar**

### **82 Definition for pt 6**

In this part—

***pest quarantine area*** means the pest quarantine area declared under section 83.

### **83 Declaration of pest quarantine area**

The area north of latitude 13°45' south is declared to be a pest quarantine area for mango caterpillar.<sup>12</sup>

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<sup>12</sup> Latitude 13°45' south passes near Coen.

**84 Object of quarantine**

The object of the quarantine is to prevent mango caterpillar spreading in Queensland.

**85 Restriction on moving live mango caterpillars and mango plants**

A person must not, without an inspector's approval, move a live mango caterpillar or a mango plant—

- (a) from a parcel of land in the pest quarantine area to another parcel of land in the area; or
- (b) into or out of the pest quarantine area.

**Part 7 Mediterranean fruit fly****86 Definitions for pt 7**

In this part—

*approved condition*, for a plant, means the plant is in a condition approved by the chief executive or an inspector.

*host plant* means a plant mentioned in schedule 8.

*pest quarantine area* means the pest quarantine area declared under section 87.

**87 Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for Mediterranean fruit fly.

**88 Object of quarantine**

The object of the quarantine is to prevent the introduction of Mediterranean fruit fly into Queensland.

**89 Restriction on introducing mediterranean fruit fly and infested plant**

- (1) A person must not, without an inspector's approval, introduce into Queensland—
  - (a) Mediterranean fruit fly; or
  - (b) a plant infested with Mediterranean fruit fly.
- (2) An inspector may give an approval only if the inspector is satisfied the introduction of Mediterranean fruit fly or the plant will not pose a significant risk of introducing Mediterranean fruit fly into Queensland.

**90 Restriction on introducing Mediterranean fruit fly host plant**

- (1) This section applies for a host plant, if the host plant has been grown at or comes from a place that is within 15km of an infestation of Mediterranean fruit fly.
- (2) A person must not introduce the host plant into Queensland unless—
  - (a) for a host plant mentioned in schedule 8, part 1—an inspector approves the introduction of the plant; or
  - (b) for a host plant mentioned in schedule 8, part 2—the plant has been harvested in a mature green condition; or
  - (c) for a host plant mentioned in schedule 8, part 3—the plant's skin has not been broken and the flesh has not been exposed when the plant was harvested.
- (3) An inspector may give an approval under subsection (2)(a) only if the inspector is satisfied the host is free from evidence of Mediterranean fruit fly and the plant—
  - (a) has been treated for mediterranean fruit fly; or
  - (b) is in an approved condition.

## Part 8                      Papaya ringspot

### 91        Definition for pt 8

In this part—

*pest quarantine area* means the pest quarantine area declared under section 92.

### 92        Declaration of pest quarantine area

The area south of latitude 24°30' south and east of longitude 150°00' east<sup>13</sup> is declared to be a pest quarantine area for papaya ringspot.

### 93        Object of quarantine

The object of the quarantine is to prevent papaya ringspot being brought out of the pest quarantine area.

### 94        Restriction on moving prohibited plants

- (1) A person must not, without an inspector's approval, bring a prohibited plant out of the pest quarantine area.
- (2) An inspector may give an approval under subsection (1) only if the inspector is satisfied the plant is free of papaya ringspot.
- (3) In this section—

*plant* does not include the fruit or seed of the plant.

*prohibited plant* means—

- (a) a plant of the genus *Carica*; or
- (b) a plant of the family *Cucurbitaceae*.

*Example for paragraph (a) of a plant of the genus Carica—*  
papaya plant

*Examples for paragraph (b) of plants of the family Cucurbitaceae—*

- cucumber

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13    Latitude 24°30' south, longitude 150°00' east is in the vicinity of Moura.

- melon
- pumpkin
- squash

## Part 9                      Potato pests

### Division 1                  Preliminary

#### 95        Definitions for pt 9

In this part—

*pest quarantine area* means the pest quarantine area declared under section 96.

*potato pest* means the following pests—

- (a) golden nematode;
- (b) potato cyst nematode.

*potato pest area* means an area in a State, other than Queensland, within 20km of an infestation of a potato pest.

*restricted item* means the following—

- (a) soil;
- (b) a plant of the *Solanaceae* family.

*Examples of plants of the Solanaceae family—*

- capsicum
- potato
- thornapple
- tobacco
- tomato

## **Division 2                    Pest quarantine area and object of quarantine**

### **96        Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for potato pest.

### **97        Object of quarantine**

The object of the quarantine is to prevent the introduction into Queensland of potato pest.

## **Division 3                    General pest control measures**

### **98        Introduction of restricted item**

- (1) A person must not introduce a restricted item into Queensland if the restricted item has been in a potato pest area unless—
  - (a) an inspector has given approval; and
  - (b) if the approval is given on conditions, the person has complied with the conditions.
- (2) An inspector may give an approval under subsection (1) only if the inspector is satisfied the introduction of the restricted item will not pose a significant risk of introducing potato pest into Queensland.

### **99        Introduction of other thing**

- (1) A person must not introduce a thing, other than a restricted item, into Queensland if the thing has come from a potato pest area unless—
  - (a) the thing is accompanied by a certificate from an interstate inspector that states potato pest does not exist at the place; or
  - (b) an inspector has given approval and, if the approval is given on conditions, the person has complied with the conditions; or

- (c) the thing is not a plant and all soil has been removed from it.
- (2) An inspector may give an approval only if the inspector is satisfied the introduction of the thing will not pose a significant risk of introducing potato pest into Queensland.

### **100 Restrictions on planting potato tuber**

A person must not, without an inspector's approval, plant a potato tuber if the potato tuber—

- (a) has been in a potato pest area; and
- (b) is not substantially free of soil.

## **Part 10 Strawberry plant pests**

### **101 Definitions for pt 10**

In this part—

***accredited business*** means a business accredited under a strawberry runner certification scheme by the chief executive of an interstate department.

***authorised person*** means a person authorised, by an interstate inspector or the chief executive of an interstate department of the State in which a strawberry plant is grown, to issue a strawberry runner scheme certificate for the plant.

***pest quarantine area*** means the pest quarantine area declared under section 102.

***strawberry plant*** means a plant of the genus *Fragaria* spp.

***strawberry plant pest*** means the following—

- (a) *Strawberry crinkle virus*;
- (b) *Strawberry mild yellow edge associated virus*;
- (c) strawberry mottle virus (uncharacterised).



*strawberry runner certification scheme* means a scheme for the production of strawberry plants that—

- (a) ensures the plants grown by an accredited business are free of strawberry plant pest at the time of despatch from the business; and
- (b) is monitored by the chief executive for an interstate department of the State in which the plants are grown; and
- (c) is approved by the chief executive.

*strawberry runner scheme certificate*, for a plant, means a certificate that states the plant has been produced under the conditions of a strawberry runner certification scheme.

## **102 Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for strawberry plant pest.

## **103 Object of quarantine**

The object of the quarantine is to prevent the introduction of strawberry plant pest into Queensland.

## **104 Restriction on introducing strawberry plant pest and infested plant**

A person must not, without an inspector's approval, introduce into Queensland—

- (a) strawberry plant pest; or
- (b) a plant infested with strawberry plant pest.

## **105 Restriction on introducing strawberry plants**

- (1) A person must not, without an inspector's approval, introduce into Queensland a strawberry plant unless the plant—
  - (a) has been produced by an accredited business; and
  - (b) is accompanied by a strawberry runner scheme certificate for the plant issued by—

- (i) an interstate inspector; or
  - (ii) an authorised person.
- (2) An inspector may give an approval only if the inspector is satisfied the introduction of the plant will not pose a significant risk of introducing strawberry plant pest into Queensland.

## **Part 11                      Pests of sugarcane**

### **Division 1                      Preliminary**

#### **113      Definitions for pt 11**

In this part—

*pest quarantine area* means each of the pest quarantine areas declared under section 114.

*sugarcane plant pest* means a pest mentioned in schedule 11.

### **Division 2                      Pest quarantine areas and objects of quarantine**

#### **114      Declaration of pest quarantine areas**

- (1) Each area described in schedule 10 is declared to be a pest quarantine area for a sugarcane plant pest.<sup>14</sup>
- (2) Attachment 2 to this regulation shows the approximate location of each pest quarantine area.

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14 Maps of the quarantine areas are available for inspection at the department's head office at 80 Ann Street, Brisbane and at the following places—

- (a) Maroochy Research Station at Mayers Road, Nambour;
- (b) Centre for Wet Tropics Research at South Johnstone Road, South Johnstone;
- (c) the department's regional office at 21 Redden Street, Cairns.

- (3) The attachment—
  - (a) does not form part of this regulation; and
  - (b) must be revised if the area of a pest quarantine area is amended.
- (4) The revision must be made when the pest quarantine area is amended.

### **115 Objects of quarantine**

The objects of the quarantine for each pest quarantine area are—

- (a) to prevent the introduction into Queensland of sugarcane plant pests; and
- (b) to prevent the spread of the pests in Queensland; and
- (c) to control or remove pest infestation of sugarcane plants in the pest quarantine area.

## **Division 3                    General pest control measures**

### **116 Restriction on introducing sugarcane plant**

- (1) A person must not, without an inspector's approval, introduce a sugarcane plant into Queensland.
- (2) An inspector may give an approval only if the inspector is satisfied the introduction of the plant will not pose a significant risk of introducing a sugarcane plant pest into Queensland.

### **117 Restriction on moving sugarcane plant**

A person must not, without an inspector's approval, move a sugarcane plant—

- (a) into a pest quarantine area; or
- (b) out of a pest quarantine area.

**118 Restriction on moving appliances**

A person must not, without an inspector's approval, move into or out of a pest quarantine area—

- (a) an appliance that has been in contact with a sugarcane plant; or
- (b) soil on which a sugarcane plant is growing or has been growing.

**118A Restriction on planting and cultivating non-approved sugarcane variety**

A person must not, without an inspector's approval, plant or cultivate in a pest quarantine area a variety of sugarcane that is not, under section 11A<sup>15</sup> of the Act, declared by the chief executive to be an approved plant variety for planting or cultivating in the area.<sup>16</sup>

**119 Restriction on planting infested plant**

- (1) A person must not, without an inspector's approval, plant an infested plant in a pest quarantine area.
- (2) An inspector may give an approval only if the inspector is satisfied the planting is to be carried out—
  - (a) for research or educational purposes; and
  - (b) in a way that is not likely to spread the pest.
- (3) In this section—

*infested plant* means a sugarcane plant infested with a sugarcane plant pest.

**120 Restriction on cultivating sugarcane plant infested with sugarcane Fiji disease**

- (1) A person must not, without an inspector's approval, cultivate a sugarcane plant infested with sugarcane Fiji disease.

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15 Section 11A (Approved plant variety) of the Act

16 See the *Plant Protection (Approved Sugarcane Varieties) Declaration 2003*.

- (2) An inspector may give an approval only if the inspector is satisfied the cultivation is to be carried out—
  - (a) on conditions in the approval; and
  - (b) in a way that is not likely to spread sugarcane Fiji disease—
    - (i) in a pest quarantine area; or
    - (ii) out of a pest quarantine area.

**121 Restriction on cultivating sugarcane plant infested with sugarcane plant pest other than sugarcane smut**

- (1) A person must not, without an inspector's approval, cultivate a sugarcane plant infested with a sugarcane plant pest, other than sugarcane smut, after the plant's fourth year of cultivation.
- (2) In this section—

*fourth year of cultivation*, for a sugarcane plant, means the fourth year after planting the plant.

**122 Restriction on moving sugarcane plant infested with sugarcane plant pest**

- (1) This section applies to an owner of land in a pest quarantine area if the owner is growing a sugarcane plant infested with a sugarcane plant pest on the land.
- (2) The owner must not, without an inspector's approval, move, or allow another person to move, a plant—
  - (a) from the owner's land to another person's parcel of land in the pest quarantine area; or
  - (b) out of the pest quarantine area.
- (3) This section does not apply to a person who is moving sugarcane from the owner's land directly to a mill in the pest quarantine area.

## Part 12 Asian sugarcane planthopper

### 123 Definitions for pt 12

In this part—

*Asian sugarcane planthopper* means the pest *Perkinsiella thompsoni* (Muir).

*Note*—

*Perkinsiella thompsoni* is a species within the genus *Perkinsiella*, by reference to which the sugarcane planthopper is prescribed as a pest under schedule 1.

*pest quarantine area* means the pest quarantine area declared under section 124.

### 124 Declaration of pest quarantine area

The whole of Queensland is declared to be a pest quarantine area for Asian sugarcane planthopper.

### 125 Objects of quarantine

The objects of the quarantine are—

- (a) to prevent the movement of Asian sugarcane planthopper into the pest quarantine area; and
- (b) to prevent or control the spread of Asian sugarcane planthopper in areas in the pest quarantine area in which sugarcane is commercially produced; and
- (c) to control or remove pest infestation of Asian sugarcane planthopper in the pest quarantine area.

### 126 Restriction on moving Asian sugarcane planthopper

A person must not, without an inspector's approval, move Asian sugarcane planthopper—

- (a) into the pest quarantine area; or
- (b) from a parcel of land in the pest quarantine area to another parcel of land in the area.

**126A Restriction on moving appliances**

- (1) A person must not, without an inspector's approval, move an appliance that has been in contact with a sugarcane plant that comes from an area infested with Asian sugarcane planthopper—
  - (a) into the pest quarantine area; or
  - (b) from a parcel of land in the pest quarantine area to another parcel of land in the area.
- (2) An inspector may give an approval, with or without conditions, only if the inspector is satisfied the movement of the appliance will not pose a significant risk of—
  - (a) introducing Asian sugarcane planthopper into the pest quarantine area; or
  - (b) spreading Asian sugarcane planthopper in the pest quarantine area.

**126B Restriction on moving sugarcane plants**

- (1) A person must not, without an inspector's approval, move a sugarcane plant that comes from an area infested with Asian sugarcane planthopper—
  - (a) into the pest quarantine area; or
  - (b) from a parcel of land in the pest quarantine area to another parcel of land in the area.
- (2) An inspector may give an approval, with or without conditions, only if the inspector is satisfied the movement of the sugarcane plant will not pose a significant risk of—
  - (a) introducing Asian sugarcane planthopper into the pest quarantine area; or
  - (b) spreading Asian sugarcane planthopper in the pest quarantine area.

## **Part 13**                      **Cape York Peninsula targeted pests**

### **127**    **Definitions for pt 13**

In this part—

*pest quarantine area* means the pest quarantine area declared under section 128.

*targeted pest* means a pest mentioned in schedule 12.

### **128**    **Declaration of pest quarantine area**

The area north of latitude 13°45' south is declared to be a pest quarantine area for a targeted pest.<sup>17</sup>

### **129**    **Objects of quarantine**

The objects of the quarantine are—

- (a) to prevent a targeted pests being brought out of the pest quarantine area; and
- (b) to prevent its spread in the pest quarantine area.

### **130**    **Restriction on moving targeted pest and plant infested with targeted pest out of pest quarantine area**

- (1) A person must not, without an inspector's approval, move the following out of the pest quarantine area—
  - (a) a targeted pest;
  - (b) a plant infested with a targeted pest.
- (2) An inspector may give an approval only if the inspector is satisfied the movement of the targeted pest or plant will not pose a significant risk of spreading the targeted pest in Queensland.

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<sup>17</sup> Latitude 13°45' south passes near Coen.



**131 Restriction on moving plant infested with targeted pest within pest quarantine area**

- (1) A person must not, without an inspector's approval, move a plant infested with a targeted pest within the pest quarantine area.
- (2) An inspector may give an approval only if the inspector is satisfied the movement of the targeted pest or plant will not pose a significant risk of spreading the targeted pest in the pest quarantine area.

**132 Treatment of targeted pest or infested plant**

- (1) This section applies to a person moving a targeted pest or a plant infested with a targeted pest within or out of the pest quarantine area.
- (2) If an inspector directs the person to treat the targeted pest or infested plant, the person must carry out the treatment in the way directed by the inspector.
- (3) If an inspector directs the person to allow the inspector to treat the targeted pest or infested plant, the person must not refuse to allow the inspector to carry out the treatment.
- (4) When making the direction, the inspector must give the person an offence warning.

**Part 15 Canker****Division 1 Definitions****136 Definitions for pt 15**

In this part—

*authorised person* means a person authorised by the chief executive to act as an authorised person under this part.

**canker** means canker as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by the canker bacterium.<sup>18</sup>

**canker bacterium** means *Xanthomonas axonopodis* pv. citri (Hasse) Vauterin.

**Canker Notice** means the *Plant Protection (Canker) Notice 2004*.

**destroy**, a host plant, means to deal with the plant in any way that ensures the plant can not be relevant to the spread of canker, including, for example, for a growing plant, by uprooting and burning it.

**host plant** means a plant of the family ‘Rutaceae’.<sup>19</sup>

**native citrus plant** means a host plant of the species *Citrus glauca*.

**nominated herbicide** means a herbicide nominated by the chief executive to destroy the regrowth of a relevant host plant by—

- (a) giving the owner a written notice stating the name of the herbicide; or
- (b) publishing the name of the herbicide on the department’s website.

**non-citrus plant** means a host plant that is not of the genus *Citrus*.

**other thing** includes any harvester, trailer, harvesting bin, fruit picking bag, pruning or other tool, clothing, footwear, glove or hat.

**pest quarantine area** means the pest quarantine area declared under section 137.

**registered agricultural chemical product** means an agricultural chemical product, within the meaning given by

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18 Schedule 1 (Prescribed pests), part 2 (Pests associated with plant disease)

19 Under the Act, schedule 2 (Dictionary)—

**plant** means a member of the plant kingdom and includes the seed or seedling of or a part of a plant, whether living or dead and whether attached to a plant but does not include timber in service.

the Agvet Code, that has been registered under the Agvet Code, part 2.<sup>20</sup>

***relevant business document*** means a document that—

- (a) contains information about, or that in any way is evidence of, a relevant business movement; and
- (b) is or forms part of a record relating to the trade or business the subject of the relevant business movement; and
- (c) was created in the course of the trade or business; and
- (d) was created—
  - (i) before the day the Canker Notice, section 3, commenced; or
  - (ii) after the day mentioned in subparagraph (i) but before the pest quarantine area stops being a pest quarantine area.<sup>21</sup>

***relevant business movement*** means the movement of a host plant within or out of Queensland if—

- (a) the movement happens after the day the Canker Notice, section 3, commenced; and
- (b) the movement is for trade or business, but happens before the plant comes into the possession of a consumer.

*Examples of movement for paragraph (b)—*

movement to or from a person who wholesales, ripens, packs or distributes fruit, or movement to a person who retails fruit

***relevant host plant*** means a host plant other than the following—

- (a) a native citrus plant or a non-citrus plant the presence of which does not pose a significant risk of spreading canker;

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20 Agvet Code, part 2 (Approvals and registration)

21 Canker Notice, section 3 (Declaration of pest quarantine area). The Canker Notice, section 3, commenced on 2 July 2004.

- (b) a host plant that was, is, or will be in the immediate future, the subject of a movement that is not in contravention of section 139.

## **Division 2                    Pest quarantine area and objects of quarantine**

### **137    Declaration of pest quarantine area**

- (1) The area shown as hachured on the map in schedule 12B is declared to be a pest quarantine area for canker.
- (2) The exact location of the boundary of the pest quarantine area is held in digital electronic form by the department.
- (3) The information held in digital electronic form can be reduced or enlarged to show the detail of the boundary of the pest quarantine area.
- (4) The chief executive must—
  - (a) keep the information available for inspection, free of charge, by members of the public; and
  - (b) allow a person to take, free of charge, a copy of the information showing the detail of the boundary of the pest quarantine area.<sup>22</sup>

### **138    Objects of quarantine**

The objects of the quarantine for the pest quarantine area are—

- (a) to prevent or control the spread of canker in the pest quarantine area; and
- (b) to prevent canker being brought into or out of the pest quarantine area; and

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<sup>22</sup> The information may be inspected at, or a copy of the information may be obtained from, the following places during business hours—

- the department's head office at 80 Ann Street, Brisbane
- other departmental offices at which an inspector is employed.

- (c) to control or remove pest infestation of canker in the pest quarantine area.

## **Division 3                    Restrictions and obligations relating to movement**

### **Subdivision 1            Restrictions on movement**

#### **139    Restrictions on movement into, within or out of pest quarantine area**

- (1) A person must not move a host plant, or an appliance or other thing that has been in contact with a host plant—
  - (a) into the pest quarantine area; or
  - (b) from a parcel of land in the pest quarantine area to another parcel of land in the area; or
  - (c) out of the pest quarantine area.
- (2) Subsection (1) does not apply to a person moving a host plant, appliance or other thing, if the person—
  - (a) has an inspector's approval to move the host plant, appliance or other thing; and
  - (b) complies with the conditions, if any, imposed by the inspector on the approval.
- (3) For subsection (2), an inspector may give an approval, with or without conditions, only if the inspector is satisfied the movement of the plant, appliance or thing will not pose a significant risk of—
  - (a) spreading canker in the pest quarantine area; or
  - (b) bringing canker out of the pest quarantine area.

## **Subdivision 2      Obligation to keep particular documents relating to movement of host plants**

### **142      Obligation to keep relevant business document—movements within Queensland**

- (1) This section applies if—
  - (a) a person (*person A*) has given a relevant business document to another person (*person B*); and
  - (b) the relevant business document relates to the movement of a host plant within Queensland.
- (2) If the relevant business document relates to the movement of a host plant, other than the fruit of a host plant—
  - (a) person A must keep a copy of the relevant business document for 7 years after the movement happens; and
  - (b) person B must keep the relevant business document, or a complete copy of the document, for 7 years after the movement happens.
- (3) If the relevant business document relates to the movement of the fruit of a host plant, person B must keep the relevant business document, or a complete copy of the document, for 7 years after the movement happens.

### **143      Obligation to keep relevant business document—movements into Queensland**

- (1) This section applies if—
  - (a) a person (*person A*) has given a relevant business document to another person (*person B*); and
  - (b) the relevant business document relates to the movement of a host plant into Queensland.
- (2) Person B must keep the relevant business document, or a complete copy of the document, for 7 years after the movement happens.

## **Division 4                      Obligations and requirements about removing infestation and creating buffer zone**

### **144      Purpose of div 4**

The purpose of this division is, for achieving the objects mentioned in section 138, to provide for—

- (a) the destruction, to the greatest practicable extent, of all relevant host plants infested with the canker bacterium; and
- (b) the destruction, to the greatest practicable extent, of all other relevant host plants to achieve a buffer zone for land infested with the canker bacterium; and
- (c) impose restrictions or requirements to support paragraphs (a) and (b) to—
  - (i) control or remove pest infestation of canker in the pest quarantine area; or
  - (ii) prevent the spread or re-introduction of canker in the pest quarantine area.

### **145      Destruction of particular host plants**

- (1) The chief executive must ensure an inspector is nominated and directed to destroy all relevant host plants that are in the pest quarantine area.
- (2) The inspector nominated and directed under subsection (1) may destroy all relevant host plants that are in the pest quarantine area.
- (3) Subsection (4) is a direct instruction for section 11B<sup>23</sup> of the Act.
- (4) Urgent and immediate action must be taken to destroy, to the greatest practicable extent, all relevant host plants that are on any parcel of land within the pest quarantine area.

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23 Section 11B (Review of particular decisions and actions) of the Act

**146 Requirement to treat appliances or other things**

- (1) This section applies if an inspector requires the owner of an appliance or other thing on land within the pest quarantine area to treat the appliance or thing in a stated way and at a stated time.
- (2) The owner must treat the appliance or thing—
  - (a) in the stated way; and
  - (b) at the stated time.
- (3) When making the requirement, the inspector must give the owner an offence warning.

**147 Restriction on planting particular plants**

- (1) A person must not—
  - (a) plant a relevant host plant on land within the pest quarantine area before 1 July 2007; or
  - (b) without an inspector's approval, plant on land within the pest quarantine area—
    - (i) a native citrus plant or non-citrus plant; or
    - (ii) a relevant host plant on or after 1 July 2007.
- (2) For subsection (1)(b), an inspector may give the approval, with or without conditions, only if the inspector is satisfied that the presence of the plant in the pest quarantine area will not pose a significant risk of spreading or re-introducing canker in the area.

**148 Requirement to destroy regrowth of relevant host plants**

- (1) This section applies if—
  - (a) a relevant host plant on land within the pest quarantine area has been—
    - (i) under the Act, burnt, otherwise disposed of or destroyed on the land at any time after the day section 3 of the Canker Notice commenced; or
    - (ii) destroyed under section 145; and



- (b) the owner of the land becomes aware of any regrowth of the plant.
- (2) The owner must immediately destroy the regrowth by using a nominated herbicide.
- (3) Also, the owner must—
  - (a) give an inspector oral or written notice of the regrowth within 24 hours; and
  - (b) if the notice under paragraph (a) was oral—confirm the notice by written notice to the chief executive within 7 days.
- (4) Subsection (2) does not apply if the owner—
  - (a) has an inspector’s approval to not destroy the regrowth; and
  - (b) if the inspector has imposed conditions on the approval—complies with the conditions of the approval.
- (5) For subsection (4), an inspector may give an approval, with or without conditions, only if the inspector is satisfied—
  - (a) the regrowth will be destroyed by an inspector or authorised person; or
  - (b) the presence of the regrowth in the pest quarantine area will not pose a significant risk of spreading or re-introducing canker in the area.
- (6) Subsection (3) does not apply if the owner—
  - (a) reasonably believes an inspector is aware of the presence of the regrowth; or
  - (b) has an inspector’s approval to not give the notice.
- (7) For subsection (6)(b), an inspector may give an approval only if the inspector is satisfied it is not necessary for the notice to be given for giving effect to the objects stated in section 138.

#### **149 Restriction on possessing relevant host plants**

- (1) A person must not, without an inspector’s approval, possess a relevant host plant on land within the pest quarantine area.
- (2) Also, if the person is the owner of the land, the person must—

- (a) give an inspector oral or written notice of the presence of the plant on the land; and
  - (b) if the notice under paragraph (a) was oral—confirm the notice by written notice to the chief executive within 7 days after giving the oral notice.
- (3) Subsection (2) does not apply if the owner reasonably believes an inspector is aware of the presence of the plant on the land.
- (4) For subsection (1), an inspector may give the approval, with or without conditions, only if the inspector is satisfied that the presence of the plant within the pest quarantine area will not pose a significant risk of spreading or re-introducing canker in the area.

#### **150 Obligation of land owner to erect or allow erection of particular sign on land**

- (1) This section applies if an inspector requires an owner of land within the pest quarantine area on which a host plant is growing—
- (a) to erect before a stated day or time a temporary canker sign, on the land, on or near any part of the boundary of the land; or
  - (b) to allow an inspector or an authorised person to erect, a temporary canker sign, on the land, on or near any part of the boundary of the land.
- (2) If subsection (1)(a) applies, the owner of the land must erect the canker sign before the stated date or time.
- (3) If subsection (1)(b) applies, the owner of the land must allow the inspector or authorised person to erect the canker sign.
- (4) When making the requirement, the inspector must give the owner an offence warning.
- (5) In this section—

***canker sign*** means a sign stating the information the chief executive considers necessary to be stated on a sign erected on land, or on or near the boundary of land, within the pest quarantine area on which a host plant is growing, for giving effect to the objects stated in section 138.

**151 Prohibition on interfering with particular signs**

- (1) This section applies if a person has, under section 150, placed a sign on land in the pest quarantine area.
- (2) A person must not interfere with the sign.
- (3) Subsection (2) does not apply to a person removing the sign if the person has an inspector's approval to remove the sign.
- (4) For subsection (3), an inspector may give an approval only if the inspector is satisfied the presence of the sign is no longer necessary for giving effect to the objects stated in section 138.
- (5) In this section—  
*interfere*, with a sign, includes—
  - (a) to damage, destroy or remove the sign or any part of the sign; and
  - (b) to cover, erase or modify anything written on the sign.

**152 Obligation of land owner to allow surveillance**

- (1) This section applies if an inspector requires an owner of land in the pest quarantine area to allow an inspector or authorised person to carry out surveillance on the land to look for canker or host plants.
- (2) The owner must not refuse to allow the inspector or authorised person to carry out the surveillance.
- (3) Without limiting subsection (1), an inspector or authorised person may carry out surveillance on the land to look for canker by taking a sample of a host plant on the land and testing it, or having another person test it, on the land or at another place.
- (4) When making the requirement, the inspector must give the owner an offence warning.
- (5) In this section—  
*land* does not include a dwelling house on the land.

## Part 16                      Electric ant

### Division 1                  Preliminary

#### 153      Definitions for pt 16

In this part—

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

*high risk item* see section 154.

*pest quarantine area* means the pest quarantine area declared under section 155.

*restricted area* means a restricted area declared under section 162.

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

*Examples—*

potting mix, organic mulch

#### 154      Meaning of *high risk item*

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

(a) a plant that has been grown, kept or harvested in a restricted area;

*Examples—*

- a pot plant that has been kept at premises in a restricted area
- fruit or flowers picked in a restricted area

(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;

*Plant Protection Regulation 2002*

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*Example—*

material extracted from the ground as part of building construction

- (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 building work or construction; or

*Examples—*

formwork, scaffolding

- (iii) for packing or moving a thing mentioned in paragraph (a) to (f).

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

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

*Example of a thing associated with an activity—*

rubbish that is put out for collection

- (b) an inspector—
- (i) decides the thing may spread electric ant; and
  - (ii) notifies the person of the decision.

## **Division 2                      Pest quarantine area and objects of quarantine**

### **155      Declaration of pest quarantine area**

(1) The area consisting of the prescribed suburban areas, in the Cairns Regional Council's local government area, shown on the electric ant pest quarantine area map held by the department, is declared to be a pest quarantine area for electric ant.

(2) In this section—

*prescribed suburban areas* means each of the following areas—

- (a) Barron;
- (b) Caravonica;
- (c) Holloways Beach;
- (d) Kewarra Beach;
- (e) MacAlister Range;
- (f) Machans Beach;
- (g) Smithfield;
- (h) Trinity Beach;
- (i) Trinity Park;
- (j) Yorkeys Knob.

*Editor's note—*

The electric ant pest quarantine area map may be inspected during business hours at the department's office at 21–23 Redden Street Cairns, and may also be viewed on the department's website at <[www.dpi.qld.gov.au](http://www.dpi.qld.gov.au)>.

### **156      Objects of quarantine**

The objects of the quarantine for a pest quarantine area are—

- (a) to prevent the movement of electric ant within or out of the pest quarantine area; and
- (b) to eradicate electric ant in Queensland.

## **Division 3            Pest control measures for pest quarantine area**

### **Subdivision 1        Restrictions on movement**

#### **157    Restrictions on movement within or out of pest quarantine area**

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

### **Subdivision 2        Other obligations of land owners**

#### **158    Definition for subdiv 2**

In this subdivision—

*land* does not include a dwelling house on the land.

#### **159    Obligation of owner of land to allow surveillance**

- (1) This section applies if an inspector requires an owner of land in a pest quarantine area to allow the inspector 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 to carry out the surveillance.
- (3) Without limiting subsection (1), an inspector may carry out surveillance on the land by putting baits, lures or traps on the land.
- (4) The inspector may direct the owner to remove any thing on the land that would obstruct the inspector 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 must give the person an offence warning.

**160 Restriction on who may treat land or things**

- (1) An owner of land in a pest quarantine area must not, unless directed by an inspector, treat, or allow another person, other than an inspector or an appropriate 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.
- (2) In this section—

*appropriate person* means a person who is authorised by the chief executive.

**161 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 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.
- (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 to carry out the treatment, the owner must not refuse to allow the inspector to carry out the treatment.
- (4) When making the direction, the inspector must give the owner an offence warning.



## **Division 4            Restricted areas**

### **Subdivision 1        Declaration**

#### **162    Declaration of restricted area**

- (1) If the chief executive considers it necessary to achieve the objects of the quarantine for a pest quarantine area, the chief executive may—
  - (a) declare an area in the pest quarantine area to be a restricted area; and
  - (b) define the boundaries of the area so declared.
- (2) The chief executive must give notice of the declaration in a newspaper that is published in the Cairns Regional Council's local government area at least 5 days a week and circulates generally in the restricted area.
- (3) The notice must state each of the following—
  - (a) that an area has been declared to be a restricted area;
  - (b) the location and boundaries of the area;
  - (c) where a map showing the boundaries of the area is available for public inspection.

### **Subdivision 2        Pest control measures for restricted areas**

#### **163    Application of sdiv 2**

This subdivision does not limit division 3.

#### **164    Restrictions on movement within or out of restricted area**

A person must not, without an inspector's approval, move a high risk item within or out of a restricted area.

## **Chapter 4      Transitional provision for Plant Protection Amendment Regulation (No. 5) 2003**

### **169      Notification of new restrictions for restricted area**

- (1) This section applies if, before the commencement of this section, the chief executive declares an area to be a restricted area.
- (2) If the chief executive decides the amending regulation should, on or after the commencement, apply to the restricted area, the chief executive must give notice of the decision in each newspaper in which the chief executive gave notice of the declaration.
- (3) The notice must state the following—
  - (a) a sufficient reference to the location of the restricted area to identify the area;
  - (b) the day the restricted area was declared;
  - (c) that each of the following are in addition to the information or requirements stated, under the unamended regulation, section 49(3)<sup>24</sup> in the notice of the declaration—
    - (i) if a person is carrying on a commercial activity in the area, the circumstances under which the person is required to treat high risk items and sign a fire ant declaration;
    - (ii) the restriction on disturbing soil in the area;
    - (iii) the circumstances under which high risk items associated with a business person's commercial activity must be treated and certified.

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24 Section 49(3) (Declaration of restricted area)

*Plant Protection Regulation 2002*

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(4) If the chief executive gives notice under subsection (2), the amending regulation applies to the restricted area from the day of publication, or first publication, of the notice.

(5) In this section—

***amending regulation*** means the *Plant Protection Amendment Regulation (No. 5) 2003*.

***unamended regulation*** means this regulation as in force before the commencement.

## Schedule 1 Prescribed pests

section 4

### Part 1 Animals

#### Insects and mites

Common name	Scientific name and author
African black beetle	<i>Heteronychus arator</i> (Fabricius)
Argentine ant	<i>Linepithema humile</i> (Mayr)
armyworm	<i>Mythimna unipuncta</i> Haworth
ash whitefly	<i>Siphoninus phillyreae</i> (Haliday)
Bactrocera atrisetosa	<i>Bactrocera atrisetosa</i> (Perkins)
Bactrocera decipiens	<i>Bactrocera decipiens</i> (Drew)
Bactrocera kirki	<i>Bactrocera kirki</i> (Froggatt)
Bactrocera tau	<i>Bactrocera tau</i> (Walker)
Bactrocera trilineola	<i>Bactrocera trilineola</i> Drew
Bactrocera trivialis	<i>Bactrocera trivialis</i> (Drew)
Bactrocera xanthodes	<i>Bactrocera xanthodes</i> (Broun)
banana fruit fly	<i>Bactrocera musae</i> (Tryon)
banana skipper butterfly	<i>Erionota thrax</i> (Linnaeus)
banana stem weevil	<i>Odoiporus longicollis</i> (Oliver)
banana weevil borer	<i>Cosmopolites sordidus</i> (Germar)
Bezzi fruit fly	<i>Bactrocera occipitalis</i> (Bezzi)
black carpenter ant	<i>Camponotus pennsylvanicus</i> (De Geer)
boll weevil	<i>Anthonomus grandis</i> Boheman
breadfruit fruit fly	<i>Bactrocera umbrosa</i> (Fabricius)

## Schedule 1 (continued)

Common name	Scientific name and author
Californian red scale	<i>Aonidiella aurantii</i> (Maskell)
carambola fruit fly	<i>Bactrocera carambolae</i> Drew and Hancock
Chinese fruit fly	<i>Bactrocera minax</i> (Enderlein)
citrus blackfly	<i>Aleurocanthus woglumi</i> Ashby
citrus fruit borer	<i>Citripestis sagitiferella</i> (Moore)
citrus gall wasp	<i>Bruchophagus muli</i> (Boucek and Brough)
citrus psyllid	<i>Diaphorina citri</i> Kuw.
citrus red mite	<i>Panonychus citri</i> (McGregor)
codling moth	<i>Cydia pomonella</i> (Linnaeus)
Colorado potato beetle	<i>Leptinotarsa decemlineata</i> (Say)
Cook Islands fruit fly	<i>Bactrocera melanotus</i> (Coquillett)
cotton boll weevil	<i>Anthonomus grandis</i> Boheman
cucumber fly	<i>Bactrocera cucumis</i> (French)
cut worm	<i>Agrotis interjectionis</i> (Guenée)
Dacus bivattatus	<i>Dacus bivattatus</i> (Bigot)
Dacus ciliatus	<i>Dacus ciliatus</i> Loew
electric ant	<i>Wasmannia auropunctata</i> (Roger)
European corn borer	<i>Pyrausta nubilalis</i> (Hübner)
European flower thrips	<i>Thrips vulgatissimus</i> Haliday
European red mite	<i>Panonychus ulmi</i> (Koch)
European wasp	<i>Vespula germanica</i> (Fabricius)
false codling moth	<i>Cryptophlebia leucotreta</i> (Meyrick)
Fijian fruit fly	<i>Bactrocera passiflorae</i> (Froggatt)
granary weevil	<i>Sitophilus granarius</i> (Linnaeus)

## Schedule 1 (continued)

Common name	Scientific name and author
grape leaf-folder	<i>Desmia funeralis</i> (Hübner)
grape leafhopper	<i>Erythroneura elegantula</i> Osborn
grape Phylloxera Type B	<i>Daktulosphaira vitifoliae</i> (Fitch)
grape thrips	<i>Drepanothrips reuteri</i> Uzel
grasshoppers and locusts	Acrididae
guava fruit fly	<i>Bactrocera correcta</i> (Bezzi)
hessian fly	<i>Mayetiola destructor</i> (Say)
Indian fruit fly	<i>Bactrocera caryeae</i> (Kapoor)
Japanese bayberry whitefly	<i>Parabemisia myricae</i> (Kuwana)
Japanese beetle	<i>Popillia japonica</i> Newmann
Japanese citrus fruit fly	<i>Bactrocera tsuneonis</i> (Miyake)
khapra beetle	<i>Trogoderma gladrurn</i> (Herbst)
khapra beetle	<i>Trogoderma granarium</i> Everts
khapra beetle	<i>Trogoderma inclusum</i> Le Conte
large grain borer	<i>Prostephanus truncates</i> (Horn)
lettuce aphid	<i>Nasonovia ribisnigri</i> (Mosley)
mango leaf gall midge	<i>Procontarinia</i> spp.
mango leafhopper	<i>Idioscopus clypealis</i> (Lethierry)
mango leafhopper	<i>Idioscopus nitidulus</i> (= <i>niveosparsus</i> ) (Walker)
mango pulp weevil	<i>Sternochetus frigidus</i> (Fabricius)
mango seed weevil	<i>Sternochetus mangiferae</i> (Fabricius)
Mediterranean fruit fly	<i>Ceratitidis capitata</i> (Wiedemann)
melon fly	<i>Bactrocera cucurbitae</i> (Coquillett)

## Schedule 1 (continued)

Common name	Scientific name and author
melon thrips	<i>Thrips palmi</i> Karny
Mexican fruit fly	<i>Anastrepha ludens</i> (Loew)
Navel orangeworm	<i>Amyelois transitella</i> Walker
New Zealand flower thrips	<i>Thrips obscuratus</i> (Crawford)
omnivorous leafroller	<i>Platynota sultana</i> Walsingham
Oriental fruit fly	<i>Bactrocera dorsalis</i> (Hendel)
Pacific spider mite	<i>Eotetranychus willamettei</i> (McGregor)
palm leaf beetle	<i>Brontispa longissima</i> (Gestro)
papaya fruit fly	<i>Bactrocera papayae</i> Drew and Hancock
peach fruit fly	<i>Bactrocera zonata</i> (Saunders)
pea leafminer	<i>Liriomyza huidobrensis</i> (Blanchard)
pear fruit moth	<i>Numonia pirivorella</i> (Matsumura)
Philippine fruit fly	<i>Bactrocera philippinensis</i> Drew and Hancock
pink bollworm	<i>Pectinophora gossypiella</i> (Saunders)
pinkspotted bollworm	<i>Pectinophora scutigera</i> (Holdaway)
plum weevil or plum curculio	<i>Conotrachelus nenuphar</i> (Herbst)
poinsettia whitefly or silverleaf whitefly	<i>Bemisia tabaci</i> (Gennadius) (biotype B) (= <i>B. argentifolii</i> Bellows and Perring)
potato moth	<i>Phthorimaea operculella</i> (Zeller)
Queensland fruit fly	<i>Bactrocera tryoni</i> (Froggatt)
red banded mango caterpillar	<i>Deanolis sublimbalis</i> (Snellen)
red imported fire ant	<i>Solenopsis invicta</i> Buren
rice water weevil	<i>Lissorhoptrus oryzophilus</i> Kuschel

## Schedule 1 (continued)

Common name	Scientific name and author
rice weevil	<i>Sitophilus oryzae</i> (Linnaeus)
rough strawberry weevil	<i>Otiorhynchus rugosostriatus</i> (Goeze)
Russian wheat aphids	<i>Diuraphis noxia</i> (Mordvilko)
rust red flour beetle	<i>Tribolium castaneum</i> (Herbst)
serpentine leafminer	<i>Liriomyza trifolii</i> (Burgess)
solanum fruit fly	<i>Bactrocera latifrons</i> (Hendel)
South African citrus thrips	<i>Scirtothrips aurantii</i> Faure
spider mite	<i>Tetranychus piercei</i> McGregor
spiraling whitefly	<i>Aleurodicus dispersus</i> Russell
Sri Lankan fruit fly	<i>Bactrocera kandiensis</i> Drew and Hancock
stem borer	<i>Chilo</i> spp.
strawberry bud weevil	<i>Anthonomus bisignatus</i> Schenkling
strawberry tortrix	<i>Acleris comariana</i> Lienig and Zeller
sugarcane borer	<i>Scirpophaga</i> spp.
sugarcane borer	<i>Sesamia</i> spp.
sugarcane borer	<i>Tetramoera schistanceana</i> (Snellen)
sugarcane leafhopper	<i>Eumetopina</i> spp.
sugarcane leafhopper	<i>Pyrilla perpusilla</i> (Walker)
sugarcane planthopper	<i>Perkinsiella</i> spp.
sugarcane scale	<i>Aulacaspis tegalensis</i> (Zehntner)
sugarcane weevil borer	<i>Rhabdoscelus obscurus</i> (Boisduval)
sugarcane whitefly	<i>Aleurolobus barodensis</i> (Maskell)
sugarcane woolly aphid	<i>Ceratovacuna lanigera</i> Zehntner
summer fruit tortrix	<i>Adoxophyes orana</i> Fischer von Rösslerstamm



## Schedule 1 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
tobacco beetle	<i>Lasioderma serricorne</i> (Fabricius)
tobacco stem borer	<i>Scrobipalpa heliopa</i> (Lower)
Tongan fruit fly	<i>Bactrocera facialis</i> (Coquillett)
tropical fire ant	<i>Solenopsis geminata</i> (Fabricius)
variegated cutworm	<i>Peridroma saucia</i> (Hebner)
variegated grape leafhopper	<i>Erythroneura variabilis</i> Beamer
warehouse beetle	<i>Trogoderma variabile</i> Ballion
western flower thrips	<i>Frankliniella occidentalis</i> (Pergande)
western grapeleaf skeltonizer	<i>Harrisiana brillians</i> Barnes and McDunnough
woolly whitefly	<i>Aleurothrixus floccosus</i> (Maskell)

**Molluscs**

<b>Common name</b>	<b>Scientific name and author</b>
giant African snail	<i>Achatina fulica</i> Bowditch
golden apple snail	<i>Pomacea canaliculata</i> (Lamarck 1819)
green snail	<i>Helix aperta</i> (Born)

## Schedule 1 (continued)

**Part 2**                      **Pests associated with plant disease****A**    **Organisms****Nematodes**

*Bursaphelenchus xylophilus* (Steiner and Buhner) Nickle

*Ditylenchus destructor* Thorne

*Globodera pallida* (Stone) Behrens (abbreviated name—potato cyst nematode)

*Globodera rostochiensis* (Wollenweber) Behrens (abbreviated name—golden nematode)

*Heterodera avenae* (Wollenweber) Filipjev

*Heterodera glycines* Ichinohe

*Pratylenchus coffeae* (Zimmermann) Filipjev and Schuurmans Stekhoven

*Pratylenchus goodeyi* Sher and Allen

*Rhadinaphelenchus cocophilus* (Cobb) Goodey

*Xiphinema index* Thorne and Allen

**Plants**

A plant of the genera *Musa* spp., other than—

- (a) a plant that produces edible fruit; or
- (b) an indigenous plant that is not a volunteer plant.

*Berberis* spp.

*Ensete* spp.

*Mahonia* spp.

*Orobanche ramosa* L. (common name—branched broomrape)

*Striga asiatica*

**Phytoplasmas**

apple chat fruit phytoplasma

## Schedule 1 (continued)

apple proliferation phytoplasma  
apple rubbery wood phytoplasma  
apricot chlorotic leaf roll phytoplasma  
apricot witches broom phytoplasma  
Australian grapevine yellows phytoplasma  
cherry albino (X disease) phytoplasma  
cherry necrotic rusty mottle phytoplasma  
cherry western X (peach X) phytoplasma  
European stone fruit yellows phytoplasma  
grapevine flavesence doree phytoplasma  
little cherry phytoplasma  
little peach phytoplasma  
palm lethal yellowing phytoplasma  
Parry's disease (pear) phytoplasma  
peach chlorotic leaf roll phytoplasma  
peach red suture phytoplasma  
peach rosette phytoplasma  
peach X phytoplasma (including peach eastern X phytoplasma)  
peach yellows phytoplasma  
pear decline phytoplasma  
plum chlorotic leaf roll phytoplasma  
sugarcane grassy shoot phytoplasma  
sugarcane white leaf phytoplasma (White leaf)

**Bacteria**

*Acidovorax avenae* subsp. *avenae* (Manns) Willems *et al.*

*Agrobacterium tumefaciens* biovar 3 (E.F. Smith and Town.)

## Schedule 1 (continued)

*Clavibacter michiganensis* subsp. *sepedonicus* (Spiek and Kotth.) Davies *et al.*

*Erwinia amylovora* (Burrill) Winslow *et al.* (abbreviated name—fire blight)

*Leifsonia xyli* subsp. *xyli* (Davies *et al.*) Evtushenko

“*Liberobacter asiatica*” Jagoueix *et al.*

*Panotoea stewartii* subsp. *stewartii* (E.F. Smith) Mergaert *et al.*

*Pseudomonas angulata* (Fromme and Murray) Holland

“*Pseudomonas celebensis*” = banana blood disease bacterium (uncharacterised)

*Pseudomonas syringae* pv. *phaseolicola* (Burkeholder) Young *et al.*

*Pseudomonas syringae* pv. *syringae* Van Hall

*Pseudomonas syringae* pv. *tabaci* (Wolf and Foster) Young *et al.*

*Pseudomonas syzygii* I. Roberts *et al.*

*Ralstonia solanacearum* (E.F. Smith) Yabuuchi *et al.*

*Xanthomonas albilineans* (Ashby) Dowson

*Xanthomonas axonopodis* pv. *citri* (Hasse) Vauterin

*Xanthomonas axonopodis* pv. *malvacearum* (E. F. Smith) Dowson

*Xanthomonas axonopodis* pv. *vasculorum* (Cobb) Dye

*Xanthomonas campestris* pv. *campestris* (Pammel) Dowson

*Xanthomonas campestris* pv. *oryzae* (Ishiyama) Swings *et al.*

*Xanthomonas campestris* pv. *phaseoli* (E. F. Smith) Dye

*Xanthomonas campestris* pv. *vasculorum* (Cobb)

*Xanthomonas fragariae* J.K. Kennedy and King

*Xanthomonas oryzae* pv. *oryzicola* (Ishiyama) Swings *et al.*

*Xylella fastidiosa* Wells *et al.*

*Xylophilus ampelinus* (Panagopoulos) Willems *et al.*

## Schedule 1 (continued)

**Fungi**

- Albugo candida* (Pers.) Kuntze (abbreviated name—white blister of brassica)
- Anisogramma anomala* (Peck) E. Müll. (1962)
- Apiosporina morbosus* (Schwein.) Arx (1954)
- Ascochyta rabiei* (Pass.) Labr.
- Asperisporium caricae* (Speg.) Maubl.
- Ceratocystis ulmi* (Buisman) C. Moreau (1952)
- Cercospora longipes* E.J. Butler
- Ciborinia camelliae* L.M. Kohn (1979)
- Claviceps africana* Freder., Mantle and De Milliano
- Claviceps gigantea* S.F. Fuentes, Isla, Ullstrup and Rodriguez
- Claviceps sorghi* P. Kulkarni, Seshadri and Hedge
- Coleosporium ipomoeae* (Schwein.) Burrill
- Colletotrichum kahawae* J.M. Waller and P.D. Bridge
- Colletotrichum lindemuthianum* (Sacc. and Magnus) Scribn.
- Cryphonectria cubensis* (Bruner) Hodges
- Cryphonectria parasitica* (Murrill) M.E. Barr (1978)
- Deuterophoma tracheiphila* Petri
- Elsinoe fawcettii* Bitanc. and Jenkins
- Eutypa lata* (Pers.:Fr.) Tul. and C. Tul.
- Exobasidium vexans* Massee
- Fusarium moniliforme* J. Sheld. var. *subglutinans* Wollenw. and Reinking
- Fusarium oxysporum* Schltdl. Fr. f.sp. *chrysanthemi* G.M. Armstrong, J.K. Armstrong and R.H. Littrell
- Fusarium oxysporum* Schltdl. Fr. f. sp. *cubense* (E.F. Smith) W.C. Snyder and H.N. Hansen
- Fusarium oxysporum* Schltdl. Fr. f.sp. *lycopersici* (Sacc.) W.C. Snyder and H.N. Hansen

## Schedule 1 (continued)

*Fusarium oxysporum* Schltdl. Fr. f.sp. *vasinfectum* (Atk.) W.C. Snyder and H.N. Hansen

*Guignardia bidwellii* (Ellis) Viala and Ravaz

*Guignardia citricarpa* Kiely (anamorph *Phyllosticta citricarpa* (McAlpine) Aa)

*Guignardia musae* Racib. (anamorph *Phyllosticta musarum* (Cooke) Aa (1909)

*Gymnosporangium* R. Hedw.

*Hemileia vastatrix* Berk. and Broome

*Magnaporthe grisea* (T.T. Hebert) M.E. Barr (1977)

*Microbotryum violaceum* (Pers.:Pers.) G. Deml. and Oberwinkler

*Monilinia fructigena* Honey in Whetzel (1946)

*Mycosphaerella angulata* W.A. Jenkins (anamorph *Cercospora brachypus* Ellis and Everh.)

*Mycosphaerella fijiensis* M. Morelet (anamorph *Paracercospora fijiensis* (M. Morelet) Deighton)

*Mycosphaerella musae* (Speg.) Syd. and P. Syd.

*Mycosphaerella musicola* J.L. Mulder (anamorph *Pseudocercospora musae* (Zimm.) Deighton)

*Pachymetra chaunorhiza* B.J. Croft and M.W. Dick

*Peronosclerospora maydis* (Racib.) C.G. Shaw

*Peronosclerospora philippinensis* (W. Weston) C.G. Shaw

*Peronosclerospora sacchari* (T. Miyake) Shirai and K. Hara

*Peronosclerospora sorghi* (W. Weston and Uppal) C.G. Shaw

*Peronosclerospora spontanea* (W. Weston) C.G. Shaw

*Peronospora hyoscyami* de Bary

*Phakospora euvitis* Y. Ono (2000)

*Phoma tracheiphila* (Petri) L.A. Kantsch. and Gokaschvili (1948)

*Phymatotrichopsis omnivora* (Duggar) Hennebert

*Phymatotrichum omnivorum* Duggar (1916)

## Schedule 1 (continued)

- Physopella ampelopsidis* (Dietel and P. Syd.) Cummins and Ramachar  
*Phytophthora cinnamomi* Rands  
*Phytophthora fragariae* var. *fragariae* Hickman  
*Phytophthora ramorum* Werres, De Cock and Man in 't Veld  
*Plasmodiophora brassicae* Woronin  
*Plasmopara halstedii* (Farl.) Berl. and DeToni  
*Pseudopezizula tetraspora* Korf, R.C. Pearson and Zhuang  
*Pseudopezizula tracheiphila* (Müller-Thurg.) Korf and Zhuang (anamorph  
*Phialophora tracheiphila* (Sacc. and D. Sacc.) Korf)  
*Puccinia asparagi* D.C. (1805)  
*Puccinia horiana* Henn.  
*Puccinia psidii* G. Winter  
*Pyricularia oryzae* Cavara  
*Roesleria subterranea* (Weinm.) Redhead (1985)  
*Rosellinia necatrix* Berl. ex Prill. (1904)  
*Sclerospora graminicola* (Sacc.) J. Schröt.  
*Sphaceloma arachidis* Bitanc. and Jenkins  
*Sporisorium cruentum* (Kühn) K. Vánky  
*Stagnospora saccharum* T.T. Lo and L. Ling (1950)  
*Synchytrium endobioticum* (Schilb.) Percival  
*Tilletia barclayana* (Bref.) Sacc. and P. Syd. (1899)  
*Tilletia indica* Mitra  
*Uromyces gladioli* Henn.  
*Uromyces transversalis* (Thüm.) G. Winter  
*Ustilago scitaminea* Syd. (abbreviated name—sugarcane smut)  
*Verticillium dahliae* Kleb. (1913)

## Schedule 1 (continued)

**B Viruses and viroids****viruses**

*Apple chlorotic leaf spot virus*

apple flat limb virus (uncharacterised)

*Apple mosaic virus*

apple ringspot virus (uncharacterised)

apple rough skin virus (uncharacterised)

apple star crack virus (uncharacterised)

apricot ring pox virus (uncharacterised)

*Arabis mosaic virus*

*Artichoke Italian latent virus*

*Banana bract mosaic virus* (abbreviated name—banana bract mosaic)

*Banana bunchy top virus* (abbreviated name—banana bunchy top)

*Banana streak virus* (abbreviated name—banana streak)

Begomovirus Cotton leaf curl virus

bratislava mosaic virus (uncharacterised)

cherry black canker virus (uncharacterised)

*Cherry rasp leaf virus*

*Citrus tristeza virus*

*Cucumber mosaic virus* (abbreviated name—cucumber mosaic)

grapevine Ajinashika virus (uncharacterised)

*Grapevine Algerian latent virus*

*Grapevine Bulgarian latent virus*

*Grapevine chrome mosaic virus*

grapevine corky bark virus (uncharacterised)

grapevine enation virus (uncharacterised)

*Grapevine fanleaf virus*

grapevine fleck virus (uncharacterised)



## Schedule 1 (continued)

*Grapevine leafroll virus*

*Grapevine virus A*

*Grapevine virus B*

*Grapevine virus D*

*Grapevine yellow vein virus*

*High plains virus*

*Maize dwarf mosaic virus*

*Myrobalan latent ringspot virus*

*Nepovirus Cherry leaf roll virus* (blackline)

*Papaya ringspot virus* type P (abbreviated name—papaya ringspot)

*Papaya ringspot virus* type W (abbreviated name—papaya ringspot)

*Peach rosette mosaic virus*

Peach wart virus (uncharacterised)

*Peanut stripe virus*

*Pea seed-borne mosaic virus*

*Plum pox virus*

prune diamond canker virus (uncharacterised)

*Prune dwarf virus*

*Prunus necrotic ringspot virus*

*Sorghum mosaic virus*

*Squash mosaic virus*

*Strawberry crinkle virus*

*Strawberry mild yellow edge associated virus*

strawberry mottle virus (uncharacterised)

*Sugarcane bacilliform virus*

*Sugarcane Fiji disease virus*

*Sugarcane mosaic virus*

sugarcane Ramu stunt virus

## Schedule 1 (continued)

*sugarcane streak mosaic virus* (Potyviridae)

*Sugarcane streak virus*

sugarcane striate mosaic associated virus (uncharacterised)

*Tobacco mosaic virus*

*Tobacco ringspot virus*

*Tomato black ring virus*

*Tomato leaf curl virus*

*Tomato mosaic virus*

*Tomato ringspot virus*

*Tomato yellow leaf curl virus*

*Watermelon mosaic virus*

Wheat spindle streak mosaic virus

*Wheat streak mosaic virus*

*Zucchini yellow mosaic virus*

**viroids**

*Apple scar skin viroid*

*Avocado sunblotch viroid*

*Chrysanthemum stunt viroid*

*Citrus exocortis viroid*

*Coconut cadang-cadang viroid*

*Dapple apple viroid*

grapevine stem pitting viroid (uncharacterised)

grapevine summer mottle viroid (uncharacterised)

grapevine vein necrosis viroid (uncharacterised)

*Grapevine yellow speckle viroid-1*

*Grapevine yellow speckle viroid-2*

*Potato spindle tuber viroid*

## Schedule 1 (continued)

**C Disorders**

<b>Disorder</b>	<b>Description</b>
bacterial wilt	an occlusion and necrosis of the xylem tissue associated with invasion by plant pathogenic bacteria
blight	a necrosis of leaf or stem tissue, with sudden onset, associated with a plant pathogenic bacterium (bacterial blight) or fungus (fungal blight)
canker	a sharply delineated necrosis or suberisation of the cortical tissue of leaves or stems, associated with a plant pathogenic bacterium or fungus
downy mildew	a necrosis or organoid gall of leaf or stem tissue associated with intercellular hyphae and emergent sporophores of a fungus of the family Peronosporaceae
ergot	an organoid gall of floral and ovule tissue associated with intercellular and extracellular hyphae and emergent sporophores of a fungus of the genus <i>Claviceps</i> Tul., order Hypocreales
fusarial wilt	an occlusion and necrosis of the xylem tissue, associated with plant pathogenic strains of a fungus of the genus <i>Fusarium</i> Link ex Fr., order Moniliales
gall	a swelling of tissue resulting from multiplication of cells (histoplasia), enlargement of cells (hypertrophy) or replacement with tissue of another organism, and associated with an intracellular or intercellular fungus, bacterium, phytoplasma, virus or mite
grey mould	a necrosis of leaf, stem or floral tissue associated with intercellular and extracellular hyphae or emergent sporophores of a fungus of the genus <i>Botrytis</i> Pers. ex Fr., order Moniliales, or <i>Sclerotinia</i> Fuckel, order Helotiales
mosaic (mottle or yellows)	a uniform or patchy variation of normal green colour associated with intracellular phytoplasma, virus or viroid infection

## Schedule 1 (continued)

Disorder	Description
mutant plant	a plant with recombinant deoxyribonucleic acid (DNA) acquired artificially or by natural transmission but having an undesired quality of increasing the weed potential of the plant or interfering with pest management programs
powdery mildew	a necrosis or suberisation of leaf or stem tissue associated with intracellular and extracellular hyphae and sporophores of a fungus of the order Erysiphales
rust	an organoid gall of leaf or stem tissue associated with intercellular hyphae, aeciospores, uredospores or teliospores of a fungus of the order Uredinales
smut	an organoid gall of leaf, stem, floral or meristematic tissue associated with intercellular hyphae and chlamydospores of a fungus of the order Ustilaginales
spot	a localised necrosis or yellowing of leaf or stem tissue, associated with a plant pathogenic bacterium, fungus or virus
white blister	an organoid gall of leaf or stem tissue associated with intercellular hyphae, sporeangia, zoospores and oospores of a fungus of the genus <i>Albugo</i> , order Peronosporales
witches broom	a gall resulting in massed outgrowths of vegetative buds and associated with an intracellular or intercellular fungus, bacterium, phytoplasma, virus or mite

**Additional information about the disorders listed in part 2, item C of this schedule**

- 1 For bacterial wilt, mosaic (mottle or yellows) and witches broom, the description's reference is *Plant Pathologist's Pocketbook*, CAB, Commonwealth Mycological Institute, Kew, Surrey, UK.

**Schedule 1 (continued)**

- 2 For all other disorders, apart from mutant plant, the description's reference is *Ainsworth and Bisby's Dictionary of the Fungi*, CAB, Commonwealth Mycological Institute, Kew, Surrey, UK.

## Schedule 2      Notifiable pests

section 6

### Part 1              Animals

#### Insects and mites

Common name	Scientific name and author
armyworm	<i>Mythimna unipuncta</i> Haworth
banana skipper butterfly	<i>Erionota thrax</i> (Linnaeus)
boll weevil	<i>Anthonomus grandis</i> Boheman
citrus psyllid	<i>Diaphorina citri</i> Kuw.
Colorado potato beetle	<i>Leptinotarsa decemlineata</i> (Say)
electric ant	<i>Wasmannia auropunctata</i> (Roger)
false codling moth	<i>Cryptophlebia leucotreta</i> (Meyrick)
grape Phylloxera Type B	<i>Daktulosphaira vitifoliae</i> (Fitch)
hessian fly	<i>Mayetiola destructor</i> (Say)
khapra beetle	<i>Trogoderma granarium</i> Everts
lettuce aphid	<i>Nasonovia ribisnigri</i> (Mosley)
mango leafhopper	<i>Idioscopus clypealis</i> (Lethierry)
mango leafhopper	<i>Idioscopus nitidulus</i> (= <i>niveosparsus</i> ) (Walker)
mango pulp weevil	<i>Sternochetus frigidus</i> (Fabricius)
melon fly	<i>Bactrocera cucurbitae</i> (Coquillett)
Navel orangeworm	<i>Amyelois transitella</i> Walker
Oriental fruit fly	<i>Bactrocera dorsalis</i> (Hendel)
papaya fruit fly	<i>Bactrocera papayae</i> Drew and Hancock
pear fruit moth	<i>Numonia pirivorella</i> (Matsumura)

## Schedule 2 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
Philippine fruit fly	<i>Bactrocera philippinensis</i> Drew and Hancock
plum weevil or plum curculio	<i>Conotrachelus nenuphar</i> (Herbst)
red banded mango caterpillar	<i>Deanolis sublimbalis</i> (Snellen)
red imported fire ant	<i>Solenopsis invicta</i> Buren
rice water weevil	<i>Lissorhoptrus oryzophilus</i> Kuschel
rough strawberry weevil	<i>Otiorhynchus rugosostriatus</i> (Goeze)
Russian wheat aphid	<i>Diuraphis noxia</i> (Mordvilko)
rust red flour beetle	<i>Tribolium castaneum</i> (Herbst)
South African citrus thrips	<i>Scirtothrips aurantii</i> Faure
spider mite	<i>Tetranychus piercei</i> McGregor
strawberry bud weevil	<i>Anthonomus bisignatus</i> Schenkling
strawberry tortrix	<i>Acleris comariana</i> Lienig and Zeller
sugarcane borer	<i>Sesamia</i> spp.
sugarcane whitefly	<i>Aleurolobus barodensis</i> (Maskell)
summer fruit tortrix	<i>Adoxophyes orana</i> Fischer von Rösslerstamm
tropical fire ant	<i>Solenopsis geminata</i> (Fabricius)
variegated cutworm	<i>Peridroma saucia</i> (Hebner)

**Molluscs**

<b>Common name</b>	<b>Scientific name and author</b>
golden apple snail	<i>Pomacea canaliculata</i> (Lamarck 1819)

## Schedule 2 (continued)

**Part 2**                      **Pests associated with plant disease****A Organisms****Nematodes**

*Globodera pallida* (Stone) Behrens (abbreviated name—potato cyst nematode)

*Globodera rostochiensis* (Wollenweber) Behrens (abbreviated name—golden nematode)

**Bacteria**

*Clavibacter michiganensis* subsp. *sepedonicus* (Spiek and Kotth.) Davies *et al*

*Erwinia amylovora* (Burrill) Winslow *et al* (abbreviated name—fire blight)

“*Liberobacter asiatica*” Jagoueix *et al*

“*Pseudomonas celebensis*” = banana blood disease bacterium (uncharacterised)

*Ralstonia solanacearum* (E.F. Smith) Yabuuchi *et al*

*Xanthomonas axonopodis* pv. *citri* (Hasse) Vauterin

*Xanthomonas axonopodis* pv. *malvacearum* (E. F. Smith) Dowson’

*Xanthomonas fragariae* J.K. Kennedy and King

*Xylella fastidiosa* Wells *et al*

**Fungi**

*Anisogramma anomala* (Peck) E. Müll. (1962)

*Apiosporina morbosa* (Schwein.) Arx (1954)

*Ceratocystis ulmi* (Buisman) C. Moreau (1952)

*Ciborinia camelliae* L.M. Kohn (1979)

*Cryphonectria parasitica* (Murrill) M.E. Barr (1978)



## Schedule 2 (continued)

*Fusarium oxysporum* Schltdl. Fr. f. sp. *cubense* (E.F. Smith) W.C. Snyder and H.N. Hansen

*Guignardia bidwellii* (Ellis) Viala and Ravaz

*Guignardia musae* Racib. (anamorph *Phyllostica musarum* (Cooke) Aa (1909)

*Magnaporthe grisea* (T.T. Hebert) M.E. Barr (1977)

*Monilinia fructigena* Honey in Whetzel (1946)

*Mycosphaerella fijiensis* M. Morelet (anamorph *Paracercospora fijiensis* (M. Morelet) Deighton)

*Peronosclerospora sacchari* (T. Miyake) Shirai and K. Hara

*Phakopsora euvitis* Y. Ono (2000)

*Phoma tracheiphila* (Petri) L.A. Kantsch. and Gokaschvili (1948)

*Phymatotrichum omnivorum* Duggar (1916)

*Phytophthora fragariae* var. *fragariae* Hickman

*Phytophthora ramorum* Werres, De Cock and Man in 't Veld

*Puccinia asparagi* D.C. (1805)

*Roesleria subterranea* (Weinm.) Redhead (1985)

*Rosellinia necatrix* Berl. ex Prill. (1904)

*Stagonospora saccharum* T.T. Lo and L. Ling (1950)

*Tilletia barclayana* (Bref.) Sacc. and P. Syd. (1899)

*Tilletia indica* Mitra

*Ustilago scitaminea* Syd.

*Verticillium dahliae* Kleb. (1913)

## Plants

A plant of the genera *Musa* spp., other than—

- (a) a plant that produces edible fruit; or
- (b) an indigenous plant that is not a volunteer plant.

*Ensete* spp.

## Schedule 2 (continued)

## Phytoplasmas

European stone fruit yellows phytoplasma

peach X phytoplasma (including peach eastern X phytoplasma)

sugarcane white leaf phytoplasma (White leaf)

**B Viruses and viroids****Viruses***Banana bract mosaic virus**Banana bunchy top virus**Begomovirus Cotton leaf curl virus**Nepovirus Cherry leaf roll virus (blackline)**Plum pox virus**Sugarcane Fiji disease virus**sugarcane Ramu stunt virus**sugarcane streak mosaic virus* (Potyviridae)

Wheat spindle streak mosaic virus

## Viroids

*Potato spindle tuber viroid***C Disorders**

Disorder	Description	Common or abbreviated names
bacterial wilt of banana plants	bacterial wilt, as described in schedule 1, part 2, under the heading 'C Disorders', caused by—	bacterial wilt of bananas banana blood disease
	<ul style="list-style-type: none"> <li>• <i>Ralstonia solanacearum</i> (E. F. Smith) Yabuuchi <i>et al</i>; or</li> </ul>	banana bugtok disease

## Schedule 2 (continued)

Disorder	Description	Common or abbreviated names
	<ul style="list-style-type: none"> <li>• “<i>Pseudomonas celebensis</i>” = banana blood disease bacterium (uncharacterised)</li> </ul>	banana moko disease
bacterial wilt of grape plants	bacterial wilt, as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by <i>Xylella fastidiosa</i> Wells <i>et al</i>	Pierce’s disease
blight of regulated fire blight host plants	blight, as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by <i>Erwinnia amylovora</i> (Burrill) Winslow <i>et al</i> (abbreviated name—fire blight)	fire blight
blight of potato plants	blight, as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by <i>Clavibacter michiganensis</i> subsp. <i>sepedonicus</i> (Spiek and Kotth.) Davies <i>et al.</i>	potato ring rot
canker of citrus plants	canker, as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by <i>Xanthomonas axonopodis</i> pv. <i>citri</i> (Hasse) Vauterin	citrus canker
downy mildew of sugarcane plants	downy mildew, as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by <i>Peronosclerospora sacchari</i> (T. Miyake) Shirai and K. Hara	sugarcane downey mildew
fusurial wilt of banana plants	fusurial wilt, as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by <i>Fusarium oxysporum</i> Schltdl. Fr. F. sp. <i>cubense</i> (E.F. Smith) W.C. Snyder and H.N. Hansen	fusurial wilt of banana banana Panama disease

## Schedule 2 (continued)

Disorder	Description	Common or abbreviated names
mosaic (mottles or yellows) of banana plants—banana bract mosaic disease	mosaic (mottles or yellows), as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by <i>Banana bract mosaic virus</i> (abbreviated name—banana bract mosaic)	banana bract mosaic disease
mosaic (mottles or yellows) of banana plants—banana bunchy top virus	mosaic (mottles or yellows), as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by <i>Banana bunchy top virus</i> (abbreviated name—banana bunchy top)	banana bunchy top disease
mosaic (mottles or yellows) of citrus plants	mosaic (mottles or yellows), as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by “ <i>Liberobacter asiatica</i> ” Jagouix <i>et al.</i>	citrus greening Huanglongbing
mosaic (mottles or yellows) of stonefruit plants	mosaic (mottles or yellows), as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by <i>plum pox virus</i>	plum pox virus
mosaic (mottles or yellows) of sugarcane plants	mosaic (mottles or yellows), as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by <i>sugarcane Fiji disease virus</i>	sugarcane Fiji disease Fiji virus
smut of prescribed cereal crop plants	smut, as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by <i>Tilletia indica</i> Mitra	Karnal bunt
smut of sugarcane plants	smut, as described in schedule 1, part 2, under the heading ‘C Disorders’, caused by <i>Ustilago scitaminea</i> Syd. (abbreviated name—sugarcane smut)	sugarcane smut

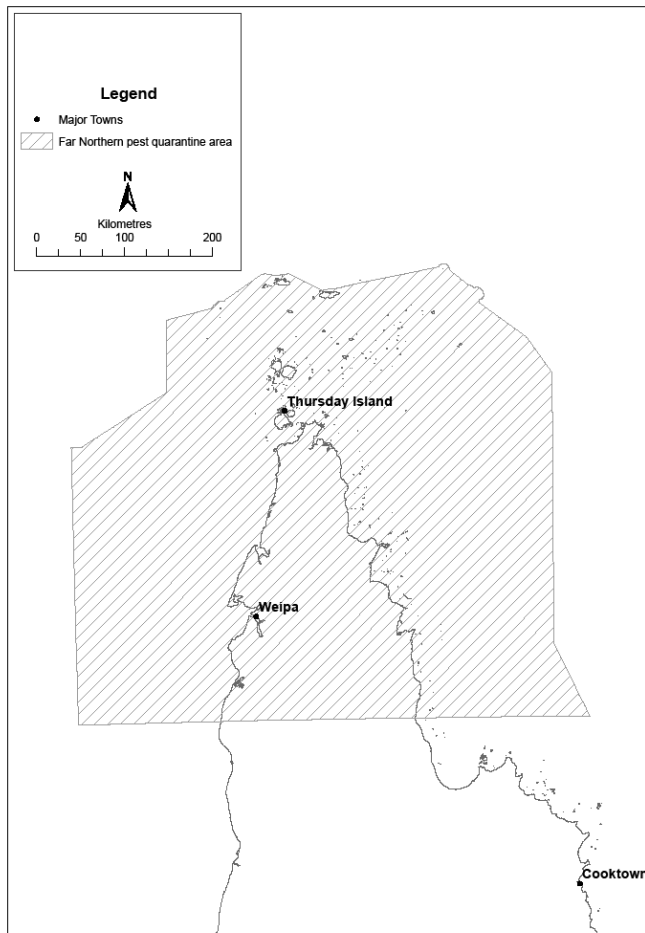
## Schedule 2 (continued)

Disorder	Description	Common or abbreviated names
spot of banana plants	spot, as described in schedule 1, part 2, under the heading 'C Disorders', caused by <i>Mycosphaerella fijiensis</i> M. Morelet (anamorph <i>Paracercospora fijiensis</i> (M. Morelet) Deighton)	banana black Sigatoka disease  spot

## Schedule 3      Pest quarantine areas for pests of banana plants

section 18

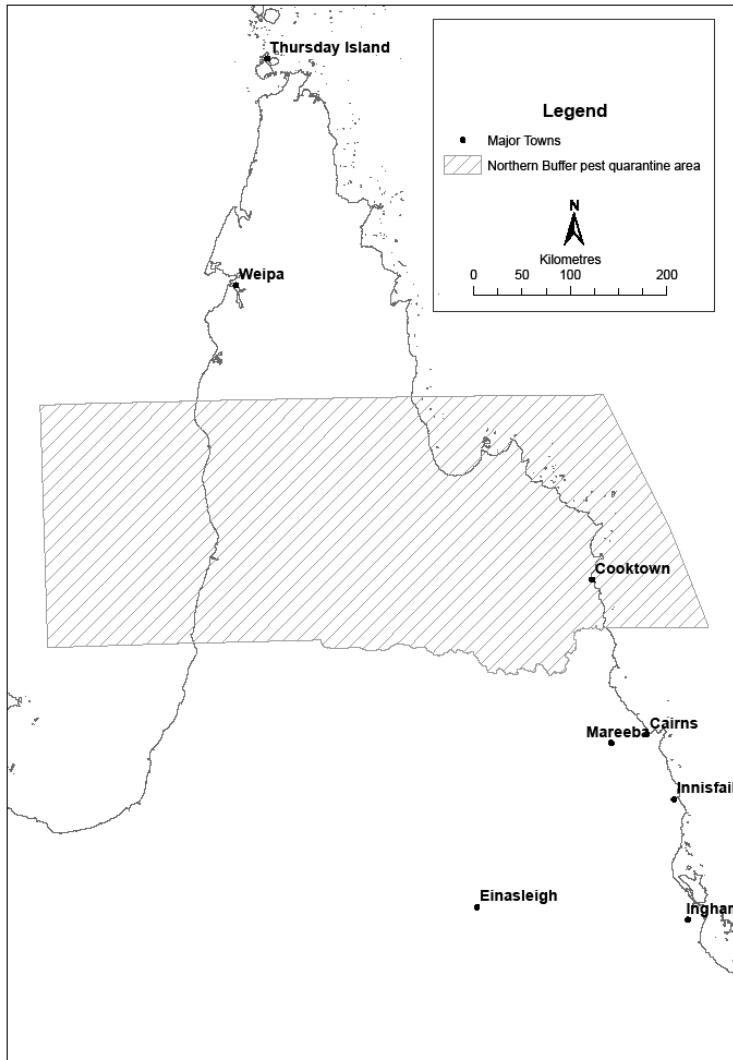
### Part 1      Far northern pest quarantine area



Schedule 3 (continued)

**Part 2**

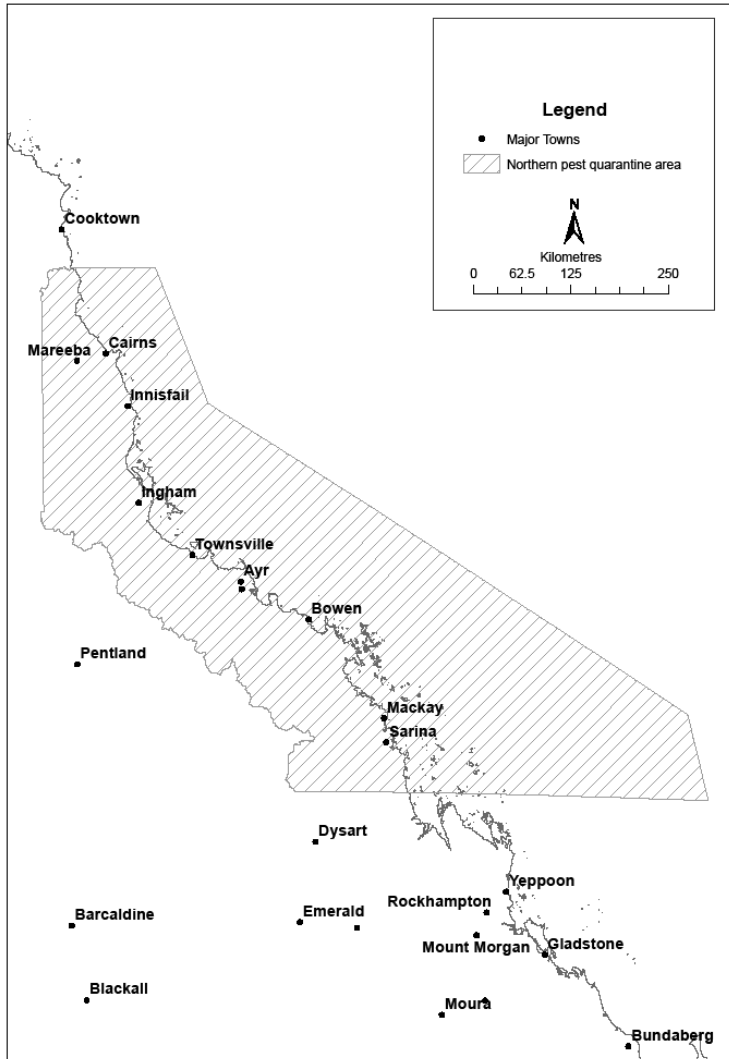
**Northern buffer pest quarantine area**



## Schedule 3 (continued)

## Part 3

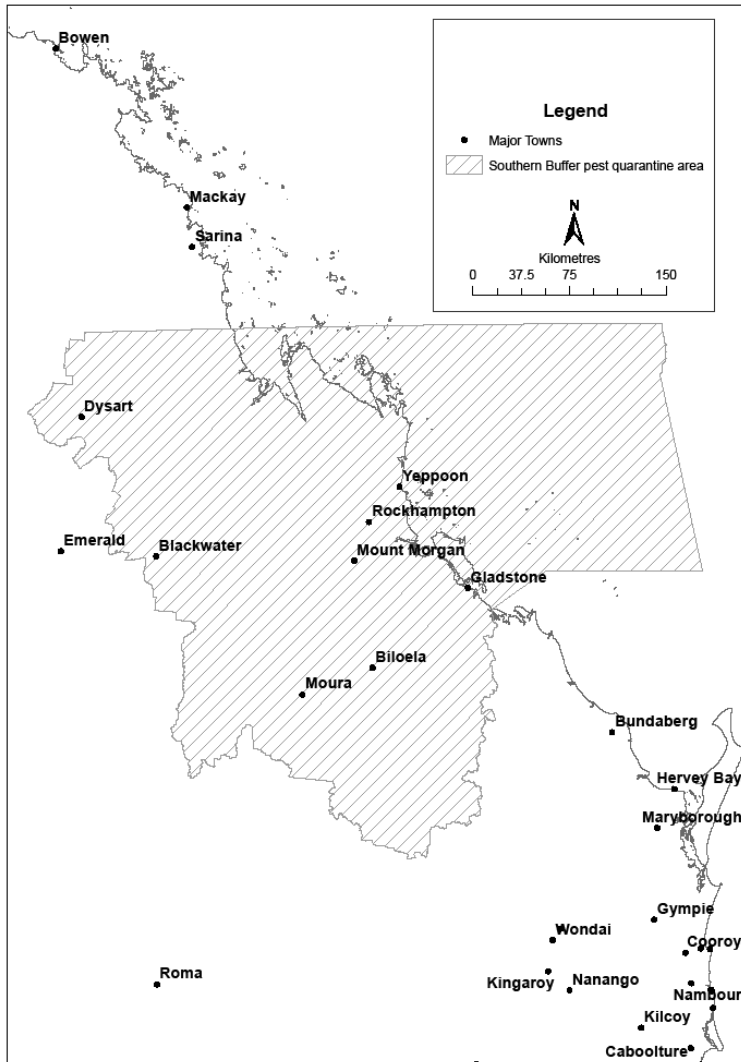
## Northern pest quarantine area





## Schedule 3 (continued)

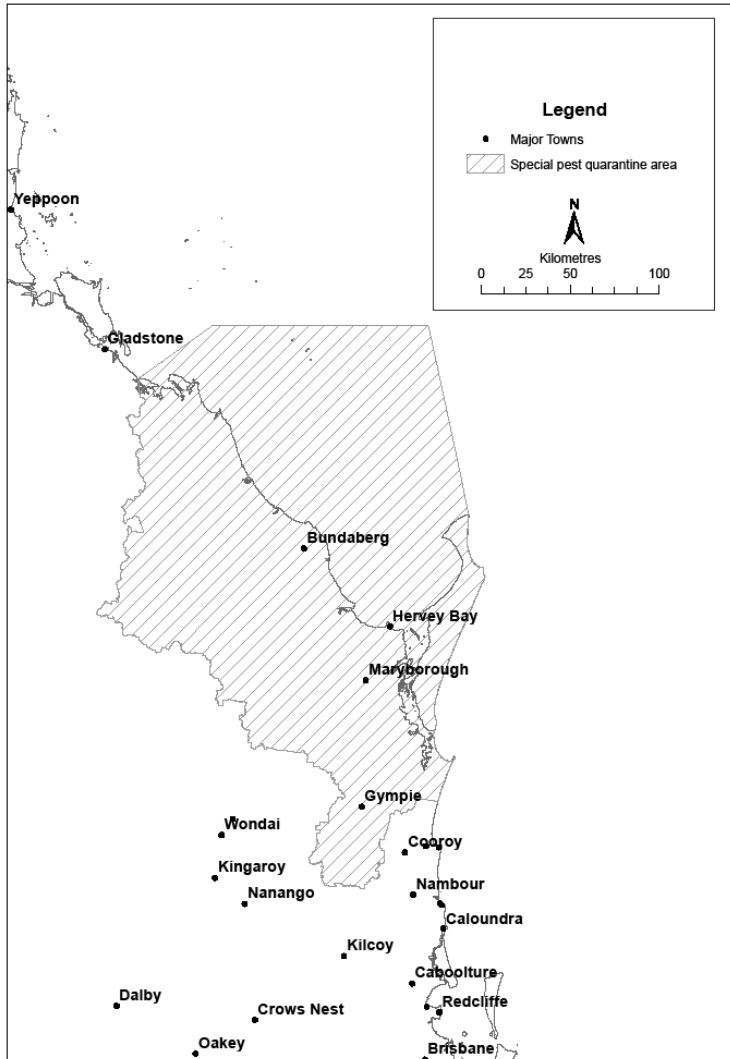
## Part 4

**Southern buffer pest quarantine area**

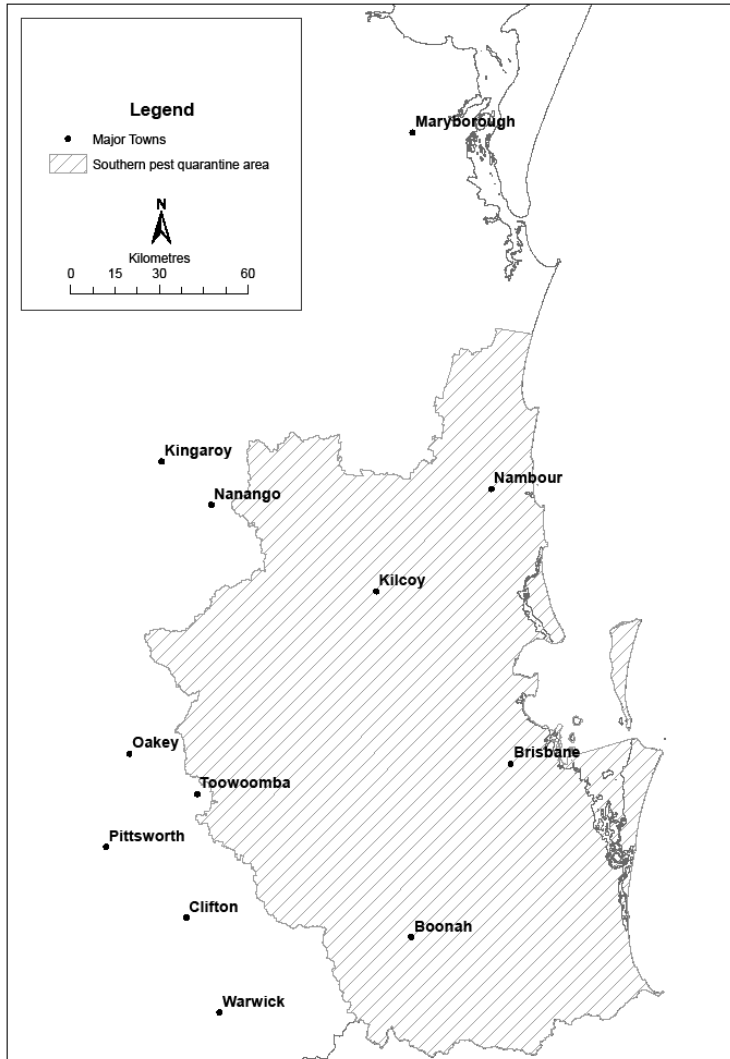
## Schedule 3 (continued)

## Part 5

## Special pest quarantine area



## Schedule 3 (continued)

**Part 6****Southern pest quarantine area**

## **Schedule 4      Cultivars for residential plantations**

section 24(2)

### **Part 1                      Far northern, northern buffer, northern and southern buffer pest quarantine areas**

Blue Java

Bluggoe

Ducasse

FHIA 01 (Goldfinger)

FHIA 02

Goly Goly Pot Pot

Kluai Namwa Khom (Dwarf Ducasse)

Pisang Ceylan (Mysore type)

Sh 3436

Simoi

Tu-8

War War

Yangambi Km5

### **Part 2                      Special and southern pest quarantine areas**

Blue Java

Bluggoe

**Schedule 4 (continued)**

Ducasse

FHIA 01 (Goldfinger)

Kluai Namwa Khom

Lady Finger

Pisang Ceylan (Mysore type)

## **Schedule 5      Treatment methods**

section 28

- 1 Treatment method A
  - remove the plant, including the corm, suckers and pseudostem from the soil
  - cut each pseudostem into pieces no more than 60cm long and split each piece lengthwise
  - cut the corm into pieces no more than 5cm in diameter.
- 2 Treatment method B
  - remove the fruit from the plant or spray the fruit with a permanent marker dye to make it unsuitable for human or animal consumption
  - inject each pseudostem at a height of 30cm above the ground with 15ml of a 1% solution of 2,4-D.
- 3 Treatment method C
  - remove the fruit from the plant or spray the fruit with a permanent marker dye to make it unsuitable for human or animal consumption
  - inject each pseudostem at a height of 30cm above the ground with 15ml of a 3.6% solution of glyphosate.
- 4 Treatment method D
  - remove the plant, including the corm, suckers and pseudostem from the soil
  - cut the pseudostem and leaf tissue, other than leaf tissue that is dead or not green in colour, into pieces no more than 60cm long
  - cut the corm, suckers and butt of each pseudostem into pieces no more than 5cm in diameter
  - leave the pseudostem and leaf tissue pieces to rot on the surface of the soil or bury them under at least 60cm of soil

**Schedule 5 (continued)**

- leave the pieces of the corm, suckers and butt of each pseudostem to rot on the surface of the soil or bury them under at least 1m of soil.

**Schedule 6      Banana black sigatoka  
resistant cultivars**

section 30(4)

Blue Java

Bluggoe

Ducasse

FHIA 01 (Goldfinger)

FHIA 02

FHIA 25

Kluai Namwa Khom (Dwarf Ducasse)

Pisang Ceylan (Mysore type)

SH 3436

Simoi

Tu-8

Yangambi Km5



## Schedule 7      Regulated fire blight host plants

section 65, definition *regulated fire blight host plant*

Hybrid	Common name
<i>Rubus</i> hybrids	thornless blackberry

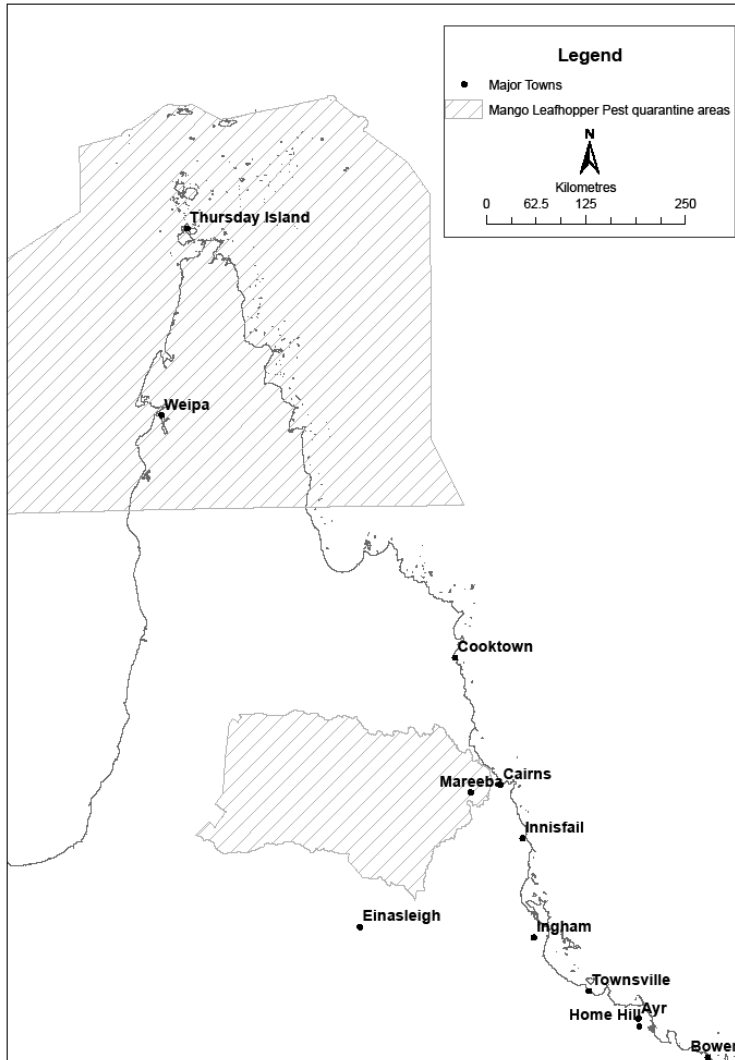
Species	Common name
<i>Prunus salicina</i>	plum
<i>Rubus ideus</i>	red raspberry

Genus	Examples of common names
<i>Amelanchier</i>	service berry, June berry
<i>Cotoneaster</i>	cotoneaster
<i>Crataegus</i>	hawthorn
<i>Cydonia</i>	quince
<i>Eriobotrya</i>	loquat
<i>Malus</i>	apple
<i>Mespilus</i>	medlar
<i>Pyracantha</i>	fire thorn
<i>Pyrus</i>	pear
<i>Sorbus</i>	mountain ash
<i>Stranvaesia</i>	—

# Schedule 7A Pest quarantine areas for mango leafhopper

section 76



## Schedule 8      Mediterranean fruit fly host plants

section 86, definition *host plant*

### Part 1      Host plants requiring treatment

Common name	Scientific name and author
abiu	<i>Pouteria caimito</i> (Ruiz and Pavon) Radlk. [Sapotaceae]
acerola	<i>Malpighia glabra</i> (L.) [Malpighiaceae] <i>M. glabra</i> x <i>M. puniceifolia</i> (L.) (Barbados cherry)
akee	<i>Blighia sapida</i> K.Konig [Spaindacea]
akia	<i>Wikstroemia phillyreifolia</i> Gray [Thymelaeaceae]
almond (with husk)	<i>Prunus amygdalus</i> Batsch => <i>Prunus dulcis</i> (Mill.) D.A. Webb
apple	<i>Malus domestica</i> Borkh L. [Rosaceae] <i>Malus sylvestris</i> Mill. [Rosaceae] (crab apple)
apricot	<i>Prunus armeniaca</i> L. [Rosaceae]
Barbados cherry	<i>Malpighia puniceifolia</i> (L.) [Malpighiaceae]
blackberry	<i>Rubus fruticosus</i> L. [Rosaceae]
black sapote	<i>Diospyros ebenum</i> J. König ex Retz. [Ebanaceae]
black walnut	<i>Juglans nigra</i> L. [Juglandaceae]
blueberry	<i>Vaccinium corymbosum</i> L. [Ericaceae]

## Schedule 8 (continued)

Common name	Scientific name and author
breadfruit	<i>Artocarpus altilis</i> (Parkinsonia) Fosb. [Moraceae]
bourbon orange	<i>Ochrosia elliptica</i> Labill. [Apocynaceae]
boxthorn	<i>Lycium europaeum</i> L. [Solanaceae]
Brazil cherry	see Grumichama
calamondin orange	<i>Citrofortunella mitis</i> (Blanco) J. Ingram and H. Moore [Rutaceae]
camito (star cherry)	<i>Chrysophyllum cainito</i> L. [Sapotaceae]
Cape gooseberry	<i>Physalis peruviana</i> L. [Solanaceae]
capsicum	<i>Capsicum annuum</i> L. var. <i>grossum</i> (L.) sendt [Solanaceae]
carambola (star fruit)	<i>Averrhoa carambola</i> L. [Oxalidaceae]
cashew apple	<i>Anacardium occidentale</i> L. [Anacardiaceae]
casimiroa (white sapote)	<i>Casimiroa edulis</i> LaLave and Lex. [Rutaceae]
cherimoya	<i>Annona cherimolia</i> Mill. [Annonaceae]
cherry	<i>Prunus avium</i> L. (sour cherry) [Rosaceae]
	<i>Prunus avium</i> L. (sweet cherry) [Rosaceae]
chilli	<i>Capsicum annuum</i> v <i>acuminatum</i> Fingerh. [Solanaceae] (chillies)
	<i>Capsicum annuum</i> v <i>cerasiforme</i> (Miller) Irish [Solanaceae] (cherry peppers)
	<i>Capsicum annuum</i> v <i>conoides</i> (Miller) Irish [Solanaceae] (tabasco)
citron	<i>Citrus medica</i> L. [Rutaceae]

## Schedule 8 (continued)

Common name	Scientific name and author
coffee berry	<i>Coffea arabica</i> [Rubiaceae] (Arabian coffee) <i>Coffea canephora</i> Pierre and Froehner [Rubiaceae] <i>Coffea excelsa</i> Chiov. [Rubiaceae] (excelsa coffee) <i>Coffea liberica</i> Hiern. [Rubiaceae] (Liberian coffee) <i>Coffea robusta</i> Linden [Rubiaceae] (robusta coffee)
custard apple	<i>Annona squamosa</i> L. x <i>A. cherimolia</i> Mill. [Annonaceae]
date	<i>Phoenix dactylifera</i> L. [Arecaceae]
eggplant	<i>Solanum melongena</i> L. [Solanaceae]
feijoa	<i>Acca sellowiana</i> (Berg.) Burret [Myrtaceae]
fig	<i>Ficus carica</i> L. [Moraceae]
granadilla	<i>Passiflora quadrangularis</i> L. [Passifloraceae]
grape	<i>Vitis labrusca</i> L. [Vitaceae] (Isabella grape) <i>Vitis vinifera</i> L. [Vitaceae] (wine grape)
grapefruit	<i>Citrus paradisi</i> Macf. [Rutaceae]
grumichama	<i>Eugenia braziliensis</i> Lam. [Myrtaceae]

## Schedule 8 (continued)

Common name	Scientific name and author
guava	<p><i>Psidium guajava</i> L. [Myrtaceae]</p> <p><i>P. littorale</i> Raddi syn =&gt; <i>p. cattleianum</i> Sabine [Myrtaceae] (strawberry guava)</p> <p><i>P. cattleianum</i> Sabine var. <i>lucidum</i> [Myrtaceae] (yellow cattley guava)</p> <p><i>P. cattleianum</i> Sabine var. <i>guineense</i> Sw. [Myrtaceae] (Brazillian guava)</p> <p><i>P. friedrichsthalianum</i> Nied. [Myrtaceae] (Costa Rican guava)</p>
hawthorne	<i>Crataegis</i> spp. [Rosaceae]
ironwood	<i>Sideroxylon inerme</i>
jaboticaba	<i>Myrciaria cauliflora</i> (DC.) Berg. [Myrtaceae]
jackfruit	<i>Artocarpus heterophyllus</i> Lam. [Moraceae]
jambu	<i>Syzygium cumini</i> (L.) Skeels [Myrtaceae]
Jerusalem cherry	<i>Solanum pseudocapsicum</i> L. [Solanaceae]
kei apple	<i>Dovyalis caffra</i> (Hook.f. and Harv.) Warb.
kiwifruit	<i>Actinidia deliciosa</i> (a. Chev.) Liang and Ferguson [Actinidiaceae]
kumquat	<i>Fortunella japonica</i> (Thumb.) Swing. ; * <i>F.margarita</i> (Lour.) Swing. [Rutaceae]
lemon	<i>Citrus limon</i> x <i>C. chinense</i> [Rutaceae]
lemon (Meyer)	<i>Citrus meyeri</i> Tanaka L [Rutaceae]
loganberry	<i>Rubus loganobaccus</i> L. H. Bailey [Rosaceae]
longan	<i>Euphoria longan</i> (Lour.) Stued. [Sapindaceae]

## Schedule 8 (continued)

Common name	Scientific name and author
loquat	<i>Eriobotrya japonica</i> (Thunb.) Lindley {Rosaceae}
Madagascar olive	<i>Noronihia emarginata</i> (Lam.) Thours ex Hook {Oleaceae}
mamey sapote	<i>Pouteria spanota</i> (jacq.) H.E. Moore and Stearn [Sapotaceae]
mandarin	<i>Citrus reticulata</i> Blanco [Rutaceae]
mango	<i>Mangifera indica</i> L. [Anacardiaceae]
mock orange	<i>Murraya paniculata</i> L. Jack [Rutaceae] M exotica
mombin	<i>Spondias</i> spp.
monstera	<i>Monstera deliciosa</i> Liebm. [Araceae]
mountain apple (Malay apple)	<i>Syzygium malaccensis</i> L. Merrill and L.M. Perry [Myrtaceae] Eugenia
mulberry	<i>Morus nigra</i> L. [Moraceae]
nashi	<i>Pyrus pyrifolia</i> var. <i>culta</i> (Mak.) Nakai or <i>P.</i> <i>betulaefolia</i> [Rosaceae]
natal plum	<i>Carissa macrocarpa</i> <i>Terminalia chebula</i>
nectarine	<i>Prunus persicae</i> var. <i>nectarina</i> (R.Br.) Maxim. [Rosaceae]
orange	<i>Citrus aurantium</i> L.; <i>C. sinensis</i> L, Osbeck [Rutaceae]
otaheite apple	<i>Spondias cytherea</i> Sonn. [Anacardiaceae]
peach	<i>Prunus persicae</i> L. Batsch [Rosaceae]
pear	<i>Pyrus communis</i> L. [Rosaceae]

## Schedule 8 (continued)

Common name	Scientific name and author
pepino	<i>Solanum muricatum</i> Aiton [Solanaceae]
persimmon	<i>Diospyros kaki</i> L.f. [Ebenaceae] (Japanese persimmon)
	<i>D.decandra</i> Lour. [Ebenaceae] (persimmon)
plum	<i>Prunus domestica</i> [Rosaceae] (prune)
	<i>Prunus insitita</i> L. [Rosaceae] (damson plum)
	<i>Prunus salicina</i> [Rosaceae] (Japanese plum)
pomegranate	<i>Punica granatum</i>
pond apple	<i>Annona glabra</i>
prickly pear	<i>Opuntia ficus indica</i> L. Miller [Cactaceae] or <i>Opuntia stricta</i> (Haw.) Haw
pummelo	<i>Citrus grandis</i> (L.) Osbeck [Rutaceae]
quince	<i>Cydonia oblonga</i> Miller [Rosaceae]
raspberry	<i>Rubus idaeus</i> L. [Rosaceae]
rollinia	<i>Rollinia deliciosa</i> Safford [Annonaceae]
rose apple	<i>Syzygium jambos</i> (L.) Alston [Myrtaceae]
santol	<i>Sandoricum indicum</i> Cav. [Meliaceae]
sapodilla	<i>Manilkara zapota</i> (L.) Van Royen [Sapotaceae]
soursop	<i>Annona muricata</i> L. [Annonaceae]
Spanish cherry	<i>Mimusops elengi</i> L. [Sapotaceae]
Surinam cherry	<i>Eugenia uniflora</i> L. [Myrtaceae]
sweetsop (sugar apple)	<i>Annona squamosa</i> L. [Annonaceae]
tamarillo	<i>Cyphomandra betacea</i> (Cao) Sendtner [Solanaceae]



## Schedule 8 (continued)

Common name	Scientific name and author
tangelo	<i>Citrus reticulata</i> x <i>C. paradisi</i> [Rutaceae]
tomato (pink and red type)	<i>Lycopersicon lycopersicum</i> (L.) Karst. ex Farw. [Solanaceae]
tree tomato	<i>Cyphomandra betacea</i> (Cav.) Sendtn. [Solanaceae]
tropical almond	<i>Terminalia catappa</i> L. [Combretaceae]
walnut	<i>Juglans regia</i> L. [Juglandaceae]
wax apple (rose apple)	<i>Eugenia jambos</i> L. [Myrtaceae] (L.) Alston
wax jambu	<i>Syzygium samarangense</i> (Blume) Merrill and L.M. Perrt [Myrtaceae]

**Part 2****Host plants requiring treatment unless harvested in a mature green condition**

Common name	Scientific name and author
avocado	<i>Persea americana</i> Mill. [Lauraceae]
babaco (ripe)	<i>Carica pentagona</i> Heilb [Caricaceae]
banana	<i>Musa</i> spp. [Musaceae]

## Schedule 8 (continued)

Common name	Scientific name and author
lime	<i>Citrus aurantiifolia</i> (Christm.) Swing. [Rutaceae] (West Indian lime)
	<i>C. latifolia</i> [Rutaceae] (Tahitian lime)
	<i>C. reticulata</i> var. <i>Austera</i> Lyb. [Rutaceae] (Rangpur lime)
papaya	<i>Carica papaya</i> L. [Caricaceae]

## Part 3

Host plants requiring treatment  
if skin broken and flesh  
exposed at harvest

Common name	Scientific name and author
durian	<i>Durio zibethinus</i> Murray [Bombacaceae]
lychee	<i>Litchi chinensis</i> Sonn. [Sapindaceae]
mangosteen	<i>Garcinia mangostana</i> L. [Clusiaceae]
passionfruit	<i>Passiflora edulis</i> f. <i>edulis</i> Sims [Passifloraceae] (purple passionfruit)
	<i>P. edulis</i> f. <i>flavicarpa</i> Sims [Passifloraceae] (yellow passionfruit)
pomegranate	<i>Punica granatum</i> L. [Punicaceae]
rambutan	<i>Nephelium lappaceum</i> L. [Sapindaceae]

## **Schedule 10      Pest quarantine areas for pests of sugarcane plants**

section 114

### **1      Far northern pest quarantine area**

The far northern pest quarantine area consists of the area of Queensland, north of latitude 13°45' south.<sup>25</sup>

### **2      Coen to Townsville pest quarantine area**

The Coen to Townsville pest quarantine area consists of the area of Queensland—

- (a) south of latitude 13°45' south; and
- (b) north of latitude 19°15' south.<sup>26</sup>

### **3      Townsville to Bowen-Collinsville pest quarantine area**

The Townsville to Bowen-Collinsville pest quarantine area is the area within the following boundary—

- from latitude 19°15' south where it intersects the border of Queensland and the Northern Territory to where latitude 19°15' south intersects the eastern boundary of the Great Barrier Reef Region;<sup>27</sup>
- then along the eastern boundary of the Great Barrier Reef Region to where it intersects latitude 19°53' south;
- to latitude 19°53' south, longitude 148°05' east;<sup>28</sup>
- to latitude 20°12' south, longitude 147°55' east;<sup>29</sup>

---

25 Latitude 13°45' south passes near Coen.

26 Latitude 19°15' south passes near Townsville.

27 Latitude 19°15' south passes near Townsville.

28 Latitude 19°53' south, longitude 148°05' east is in the vicinity of Abbot Point.

29 Latitude 20°12' south, longitude 147°55' east is in the vicinity of Mt Aberdeen.

**Schedule 10 (continued)**

- to latitude 20°33' south, longitude 147°51' east;<sup>30</sup>
- to where latitude 20°33' south intersects the border of Queensland and the Northern Territory;
- then along the border of Queensland and the Northern Territory to where it intersects latitude 19°15' south.

**4 Bowen-Collinsville to Rockhampton pest quarantine area**

The Bowen-Collinsville to Rockhampton pest quarantine area consists of the area of Queensland—

- (a) south of the southern boundary of the Townsville to Bowen-Collinsville pest quarantine area; and
- (b) north of latitude 23°27' south.<sup>31</sup>

**5 Rockhampton to Howard pest quarantine area**

The Rockhampton to Howard pest quarantine area consists of the area of Queensland—

- (a) south of latitude 23°27' south; and
- (b) north of latitude 25°18.7' south.<sup>32</sup>

**6 Howard to New South Wales border pest quarantine area**

The Howard to New South Wales border pest quarantine area—

- (a) consists of the area of Queensland south of latitude 25°18.7' south; but
- (b) does not include the Woodford special pest quarantine area.

---

30 Latitude 20°33' south, longitude 147°51' east is in the vicinity of Collinsville.

31 Latitude 23°27' south passes near Rockhampton.

32 Latitude 25°18.7' south passes near Howard.

## Schedule 10 (continued)

**7 Woodford special pest quarantine area**

The Woodford special pest quarantine area is the area within the following boundary—

- from latitude 26°50' south, longitude 152°53' east<sup>33</sup> to latitude 26°50' south, longitude 152°34' east;<sup>34</sup>
- to latitude 27°04' south, longitude 152°34' east;<sup>35</sup>
- to latitude 27°04' south, longitude 152°53' east;
- to latitude 26°50' south, longitude 152°53' east.

---

33 Latitude 26°50' south, longitude 152°53' east is in the vicinity of Peacheater.

34 Longitude 152°34' east passes near Kilcoy.

35 Latitude 27°04' south passes near Mount Mee.

**Schedule 11      Sugarcane plant pests**

section 113

leaf scald disease caused by *Xanthomonas albilineans*  
(Ashby) Dowson

ratoon stunting disease caused by *Leifsonia xyli* subsp. *xyli*  
(Davies *et al.*) Evtushenko

*Sugarcane Fiji disease virus*

*Sugarcane mosaic virus*

sugarcane striate mosaic associated virus (uncharacterised)

*Ustilago scitaminea* Syd. (abbreviated name—sugarcane  
smut)

## Schedule 12      Cape York Peninsula targeted pests

section 127, definition *targeted pest*

### Part 1                      Animals

#### Insects and mites

Common name	Scientific name and author
Bactrocera atrisetosa	<i>Bactrocera atrisetosa</i> (Perkins)
Bactrocera decipiens	<i>Bactrocera decipiens</i> (Drew)
Bactrocera kirki	<i>Bactrocera kirki</i> (Froggatt)
Bactrocera tau	<i>Bactrocera tau</i> (Walker)
Bactrocera trilineola	<i>Bactrocera trilineola</i> Drew
Bactrocera trivialis	<i>Bactrocera trivialis</i> (Drew)
Bactrocera xanthodes	<i>Bactrocera xanthodes</i> (Broun)
banana skipper	<i>Erionota thrax</i> (Linnaeus)
banana stem weevil	<i>Odoiporus longicollis</i> (Oliver)
Bezzi fruit fly	<i>Bactrocera occipitalis</i> (Bezzi)
breadfruit fruit fly	<i>Bactrocera umbrosa</i> (Fabricius)
Chinese fruit fly	<i>Bactrocera minax</i> (Enderlein)
citrus blackfly	<i>Aleurocanthus woglumi</i> Ashby
citrus fruit borer	<i>Citripestis sagitiferella</i> (Moore)
citrus gall wasp	<i>Bruchophagus muli</i> (Boucek and Brough)
citrus psylla or Asian citrus psylla	<i>Diaphorina citri</i> (Kuwayama)
Cook Islands fruit fly	<i>Bactrocera melanotus</i> (Coquillett)

## Schedule 12 (continued)

Common name	Scientific name and author
cut worm	<i>Agrotis interjectionis</i> (Guenée)
Fijian fruit fly	<i>Bactrocera passiflorae</i> (Froggatt)
guava fruit fly	<i>Bactrocera correcta</i> (Bezzi)
Indian fruit fly	<i>Bactrocera caryeae</i> (Kapoor)
Japanese citrus fruit fly	<i>Bactrocera tsuneonis</i> (Miyake)
mango leaf gall midge	<i>Procontarinia</i> spp.
mango leafhopper	<i>Idioscopus clypealis</i> (Lethierry)
mango leafhopper	<i>Idioscopus nitidulus</i> (= <i>niveosparsus</i> ) (Walker)
mango pulp weevil	<i>Sternochetus frigidus</i> (Fabricius)
melon fly	<i>Bactrocera cucurbitae</i> (Coquillett)
papaya fruit fly	<i>Bactrocera papayae</i> Drew and Hancock
peach fruit fly	<i>Bactrocera zonata</i> (Saunders)
Philippine fruit fly	<i>Bactrocera philippinensis</i> (Drew and Hancock)
planthoppers	<i>Perkinsiella</i> spp.
red banded mango caterpillar	<i>Deanolis sublimbalis</i> (Snellen)
red imported fire ant	<i>Solenopsis invicta</i> (Buren)
solanum fruit fly	<i>Bactrocera latifrons</i> (Hendel)
Sri Lankan fruit fly	<i>Bactrocera kandiensis</i> Drew and Hancock
stem borer	<i>Chilo</i> spp.
sugarcane borer	<i>Scirpophaga</i> spp.
sugarcane borer	<i>Sesamia</i> spp.
sugarcane borer	<i>Tetramoera schistanceana</i> (Snellen)
sugarcane leafhopper	<i>Eumetopina</i> spp.



## Schedule 12 (continued)

Common name	Scientific name and author
sugarcane leafhopper	<i>Pyrilla perpusilla</i> (Walker)
sugarcane planthopper	<i>Perkinsiella</i> spp.
sugarcane whitefly	<i>Aleurodicus barodensis</i> (Maskell)
sugarcane woolly aphid	<i>Ceratovacuna lanigera</i> Zehntner
Tongan fruit fly	<i>Bactrocera facialis</i> (Coquillett)

**Molluscs**

Common name	Scientific name and author
giant African snail	<i>Achatina fulica</i> Bowditch

## Part 2                      Pests associated with plant disease

**A Organisms****Bacteria**

“*Liberobacter asiatica*” Jagoueix et al

*Panotoea stewartii* subsp. *stewartii* (E.F. Smith) Mergaert et al.

“*Pseudomonas celebensis*” = banana blood disease bacterium (uncharacterised)

*Pseudomonas syzygii* I. Roberts et al.

*Ralstonia solanacearum* (E.F. Smith) Yabuuchi et al.

*Xanthomonas albilineans* (Ashby) Dowson

*Xanthomonas axonopodis* pv. *citri* (Hasse) Vauterin

## Schedule 12 (continued)

**Fungi**

*Claviceps sorghi* P. Kulkarni, Seshadri and Hedge

*Cryphonectria cubensis* (Bruner) Hodges

*Elsinoe fawcettii* Bitanc. and Jenkins

*Fusarium oxysporum* Schltdl. Fr. f. sp. *cubense* (E.F. Smith) W.C. Snyder and H.N. Hansen

*Hemileia vastatrix* Berk. and Broome

*Mycosphaerella fijiensis* M. Morelet (anamorph *Paracercospora fijiensis* (M. Morelet) Deighton)

*Peronosclerospora philippinensis* (W. Weston) C.G. Shaw

*Peronosclerospora sacchari* (T. Miyake) Shirai and K. Hara

*Peronosclerospora sorghi* (W. Weston and Uppal) C.G. Shaw

*Physopella ampelopsidis* (Dietel and P. Syd.) Cummins and Ramachar

*Puccinia psidii* G. Winter

*Stagonospora sacchari* T.T. Lo and Y. Ling

*Ustilago scitaminea* Syd.

**B Viruses and viroids**

*Banana bract mosaic virus*

*Banana bunchy top virus*

*Citrus tristeza virus*

*Coconut cadang-cadang viroid*

*Peanut stripe virus*

*Sorghum mosaic virus*

*Sugarcane Fiji disease virus*

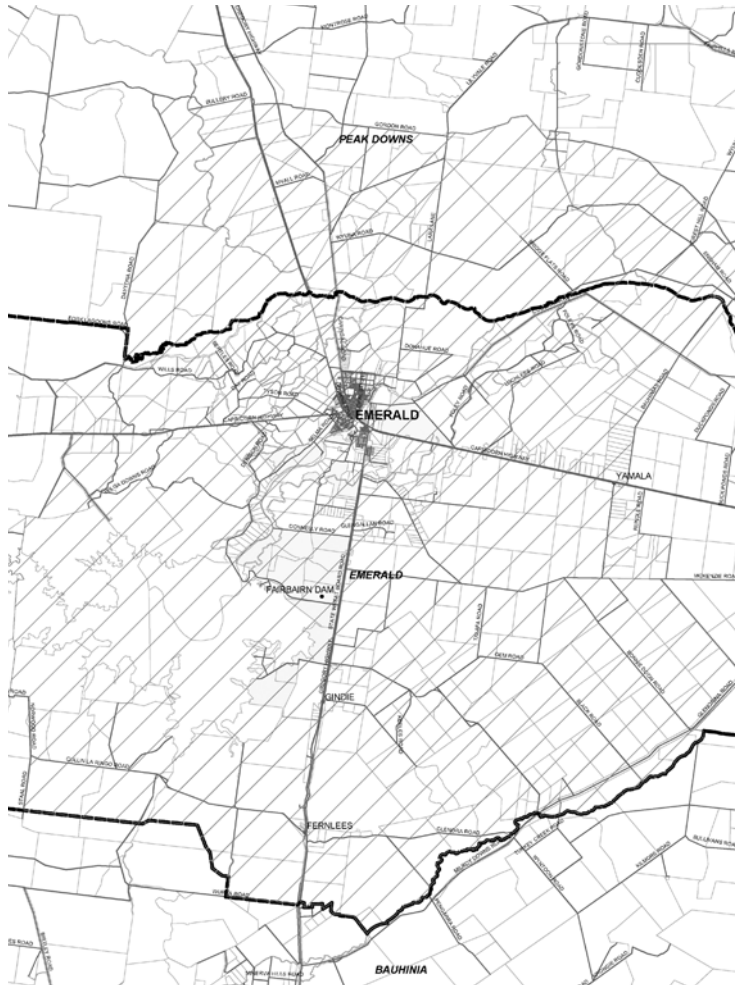
sugarcane Ramu stunt virus (uncharacterised)

*Sugarcane mosaic virus*

*Tomato leaf curl virus*

# Schedule 12B Pest quarantine area for canker

section 137



## Schedule 13 Dictionary

### section 3

*accredited business* see section 101.

*approved condition* see section 86.

*approved disposal site* see section 38.

*approved risk management plan* see section 38.

*approved way* means a way approved by the chief executive or an inspector.

*Asian sugarcane planthopper*, for chapter 3, part 12, see section 123.

*authorised person*—

- (a) for chapter 3, part 2—see section 38; or
- (b) for chapter 3, part 3—see section 65; or
- (c) for chapter 3, part 5—see section 75; or
- (d) for chapter 3, part 10—see section 101; or
- (e) for chapter 3, part 15—see section 136.

*banana leaf speckle pest* means the banana leaf speckle disease caused by *Mycosphaerella musae* (Speg.) Syd. and P. Syd.

*banana plant* see section 17.

*banana plant pest* see section 25.

*banana yellow Sigatoka pest* means the banana yellow Sigatoka disease caused by *Mycosphaerella musicola* J.L. Mulder (anamorph *Pseudocercospora musae* (Zim.) Deighton).

*business person* see section 52(1).

*canker*, for chapter 3, part 15, see section 136.

*Canker Notice*, for chapter 3, part 15, see section 136.

## Schedule 13 (continued)

***citrus plant*** means a plant of the family Rutaceae.<sup>36</sup>

***clarified juice*** see section 69.

***destroy***, for chapter 3, part 15, see section 136.

***DPI fire ant approved symbol*** see section 56(1).

***electric ant***, for chapter 3, part 16, see section 153.

***eligibility criteria provision***, for chapter 3, part 2, division 6, see section 64B.

***eligible person***, for chapter 3, part 2, division 6, see section 64D.

***far northern pest quarantine area***—

(a) for chapter 3, part 1—see schedule 3, section 1; and

(b) for chapter 3, part 11—see schedule 10, section 1.

***filtered juice*** see section 69.

***fire ant*** see section 38.

***fire ant declaration*** see section 50(2).

***fire blight area*** see section 65.

***fresh juice*** see section 69.

***fruit of a grape plant*** see section 69.

***grape plant*** see section 69.

***grape plant product*** see section 69.

***Great Barrier Reef Region*** means the Great Barrier Reef Region under the *Great Barrier Reef Marine Park Act 1975* (Cwlth).

***ground cover vegetation*** see section 17.

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36 Under the Act, schedule 2 (Dictionary)—

***plant*** means a member of the plant kingdom and includes the seed or seedling of or a part of a plant, whether living or dead and whether attached to a plant but does not include timber in service.

## Schedule 13 (continued)

**high risk item**—

- (a) for chapter 3, part 2—see section 38A; or
- (b) for chapter 3, part 16—see section 154.

**host plant**—

- (a) for chapter 3, part 7—see section 86; or
- (b) for chapter 3, part 15—see section 136.

**interstate department** means the department of another State that deals with matters relating to agriculture in the State.

**interstate inspector** means a person who holds a position, however called, equivalent to an inspector, in an interstate department.

**leaf scald disease** means a disease of sugarcane caused by *Xanthomonas albilineans* (Ashby) Dowson.

**local government area** means a part of Queensland established as a local government area under the *Local Government Act 1993*.

**mango plant** means a plant of the genus *Mangifera* spp.

**marc** see section 69.

**mill** see the *Sugar Industry Act 1999*, schedule.

**must**, for grapes, see section 69.

**native citrus plant**, for chapter 3, part 15, see section 136.

**new fire ant colony**, for chapter 3, part 2, division 6, see section 64E.

**nominated herbicide**, for chapter 3, part 15, see section 136.

**non-citrus plant**, for chapter 3, part 15, see section 136.

**northern buffer pest quarantine area** see schedule 3, section 2.

**northern pest quarantine area** see schedule 3, section 3.

**offence warning**, for a requirement under this regulation, means a warning that it is an offence for the person to whom

## Schedule 13 (continued)

the requirement is given, or of whom it is made, not to comply with it.

***other thing***, for chapter 3, part 15, see section 136.

***package*** includes a box, basket, case, container, crate, carton, cover or wrapper.

***pest banana plant*** see section 17.

***pest quarantine area***—

- (a) for chapter 3, part 1—see section 17; or
- (b) for chapter 3, part 2—see section 38; or
- (c) for chapter 3, part 3—see section 65; or
- (d) for chapter 3, part 4—see section 69; or
- (e) for chapter 3, part 5—see section 75; or
- (f) for chapter 3, part 6—see section 82; or
- (g) for chapter 3, part 7—see section 86; or
- (h) for chapter 3, part 8—see section 91; or
- (i) for chapter 3, part 9—see section 95; or
- (j) for chapter 3, part 10—see section 101; or
- (k) for chapter 3, part 11—see section 113; or
- (l) for chapter 3, part 12—see section 123; or
- (m) for chapter 3, part 13—see section 127; or
- (n) for chapter 3, part 15—see section 136; or
- (o) for chapter 3, part 16—see section 153.

***pest site*** see section 25.

***potato pest*** see section 95.

***potato pest area*** see section 95.

***potato plant*** means a plant of the species *Solanum tuberosum* L. (common name—potato).

***prescribed cereal crop plant*** means each of the following—

## Schedule 13 (continued)

- (a) a plant of the species *Secale cereale* (common name—rye);
- (b) a plant of the species *Triticum aestivum* (common name—wheat);
- (c) a plant that is a hybrid of a plant mentioned in paragraph (a) and a plant mentioned in paragraph (b) (*Triticum X Secale*).

**prescribed pest** means a pest mentioned in schedule 1.

**property**, for chapter 3, part 2, division 6, see section 64B.

**ratoon stunting disease** means a disease of sugarcane caused by *Leifsonia xyli* subsp. *xyli* (Davies *et al.*) Evtushenko.

**reasonably believes** means to believe on grounds that are reasonable in the circumstances.

**registered agricultural chemical product**, for chapter 3, part 15, see section 136.

**regulated fire blight host plant** see section 65.

**relevant business document**, for chapter 3, part 15, see section 136.

**relevant business movement**, for chapter 3, part 15, see section 136.

**relevant host plant**, for chapter 3, part 15, see section 136.

**restricted area**—

- (a) for chapter 3, part 2—see section 38; or
- (b) for chapter 3, part 16—see section 153.

**restricted item**—

- (a) for chapter 3, part 2—see section 38; and
- (b) for chapter 3, part 9—see section 95.

**reward amount**, for chapter 3, part 2, division 6, see section 64H(1).

**scheme**, for chapter 3, part 2, division 6, see section 64B.



## Schedule 13 (continued)

*scheme period*, for chapter 3, part 2, division 6, see section 64B.

*show cause period* see section 60(1)(e).

*soil*—

(a) for chapter 3, part 2—see section 38; or

(b) for chapter 3, part 16—see section 153.

*southern buffer pest quarantine area* see schedule 3, section 4.

*southern pest quarantine area* see schedule 3, section 6.

*special pest quarantine area* see schedule 3, section 5.

*stone fruit plant* means a plant of the species *Prunus* spp.

*strawberry plant* see section 101.

*strawberry plant pest* see section 101.

*strawberry runner certification scheme* see section 101.

*strawberry runner scheme certificate* see section 101.

*sugarcane Fiji disease* means a disease of sugarcane caused by *Sugarcane Fiji disease virus*.

*sugarcane mosaic disease* means a disease of sugarcane caused by *Sugarcane mosaic virus*.

*sugarcane plant* means a plant of the genus *Saccharum*.

*sugarcane plant pest* see section 113.

*sugarcane striate mosaic disease* means a disease of sugarcane caused by sugarcane striate mosaic associated virus (uncharacterised).

*targeted pest* see section 127.

*treat*, for chapter 3, part 2, see section 38.

*treatment certificate* see section 75.

## Schedule 13 (continued)

*treatment method A*, for chapter 3, part 1, see schedule 5, item 1.

*treatment method B*, for chapter 3, part 1, see schedule 5, item 2.

*treatment method C*, for chapter 3, part 1, see schedule 5, item 3.

*treatment method D*, for chapter 3, part 1, see schedule 5, item 4.

## **Attachment 2**

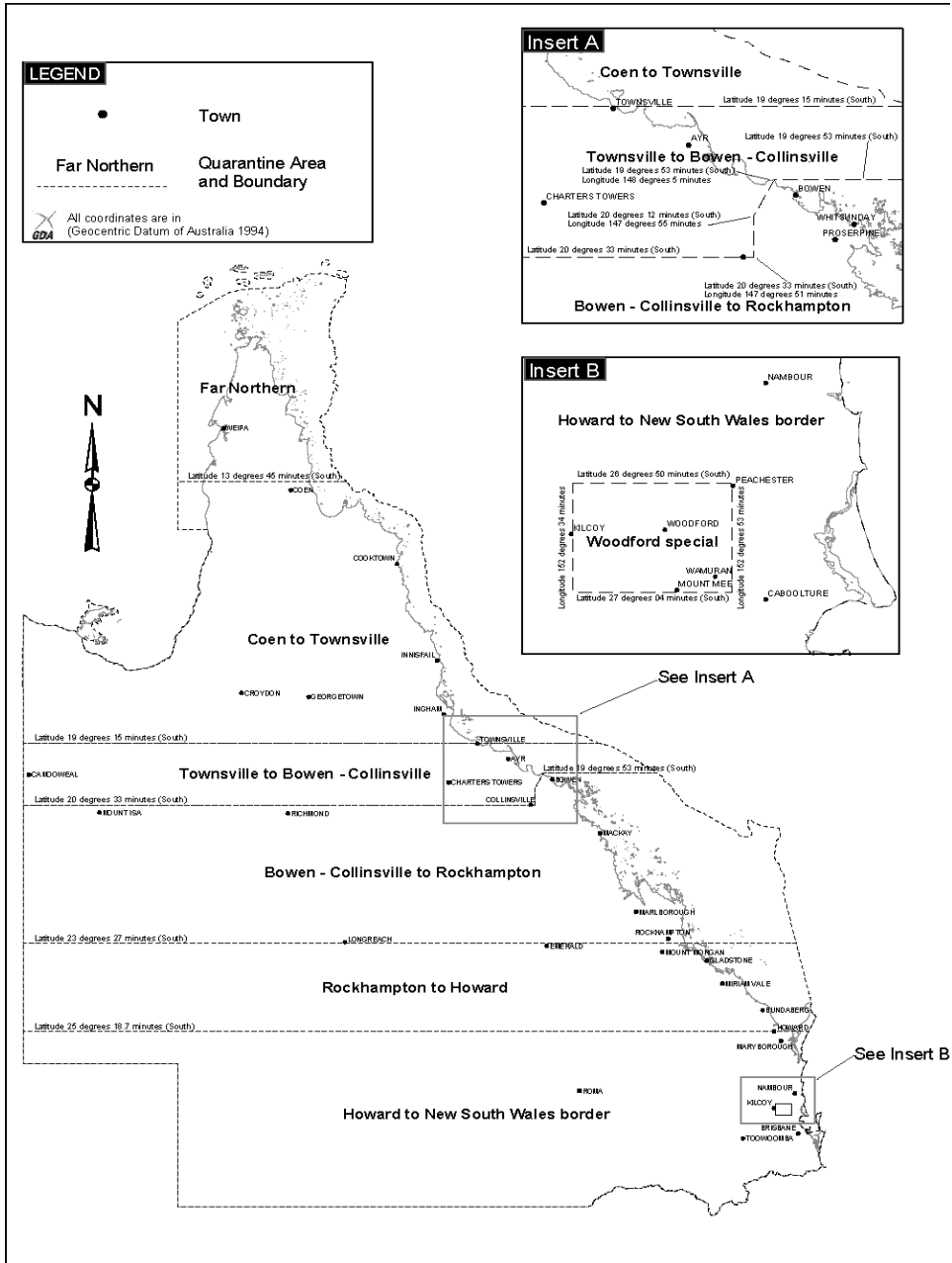
section 114(2) and (3)

The map shows—

- Far northern pest quarantine area
- Coen to Townsville pest quarantine area
- Townsville to Bowen-Collinsville pest quarantine area
- Bowen-Collinsville to Rockhampton pest quarantine area
- Rockhampton to Howard pest quarantine area
- Howard to New South Wales border pest quarantine area
- Woodford special pest quarantine area.

Attachment 2 (continued)

Map



## Endnotes

### 1 Index to endnotes

	Page
2	Date to which amendments incorporated. . . . . 155
3	Key . . . . . 155
4	Table of reprints . . . . . 156
5	List of legislation . . . . . 156
6	List of annotations . . . . . 158

### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 18 April 2008. Future amendments of the Plant Protection Regulation 2002 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
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 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	2002 SL No. 235	1 September 2002	
1A	2003 SL No. 22	21 February 2003	
1B	2003 SL No. 158	4 July 2003	
1C	2003 SL No. 211	12 September 2003	
1D	2003 SL No. 303	28 November 2003	
1E rv	2003 SL No. 366	19 December 2003	
1F rv	2004 SL No. 4	6 February 2004	
1G rv	2004 SL No. 45	7 May 2004	
1H rv	2004 SL No. 101	25 June 2004	
1I rv	2004 SL No. 204	1 October 2004	
1J rv	2004 SL No. 232	29 October 2004	
1K rv	2005 SL No. 87	13 May 2005	
1L rv	2005 SL No. 157	8 July 2005	R1L rv withdrawn, see R2 rv
2 rv	—	8 July 2005	Revision notice issued for R2 and R3
2A rv	2005 SL No. 332	16 December 2005	R2A rv withdrawn, see R3 rv
3 rv	—	16 December 2005	
3A rv	2006 SL No. 171	30 June 2006	
3B rv	2006 SL No. 179	7 July 2006	
3C rv	2006 SL No. 234	1 September 2006	
3D rv	2007 SL No. 19	2 March 2007	R3D rv withdrawn, see R4
4	—	2 March 2007	
4A	2007 SL No. 185	3 August 2007	
4B	2007 SL No. 258	26 October 2007	
4C	2008 SL No. 17	8 February 2008	
4D	2008 SL No. 38	15 March 2008	
4E	2008 SL No. 96	18 April 2008	

## 5 List of legislation

### **Plant Protection Regulation 2002 SL No. 205**

made by the Governor in Council on 22 August 2002

notfd gaz 23 August 2002 pp 1478–81

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2002 (see s 2)

exp 1 September 2012 (see SIA s 54)

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

amending legislation—

**Plant Protection Amendment Regulation (No. 3) 2002 SL No. 235**

notfd gaz 30 August 2002 pp 1557–61

commenced on date of notification

**Plant Protection Amendment Regulation (No. 1) 2003 SL No. 22**

notfd gaz 21 February 2003 pp 622–3

commenced on date of notification

**Plant Protection Amendment Regulation (No. 2) 2003 SL No. 158**

notfd gaz 4 July 2003 pp 844–5

commenced on date of notification

**Plant Protection Amendment Regulation (No. 3) 2003 SL No. 211**

notfd gaz 12 September 2003 pp 128–31

ss 1–2 commenced on date of notification

remaining provisions commenced 12 September 2003 (see s 2)

**Plant Protection Amendment Regulation (No. 4) 2003 SL No. 303**

notfd gaz 28 November 2003 pp 1032–5

commenced on date of notification

Note—A regulatory impact statement and explanatory note were prepared

**Plant Protection Amendment Regulation (No. 5) 2003 SL No. 366**

notfd gaz 19 December 2003 pp 1307–13

commenced on date of notification

**Plant Protection Amendment Regulation (No. 1) 2004 SL No. 4**

notfd gaz 6 February 2004 pp 417–8

commenced on date of notification

**Plant Protection Amendment Regulation (No. 2) 2004 SL No. 45**

notfd gaz 7 May 2004 pp 47–8

commenced on date of notification

**Plant Protection Amendment Regulation (No. 3) 2004 SL No. 101**

notfd gaz 25 June 2004 pp 573–81

commenced on date of notification

**Plant Protection Amendment Regulation (No. 4) 2004 SL No. 204**

notfd gaz 1 October 2004 pp 393–5

commenced on date of notification

**Plant Protection Amendment Regulation (No. 5) 2004 SL No. 232**

notfd gaz 29 October 2004 pp 734–7

commenced on date of notification

**Plant Protection Amendment Regulation (No. 1) 2005 SL No. 87**

notfd gaz 13 May 2005 pp 149–50

commenced on date of notification

**Plant Protection Amendment Regulation (No. 2) 2005 SL No. 157**

notfd gaz 8 July 2005 pp 837–8

commenced on date of notification

**Plant Protection Amendment Regulation (No. 3) 2005 SL No. 332**  
notfd gaz 16 December 2005 pp 1490–6  
commenced on date of notification

**Plant Protection Amendment Regulation (No. 1) 2006 SL No. 171**  
notfd gaz 30 June 2006 pp 1060–7  
commenced on date of notification

**Plant Protection Amendment Regulation (No. 2) 2006 SL No. 179**  
notfd gaz 7 July 2006 pp 1167–9  
commenced on date of notification

**Plant Protection Amendment Regulation (No. 3) 2006 SL No. 234**  
notfd gaz 1 September 2006 pp 83–4  
commenced on date of notification

**Plant Protection Amendment Regulation (No. 1) 2007 SL No. 19**  
notfd gaz 2 March 2007 pp 983–6  
commenced on date of notification

**Plant Protection Amendment Regulation (No. 2) 2007 SL No. 185**  
notfd gaz 3 August 2007 pp 1785–6  
commenced on date of notification

**Plant Protection Amendment Regulation (No. 3) 2007 SL No. 258**  
notfd gaz 26 October 2007 pp 1105–6  
commenced on date of notification

**Plant Protection Amendment Regulation (No. 1) 2008 SL No. 17**  
notfd gaz 8 February 2008 pp 588–9  
commenced on date of notification

**Primary Industries and Other Legislation Amendment Regulation (No. 1) 2008 SL No. 38 pts 1, 8**  
notfd gaz 29 February 2008 pp 1012–14  
ss 1–2 commenced on date of notification  
remaining provisions commenced 15 March 2008 (see s 2)

**Plant Protection Amendment Regulation (No. 2) 2008 SL No. 96**  
notfd gaz 18 April 2008 pp 2085–8  
commenced on date of notification

## **6 List of annotations**

### **CHAPTER 1—PRELIMINARY**

**ch hdg** (prev pt 1 hdg) sub 2006 SL No. 234 s 3

### **CHAPTER 2—GENERAL PROVISIONS**

**ch hdg** ins 2006 SL No. 234 s 4

### **PART 1—PRESCRIBED PESTS AND NOTIFIABLE PESTS**

**pt hdg** (prev pt 2 hdg) renum 2006 SL No. 234 s 5



**PART 2—AUTHORISED PERSONS**

**pt hdg** (prev pt 2A hdg) ins 2006 SL No. 179 s 3  
renum 2006 SL No. 234 s 5

**Declared class for appointment—Act, s 6D**

**s 6A** ins 2006 SL No. 179 s 3

**Labelling for introduction**

**s 8** amd 2003 SL No. 366 s 3

**PART 4—CORRESPONDING LAWS**

**pt hdg** sub 2006 SL No. 234 s 6

**Declaration of corresponding laws**

**s 12** sub 2006 SL No. 234 s 6

**Declaration of pest quarantine area**

**s 13** om 2006 SL No. 234 s 6

**Object of quarantine**

**s 14** om 2006 SL No. 234 s 6

**Bactrocera philippinensis and infested plant**

**s 15** om 2006 SL No. 234 s 6

**Restriction on introducing fruit**

**s 16** om 2006 SL No. 234 s 6

**CHAPTER 3—PEST QUARANTINE AREAS AND RELATED MATTERS**

**ch hdg** ins 2006 SL No. 234 s 7

**PART 1—BANANA PESTS**

**pt hdg** (prev pt 5 hdg) renum 2006 SL No. 234 s 10

**Definitions for pt 1**

**s 17 prov hdg** amd 2006 SL No. 234 s 2 sch

**Declaration of pest quarantine areas**

**s 18** sub 2008 SL No. 38 s 26

**Restriction on introducing banana plants**

**s 21** amd 2007 SL No. 258 s 3

**Banana yellow Sigatoka and leaf speckle**

**s 34** amd 2002 SL No. 235 s 3

**PART 2—FIRE ANTS**

**pt hdg** (prev pt 6 hdg) renum 2006 SL No. 234 s 10

**Definitions for pt 2**

**prov hdg** amd 2006 SL No. 234 s 2 sch

**s 38** def “**DPI fire ant approved symbol**” ins 2003 SL No. 366 s 4(2)  
def “**high risk item**” sub 2003 SL No. 366 s 4(1)–(2)  
def “**restricted item**” sub 2003 SL No. 366 s 4(1)–(2)  
def “**soil**” ins 2003 SL No. 366 s 4(2)  
def “**treat**” ins 2003 SL No. 366 s 4(2)

**Meaning of “high risk item”**

s 38A ins 2003 SL No. 366 s 5

**Definition for sdiv 2**

s 44 def “land” sub 2006 SL No. 234 s 8

**Obligation of land owner to allow surveillance**

s 45 amd 2003 SL No. 366 s 6

**Preventative treatment of land, plants and other things**

s 46 amd 2003 SL No. 366 s 7

**Restriction on who may treat fire ant and infested thing**

s 47A ins 2003 SL No. 366 s 8

**Treatment of infested land, plants and other things**

s 48 amd 2003 SL No. 366 s 9

**Declaration of restricted area**

s 49 amd 2003 SL No. 366 s 10

**Division 4—Pest control measures for restricted areas****Subdivision 2—Movement, treatment and other restrictions**

sdiv hdg amd 2003 SL No. 366 s 11

**Application of sdiv 2**

s 49A ins 2003 SL No. 366 s 12

**Owner must sign fire ant declaration when moving restricted item**

s 50 amd 2003 SL No. 366 s 13

**Restriction on moving infested thing**

s 51 amd 2003 SL No. 366 s 14

**Disturbing soil**

s 51A ins 2003 SL No. 366 s 15

**Treatment of high risk item by person carrying on commercial activity**

s 51B ins 2003 SL No. 366 s 15

**When person carrying on commercial activity must sign fire ant declaration**

s 51C ins 2003 SL No. 366 s 15

**Certifying high risk item**

s 53A ins 2003 SL No. 366 s 16

**Approval of risk management plan**

s 55 amd 2003 SL No. 366 s 17

**DPI fire ant approved symbol**

prov hdg amd 2003 SL No. 366 s 18(1)

s 56 amd 2003 SL No. 366 s 18(2)–(3)

**Division 6—Reward scheme under pest surveillance program for red imported fire ant**

div hdg ins 2008 SL No. 96 s 3

**Subdivision 1—Preliminary****sdiv 1 (ss 64A–64B)** ins 2008 SL No. 96 s 3**Subdivision 2—Provisions about reward scheme****sdiv 2 (ss 64C–64J)** ins 2008 SL No. 96 s 3**PART 3—FIRE BLIGHT****pt hdg** (prev pt 7 hdg) renum 2006 SL No. 234 s 10**Definitions for pt 3****s 65 prov hdg** amd 2006 SL No. 234 s 2 sch**PART 4—GRAPE PHYLLOXERA****pt hdg** (prev pt 8 hdg) renum 2006 SL No. 234 s 10**Definitions for pt 4****s 69 prov hdg** amd 2006 SL No. 234 s 2 sch**PART 5—MANGO LEAFHOPPER****pt hdg** (prev pt 9 hdg) renum 2006 SL No. 234 s 10**Definitions for pt 5****prov hdg** amd 2006 SL No. 234 s 2 sch**s 75** def “**pest quarantine area**” sub 2005 SL No. 332 s 3**Division 2—Pest quarantine areas and objects of quarantine****div hdg** sub 2005 SL No. 332 s 4**Declaration of pest quarantine areas****s 76** sub 2005 SL No. 332 s 4; 2008 SL No. 38 s 27**Objects of quarantine****s 77** sub 2005 SL No. 332 s 4**Restrictions on movement out of pest quarantine area****s 80** sub 2005 SL No. 332 s 5**Restrictions on movement within pest quarantine area****s 81** sub 2005 SL No. 332 s 5**PART 6—RED BANDED MANGO CATERPILLAR****pt hdg** (prev pt 10 hdg) renum 2006 SL No. 234 s 10  
amd 2007 SL No. 19 s 3**Definition for pt 6****s 82 prov hdg** amd 2006 SL No. 234 s 2 sch**PART 7—MEDITERRANEAN FRUIT FLY****pt hdg** (prev pt 11 hdg) renum 2006 SL No. 234 s 10**Definitions for pt 7****s 86 prov hdg** amd 2006 SL No. 234 s 2 sch**Restriction on introducing Mediterranean fruit fly host plant****s 90** amd 2007 SL No. 19 s 4**PART 8—PAPAYA RINGSPOT****pt hdg** (prev pt 12 hdg) renum 2006 SL No. 234 s 10

**Definition for pt 8**

**s 91 prov hdg** amd 2006 SL No. 234 s 2 sch

**PART 9—POTATO PESTS**

**pt hdg** (prev pt 13 hdg) renum 2006 SL No. 234 s 10

**Definitions for pt 9**

**s 95 prov hdg** amd 2006 SL No. 234 s 2 sch

**Introduction of restricted item**

**s 98** sub 2004 SL No. 4 s 3

**PART 10—STRAWBERRY PLANT PESTS**

**pt hdg** (prev pt 14 hdg) renum 2006 SL No. 234 s 10

**Definitions for pt 10**

**s 101 prov hdg** amd 2006 SL No. 234 s 2 sch

**PART 11—PESTS OF SUGARCANE**

**pt hdg** (prev pt 15 hdg) renum 2006 SL No. 234 s 10

**Division 1—Preliminary**

**div hdg** sub 2007 SL No. 185 ss 3, 5

**Definitions for div 1**

**prov hdg** om 2007 SL No. 185 s 3

**s 106** def “**bureau chief executive**” om 2003 SL No. 211 s 4(1)  
 def “**clearance certificate**” amd 2003 SL No. 211 s 4(2)  
 om 2007 SL No. 185 s 3  
 def “**infested leaf**” amd 2003 No. 303 s 3  
 om 2007 SL No. 185 s 3

**Subdivision 2—Pest quarantine area and objects of quarantine**

**sdiv hdg** om 2007 SL No. 185 s 3

**Declaration of pest quarantine area**

**s 107** om 2007 SL No. 185 s 3

**Objects of quarantine**

**s 108** sub 2006 SL No. 179 s 4  
 om 2007 SL No. 185 s 3

**Subdivision 3—Pest control measures in pest quarantine area**

**sdiv 3 (ss 109–112)** om 2007 SL No. 185 s 3

**Division 2—Pest quarantine areas and objects of quarantine**

**div hdg** sub 2007 SL No. 185 ss 4, 7

**Definitions for pt 11**

**prov hdg** amd 2007 SL No. 185 s 6(1)

**s 113** amd 2007 SL No. 185 s 6(2)  
 def “**sugarcane plant**” ins 2007 SL No. 185 s 6(3)  
 om 2008 SL No. 17 s 3

**Division 3—General pest control measures**

**div hdg** amd 2007 SL No. 185 s 8

**Restriction on moving sugarcane plant**

s 117 amd 2007 SL No. 185 s 9

**Restriction on planting and cultivating non-approved sugarcane variety**

s 118A ins 2003 SL No. 211 s 5

**Restriction on cultivating sugarcane plant infested with sugarcane plant pest other than sugarcane smut**

prov hdg amd 2007 SL No. 185 s 10(1)

s 121 amd 2007 SL No. 185 s 10(2)

**Restriction on moving sugarcane plant infested with sugarcane plant pest**

s 122 amd 2007 SL No. 185 s 11

**PART 12—ASIAN SUGARCANE PLANTHOPPER**

pt hdg prev pt 12 hdg (prev pt 16 hdg) renum 2006 SL No. 234 s 10

om 2007 SL No. 19 s 5

pres pt 12 hdg ins 2008 SL No. 17 s 4

**Definitions for pt 12**

s 123 prov hdg amd 2006 SL No. 234 s 2 sch

prev s 123 om 2007 SL No. 19 s 5

pres s 123 ins 2008 SL No. 17 s 4

**Declaration of pest quarantine area**

s 124 prev s 124 om 2007 SL No. 19 s 5

pres s 124 ins 2008 SL No. 17 s 4

**Objects of quarantine**

s 125 prev s 125 om 2007 SL No. 19 s 5

pres s 125 ins 2008 SL No. 17 s 4

**Restriction on moving Asian sugarcane planthopper**

s 126 prev s 126 om 2007 SL No. 19 s 5

pres s 126 ins 2008 SL No. 17 s 4

**Restriction on moving appliances**

s 126A ins 2008 SL No. 17 s 4

**Restriction on moving sugarcane plants**

s 126B ins 2008 SL No. 17 s 4

**PART 13—CAPE YORK PENINSULA TARGETED PESTS**

pt hdg (prev pt 17 hdg) renum 2006 SL No. 234 s 10

**Definitions for pt 13**

s 127 prov hdg amd 2006 SL No. 234 s 2 sch

**Objects of quarantine**

s 129 prov hdg amd 2004 SL No. 101 s 3

**PART 14—LETTUCE APHID**

pt hdg (prev pt 17A hdg) ins 2004 SL No. 101 s 4

renum 2006 SL No. 234 s 10

om 2007 SL No. 19 s 5

**Treatment of targeted pest or infested plant**

- prov hdg** amd 2006 SL No. 234 s 2 sch  
**s 132** orig s 132 exp 2 September 2002 (see s 133)  
 prev s 132 (orig s 131A) ins 2004 SL No. 101 s 4  
 amd 2006 SL No. 234 s 2 sch  
 renum 2006 SL No. 234 s 2 sch  
 om 2007 SL No. 19 s 5  
 pres s 132 ins 2007 SL No. 19 s 6

**Declaration of pest quarantine area**

- s 133** prev s 133 exp 2 September 2002 (see s 133)  
 pres s 133 (prev s 131B) ins 2004 SL No. 101 s 4  
 renum 2006 SL No. 234 s 2 sch  
 om 2007 SL No. 19 s 5

**Objects of quarantine**

- s 134** (prev s 131C) ins 2004 SL No. 101 s 4  
 renum 2006 SL No. 234 s 2 sch  
 om 2007 SL No. 19 s 5

**Restrictions on introduction**

- s 135** (prev s 131D) ins 2004 SL No. 101 s 4  
 renum 2006 SL No. 234 s 2 sch  
 om 2007 SL No. 19 s 5

**PART 15—CANKER**

- pt hdg** (prev pt 17B hdg) ins 2004 SL No. 204 s 3  
 renum 2006 SL No. 234 s 10

**Division 1—Definitions**

- div hdg** ins 2004 SL No. 204 s 3

**Definitions for pt 15**

- prov hdg** amd 2006 SL No. 234 s 2 sch  
**s 136** (prev s 131E) ins 2004 SL No. 204 s 3  
 renum 2006 SL No. 234 s 2 sch  
 def “**affected area**” om 2005 SL No. 157 s 3(1)  
 def “**affected area sign**” om 2005 SL No. 157 s 3(1)  
 def “**Agvet Code**” om 2005 SL No. 157 s 3(1)  
 def “**approved disinfectant**” om 2005 SL No. 157 s 3(1)  
 def “**authorised person**” sub 2004 SL No. 232 s 3  
 def “**canker**” amd 2005 SL No. 87 s 3(2)  
 def “**canker bacterium**” ins 2005 SL No. 87 s 3(1)  
 def “**canker direction**” om 2007 SL No. 19 s 7  
 def “**consumption movement**” ins 2005 SL No. 157 s 3(2)  
 om 2007 SL No. 19 s 7  
 def “**destroy**” ins 2005 SL No. 157 s 3(2)  
 def “**export movement**” ins 2005 SL No. 157 s 3(2)  
 om 2007 SL No. 19 s 7  
 def “**interstate produce number**” om 2007 SL No. 19 s 7  
 def “**native citrus plant**” ins 2005 SL No. 157 s 3(2)  
 def “**nominated herbicide**” ins 2005 SL No. 157 s 3(2)

- def “**non-citrus plant**” ins 2005 SL No. 157 s 3(2)  
 def “**non-quarantined area**” om 2007 SL No. 19 s 7  
 def “**pest quarantine area**” amd 2006 SL No. 234 s 2 sch  
 def “**prescribed conditions**” om 2007 SL No. 19 s 7  
 def “**prescribed matters**” om 2007 SL No. 19 s 7  
 def “**prescribed way**”, for inspecting kaffir lime leaves to be used for culinary purposes, amd 2006 SL No. 171 s 3  
     for each occurrence, om 2007 SL No. 19 s 7  
 def “**relevant host plant**” ins 2005 SL No. 157 s 3(2)  
     amd 2006 SL No. 234 s 2 sch  
 def “**treatment method A**” om 2007 SL No. 19 s 7  
 def “**treatment method A product**” om 2007 SL No. 19 s 7  
 def “**treatment method B**” om 2007 SL No. 19 s 7  
 def “**treatment method C**” om 2007 SL No. 19 s 7  
 def “**treatment method D**” om 2007 SL No. 19 s 7  
 def “**treatment method D product**” om 2007 SL No. 19 s 7  
 def “**treatment method E**” om 2007 SL No. 19 s 7

**Division 2—Pest quarantine area and objects of quarantine**

**div hdg** ins 2004 SL No. 204 s 3

**Declaration of pest quarantine area**

**s 137** (prev s 131F) ins 2004 SL No. 204 s 3  
 renum 2006 SL No. 234 s 2 sch

**Objects of quarantine**

**s 138** (prev s 131G) ins 2004 SL No. 204 s 3  
 renum 2006 SL No. 234 s 2 sch  
 amd 2007 SL No. 19 s 8

**Division 3—Restrictions and obligations relating to movement**

**div hdg** ins 2004 SL No. 204 s 3

**Subdivision 1—Restrictions on movement**

**sdiv hdg** ins 2004 SL No. 204 s 3

**Restrictions on movement into, within or out of pest quarantine area**

**s 139** (prev s 131H) ins 2004 SL No. 204 s 3  
 amd 2005 SL No. 157 s 4  
 renum 2006 SL No. 234 s 2 sch  
 amd 2007 SL No. 19 s 9

**Restrictions on movement within non-quarantined area or to particular land**

**s 140** (prev s 131I) ins 2004 SL No. 204 s 3  
 renum 2006 SL No. 234 s 2 sch  
 om 2007 SL No. 19 s 10

**Restrictions on movement into Queensland**

**s 141** (prev s 131J) ins 2004 SL No. 204 s 3  
 renum 2006 SL No. 234 s 2 sch  
 om 2007 SL No. 19 s 10

**Subdivision 2—Obligation to keep particular documents relating to movement of host plants****sdiv hdg** ins 2004 SL No. 204 s 3**Obligation to keep relevant business document—movements within Queensland****s 142** (prev s 131K) ins 2004 SL No. 204 s 3  
amd 2004 SL No. 232 s 4  
renum 2006 SL No. 234 s 2 sch**Obligation to keep relevant business document—movements into Queensland****s 143** (prev s 131L) ins 2004 SL No. 204 s 3  
amd 2004 SL No. 232 s 5  
renum 2006 SL No. 234 s 2 sch**Division 4—Obligations and requirements about removing infestation and creating buffer zone****div hdg** ins 2004 SL No. 204 s 3  
sub 2005 SL No. 157 s 5**Purpose of div 4****s 144** (prev s 131M) ins 2004 SL No. 204 s 3  
amd 2004 SL No. 232 s 6  
sub 2005 SL No. 157 s 5  
amd 2006 SL No. 234 s 2 sch  
renum 2006 SL No. 234 s 2 sch**Destruction of particular host plants****s 145** (prev s 131N) ins 2004 SL No. 204 s 3  
sub 2005 SL No. 157 s 5  
renum 2006 SL No. 234 s 2 sch**Requirement to treat appliances or other things****s 146** (prev s 131O) ins 2004 SL No. 204 s 3  
sub 2005 SL No. 157 s 5  
renum 2006 SL No. 234 s 2 sch**Restriction on planting particular plants****s 147** (prev s 131P) ins 2004 SL No. 204 s 3  
sub 2005 SL No. 157 s 5  
renum 2006 SL No. 234 s 2 sch  
amd 2007 SL No. 19 s 11**Requirement to destroy regrowth of relevant host plants****s 148** (prev s 131Q) ins 2004 SL No. 204 s 3  
sub 2005 SL No. 157 s 5  
amd 2006 SL No. 234 s 2 sch  
renum 2006 SL No. 234 s 2 sch**Restriction on possessing relevant host plants****s 149** (prev s 131R) ins 2004 SL No. 204 s 3  
sub 2005 SL No. 157 s 5  
renum 2006 SL No. 234 s 2 sch  
amd 2007 SL No. 19 s 12



**Division 5—Requirements and obligations for host plants in affected area**

**div hdg** ins 2004 SL No. 204 s 3  
om 2005 SL No. 157 s 5

**Obligation of land owner to erect or allow erection of particular sign on land**

**s 150** (prev s 131S) ins 2004 SL No. 204 s 3  
sub 2005 SL No. 157 s 5  
amd 2006 SL No. 234 s 2 sch  
renum 2006 SL No. 234 s 2 sch

**Prohibition on interfering with particular signs**

**s 151** (prev s 131T) ins 2004 SL No. 204 s 3  
sub 2005 SL No. 157 s 5  
amd 2006 SL No. 234 s 2 sch  
renum 2006 SL No. 234 s 2 sch

**Obligation of land owner to allow surveillance**

**s 152** (prev s 131U) ins 2004 SL No. 204 s 3  
sub 2005 SL No. 157 s 5  
amd 2006 SL No. 234 s 9  
renum 2006 SL No. 234 s 2 sch

**Requirement to treat appliances or other things in affected area**

**s 131V** ins 2004 SL No. 204 s 3  
om 2005 SL No. 157 s 5

**Division 6—Requirement for host plants near an affected area**

**div hdg** ins 2004 SL No. 204 s 3  
om 2005 SL No. 157 s 5

**Requirement to treat host plants within 500m of affected area**

**s 131W** ins 2004 SL No. 204 s 3  
om 2005 SL No. 157 s 5

**Division 7—Requirements for host plants in Selma Road area**

**div 7 (ss 131X–131ZA)** ins 2005 SL No. 87 s 4  
om 2005 SL No. 157 s 5

**PART 16—ELECTRIC ANT**

**pt hdg** ins 2006 SL No. 234 s 14

**Division 1—Preliminary**

**div 1 (ss 153–154)** ins 2006 SL No. 234 s 14

**Division 2—Pest quarantine area and objects of quarantine**

**div hdg** ins 2006 SL No. 234 s 14

**Declaration of pest quarantine area**

**s 155** ins 2006 SL No. 234 s 14  
amd 2008 SL No. 38 s 28

**Objects of quarantine**

**s 156** ins 2006 SL No. 234 s 14

**Division 3—Pest control measures for pest quarantine area**

**div hdg** ins 2006 SL No. 234 s 14

**Subdivision 1—Restrictions on movement****sdiv 1 (s 157)** ins 2006 SL No. 234 s 14**Subdivision 2—Other obligations of land owners****sdiv 2 (ss 158–161)** ins 2006 SL No. 234 s 14**Division 4—Restricted areas****div hdg** ins 2006 SL No. 234 s 14**Subdivision 1—Declaration****sdiv hdg** ins 2006 SL No. 234 s 14**Declaration of restricted area****s 162** ins 2006 SL No. 234 s 14  
amd 2008 SL No. 38 s 29**Subdivision 2—Pest control measures for restricted areas****sdiv 2 (ss 163–164)** ins 2006 SL No. 234 s 14**PART 17—MANGO LEAF GALL MIDGE****pt 17 (ss 165–168)** ins 2007 SL No. 19 s 14  
om 2007 SL No. 258 s 4**CHAPTER 4—TRANSITIONAL PROVISION FOR PLANT PROTECTION  
AMENDMENT REGULATION (No. 5) 2003****ch hdg** ins 2006 SL No. 234 s 11  
sub 2007 SL No. 19 s 15**PART 1—TRANSITIONAL PROVISION FOR PLANT PROTECTION  
AMENDMENT REGULATION (No. 5) 2003****pt hdg** (prev pt 18 hdg) ins 2003 SL No. 366 s 19  
renum 2006 SL No. 234 s 12  
om 2007 SL No. 19 s 15**Notification of new restrictions for restricted area****s 169** (prev s 165 (orig s 132)) ins 2003 SL No. 367 s 22(2)  
renum 2006 SL No. 234 s 13; 2007 SL No. 19 s 13**PART 18—REPEAL****pt hdg** exp 2 September 2002 (see s 133)**SCHEDULE 1—PRESCRIBED PESTS**amd 2003 SL No. 22 s 3; 2003 SL No. 158 s 3; 2004 SL No. 45 s 3; 2004 SL  
No. 204 s 4; 2006 SL No. 171 s 4; 2006 SL No. 234 s 15; 2007 SL No. 19 s  
16**SCHEDULE 2—NOTIFIABLE PESTS**

amd 2004 SL No. 204 s 5; 2006 SL No. 234 s 16; 2007 SL No. 19 s 17

**SCHEDULE 3—PEST QUARANTINE AREAS FOR PESTS OF BANANA  
PLANTS**

sub 2008 SL No. 38 s 30

**SCHEDULE 7A—PEST QUARANTINE AREAS FOR MANGO LEAFHOPPER**

ins 2008 SL No. 38 s 31

**SCHEDULE 9—HOST PLANTS FOR SUGARCANE SMUT**

om 2007 SL No. 185 s 12

**SCHEDULE 11—SUGARCANE PLANT PESTS**

amd 2007 SL No. 185 s 13

**SCHEDULE 12—CAPE YORK PENINSULA TARGETED PESTS**

amd 2005 SL No. 332 s 6; 2007 SL No. 19 s 18; 2007 SL No. 258 s 5

**SCHEDULE 12A—LETTUCE APHID HOST PLANTS****sch hdg** amd 2006 SL No. 234 s 1 sch

om 2007 SL No. 19 s 19

**sch 12A** ins 2004 SL No. 101 s 5

om 2007 SL No. 19 s 19

**SCHEDULE 12B —PEST QUARANTINE AREA FOR CANKER****sch hdg** amd 2006 SL No. 234 s 1 sch**sch 12B** ins 2004 SL No. 204 s 6**SCHEDULE 13—DICTIONARY**def “**affected area**” ins 2004 SL No. 204 s 7(2)

om 2005 SL No. 157 s 6(1)

def “**affected area sign**” ins 2004 SL No. 204 s 7(2)

om 2005 SL No. 157 s 6(1)

def “**Agvet Code**” ins 2004 SL No. 204 s 7(2)

om 2005 SL No. 157 s 6(1)

def “**approved disinfectant**” ins 2004 SL No. 204 s 7(2)

om 2005 SL No. 157 s 6(1)

def “**approved person**” om 2006 SL No. 234 s 2 schdef “**authorised person**” amd 2004 SL No. 204 s 7(3)

sub 2006 SL No. 234 s 2 sch

def “**Asian sugarcane planthopper**” ins 2008 SL No. 17 s 5(2)def “**canker**” ins 2004 SL No. 204 s 7(2)

amd 2006 SL No. 234 s 2 sch

def “**canker direction**” ins 2004 SL No. 204 s 7(2)

amd 2006 SL No. 234 s 2 sch

om 2007 SL No. 19 s 20(1)

def “**Canker Notice**” ins 2004 SL No. 204 s 7(2)

amd 2006 SL No. 234 s 2 sch

def “**citrus plant**” ins 2004 SL No. 204 s 7(2)def “**clearance certificate**” om 2007 SL No. 185 s 14(1)def “**consumption movement**” ins 2005 SL No. 157 s 6(2)

amd 2006 SL No. 234 s 2 sch

om 2007 SL No. 19 s 20(1)

def “**destroy**” ins 2005 SL No. 157 s 6(2)

amd 2006 SL No. 234 s 2 sch

def “**DPI fire ant approved symbol**” ins 2003 SL No. 366 s 20(2)def “**electric ant**” ins 2006 SL No. 234 s 2 schdef “**eligibility criteria provision**” ins 2008 SL No. 96 s 4def “**eligible person**” ins 2008 SL No. 96 s 4

- def **“export movement”** ins 2005 SL No. 157 s 6(2)  
 amd 2006 SL No. 234 s 2 sch  
 om 2007 SL No. 19 s 20(1)
- def **“far northern pest quarantine area”** amd 2006 SL No. 234 s 2 sch
- def **“high risk item”** sub 2003 SL No. 366 s 20(1)–(2); 2006 SL No. 234 s 2 sch
- def **“host plant”** amd 2004 SL No. 101 s 6(1); 2004 SL No. 204 s 7(4)  
 sub 2006 SL No. 234 s 2 sch  
 amd 2007 SL No. 19 s 20(3)–(4); 2007 SL No. 185 s 14(2)
- def **“interstate inspector”** sub 2007 SL No. 19 s 20(1)–(2)
- def **“interstate produce number”** ins 2004 SL No. 204 s 7(2)  
 om 2007 SL No. 19 s 20(1)
- def **“mango leaf gall midge”** ins 2007 SL No. 19 s 20(2)  
 om 2007 SL No. 258 s 6(1)
- def **“mill”** sub 2005 SL No. 332 s 7
- def **“native citrus plant”** ins 2005 SL No. 157 s 6(2)  
 amd 2006 SL No. 234 s 2 sch
- def **“new fire ant colony”** ins 2008 SL No. 96 s 4
- def **“nominated herbicide”** ins 2005 SL No. 157 s 6(2)  
 amd 2006 SL No. 234 s 2 sch
- def **“non-citrus plant”** ins 2005 SL No. 157 s 6(2)  
 amd 2006 SL No. 234 s 2 sch
- def **“non-quarantined area”** ins 2004 SL No. 204 s 7(2)  
 amd 2006 SL No. 234 s 2 sch  
 om 2007 SL No. 19 s 20(1)
- def **“offence warning”** amd 2004 SL No. 204 s 7(5)
- def **“Ord Irrigation District”** om 2007 SL No. 185 s 14(1)
- def **“other thing”** ins 2004 SL No. 204 s 7(2)  
 amd 2006 SL No. 234 s 2 sch
- def **“package”** ins 2003 SL No. 366 s 20(2)
- def **“pest quarantine area”** ins 2004 SL No. 101 s 6(2)  
 amd 2004 SL No. 204 s 7(6)  
 sub 2006 SL No. 234 s 2 sch  
 amd 2007 SL No. 19 s 20(5)–(7); 2007 SL No. 185 s 14(3); 2007 SL No. 258 s 6(2)–(3); 2008 SL No. 17 s 5(3)–(4)
- def **“potato plant”** ins 2004 SL No. 204 s 7(2)
- def **“prescribed cereal crop plant”** ins 2004 SL No. 204 s 7(2)
- def **“prescribed conditions”** ins 2004 SL No. 204 s 7(2)  
 amd 2006 SL No. 234 s 2 sch  
 om 2007 SL No. 19 s 20(1)
- def **“prescribed matters”** ins 2004 SL No. 204 s 7(2)  
 amd 2006 SL No. 234 s 2 sch  
 om 2007 SL No. 19 s 20(1)
- def **“prescribed way”** ins 2004 SL No. 204 s 7(2)  
 amd 2006 SL No. 234 s 2 sch  
 om 2007 SL No. 19 s 20(1)
- def **“property”** ins 2008 SL No. 96 s 4
- def **“registered agricultural chemical product”** ins 2004 SL No. 204 s 7(2)  
 amd 2006 SL No. 234 s 2 sch

- def **“relevant business document”** ins 2004 SL No. 204 s 7(2)  
amd 2006 SL No. 234 s 2 sch
- def **“relevant business movement”** ins 2004 SL No. 204 s 7(2)  
amd 2006 SL No. 234 s 2 sch
- def **“relevant host plant”** ins 2005 SL No. 157 s 6(2)  
amd 2006 SL No. 234 s 2 sch
- def **“restricted area”** sub 2006 SL No. 234 s 2 sch
- def **“restricted item”** amd 2006 SL No. 234 s 2 sch
- def **“reward amount”** ins 2008 SL No. 96 s 4
- def **“scheme”** ins 2008 SL No. 96 s 4
- def **“scheme period”** ins 2008 SL No. 96 s 4
- def **“soil”** ins 2003 SL No. 366 s 20(2)  
sub 2006 SL No. 234 s 2 sch
- def **“stone fruit plant”** ins 2004 SL No. 204 s 7(2)
- def **“sugarcane plant”** amd 2007 SL No. 185 s 14(4)  
sub 2008 SL No. 17 s 5 (1)–(2)
- def **“treat”** ins 2003 SL No. 366 s 20(2)  
amd 2006 SL No. 234 s 2 sch
- def **“treatment method A”** sub 2004 SL No. 204 s 7(1)–(2)  
amd 2006 SL No. 234 s 2 sch  
sub 2007 SL No. 19 s 20(1)–(2)
- def **“treatment method A product”** ins 2004 SL No. 204 s 7(2)  
amd 2006 SL No. 234 s 2 sch  
om 2007 SL No. 19 s 20(1)
- def **“treatment method B”** sub 2004 SL No. 204 s 7(1)–(2)  
amd 2006 SL No. 234 s 2 sch  
sub 2007 SL No. 19 s 20(1)–(2)
- def **“treatment method C”** sub 2004 SL No. 204 s 7(1)–(2)  
amd 2006 SL No. 234 s 2 sch  
sub 2007 SL No. 19 s 20(1)–(2)
- def **“treatment method D”** sub 2004 SL No. 204 s 7(1)–(2)  
amd 2006 SL No. 234 s 2 sch  
sub 2007 SL No. 19 s 20(1)–(2)
- def **“treatment method D product”** ins 2004 SL No. 204 s 7(2)  
amd 2006 SL No. 234 s 2 sch  
om 2007 SL No. 19 s 20(1)
- def **“treatment method E”** ins 2004 SL No. 204 s 7(2)  
amd 2006 SL No. 234 s 2 sch  
om 2007 SL No. 19 s 20(1)

**ATTACHMENT 1**

om 2008 SL No. 38 s 32