

# **Agricultural Chemicals Distribution Control Amendment Regulation (No. 1) 2013**

Explanatory Notes for SL 2013 No. 232

made under the

*Agricultural Chemicals Distribution Control Act 1966*

## **General Outline**

### **Short title**

*Agricultural Chemicals Distribution Control Amendment Regulation (No. 1) 2013*

### **Authorising law**

Sections 8, 12, 15, 16, 16A, 16B, 17, 18, 19, 19B, 20, 21, 22, 31, 32, 33, 44A, 45 and 48 of the *Agricultural Chemicals Distribution Control Act 1966* (the Act).

### **Policy objectives and the reasons for them**

The objective of the amendment Regulation is to provide continuity for the licensing of persons in the aerial and ground distribution of agricultural chemicals following the abolition of the redundant Agricultural Chemicals Distribution Control Board (ACDC Board).

The amendment Regulation also seeks consistency with pest management legislation in terms of the qualifications that may be held to enable a person to be considered to hold a commercial operator's licence under the Act.

### **Achievement of policy objectives**

The amendment Regulation achieves the policy objectives in that it provides for the transfer of powers from the ACDC Board to the chief executive of the Department of Agriculture, Fisheries and Forestry (DAFF) consistent with the transfer of powers to the chief executive under the Act which occurred through the *Agriculture and Forestry Legislation Amendment Act 2013*.

The amendment Regulation also aligns the relevant pest management qualifications required to be obtained by a pest management technician to be considered to hold a commercial

operator's licence under the Act, with those currently prescribed in the *Pest Management Regulation 2003*.

## **Consistency with policy objectives of authorising law**

The amendment Regulation is consistent with the Act which is designed to control the distribution of agricultural chemicals from aircraft and ground equipment.

## **Inconsistency with policy objectives of other legislation**

The amendment Regulation is consistent with other legislation particularly the *Pest Management Act 2001* and *Pest Management Regulation 2003*.

## **Benefits and costs of implementation**

There are no additional costs to Government nor the community in the implementation of this legislation. The Government will make savings as administrative powers will be exercised by delegated officers within DAFF rather than by the former ACDC Board.

## **Consistency with fundamental legislative principles**

The amendment Regulation is consistent with fundamental legislative principles.

## **Consultation**

The Department of Health, Environmental Health Regulation and Standards was consulted and supports the amendments.

The Office of Best Practice Regulation (OBPR) within the Queensland Competition Authority was consulted with regard to regulatory impact statement (RIS) requirements. The OBPR advised that the proposed regulatory amendments are excluded from the RIS system.