

1992

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

THE PESTICIDES (AMENDMENT) BILL 1992

EXPLANATORY MEMORANDUM

Circulated by authority of

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Minister for the Environment, Land and Planning

THE PESTICIDES (AMENDMENT) BILL 1992

OUTLINE

The Pesticides (Amendment) Bill 1992 will amend the Pesticides Act 1989 (the Act). The Act creates the statutory position of Registrar of Pesticides; specifies a procedure for the registration of pesticides and provides that the Registrar may make a public notice in respect to the use, supply, transportation or storage of a pesticide. Where the Registrar makes a notice the Registrar is required to publish that notice in the Gazette and in a daily newspaper on at least three occasions during a period of two consecutive weeks.

The Act provides that the notice by the Registrar is to specify in respect of a pesticide each distinguishing name under which the pesticide has been registered and supplied. The publication of such a notice in relation to the storage or use of a pesticide is costly and administratively burdensome.

The amendment to the Act proposed by the Bill will simplify this onerous notification process and will be less costly while not reducing the effectiveness of the notification process.

FINANCIAL CONSIDERATION

The effect of the amendments will provide an estimated saving of \$40, 000 in a full financial year.

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Formal Clauses

Clauses 1 and 2 are formal clauses that specify the short title of the bill and define the Principal Act.

Clause 3 amends section 45 of the Act. Section 45 specifies that the Registrar when making a notice about dealing with a pesticide is to publish the notice in the Gazette and in a daily newspaper on at least three occasions during a period of two consecutive weeks. The proposed amendment to section 45 will omit the requirement to publish the notice on at least three occasions and will specify that the Registrar will be required to publish such a notice in the Gazette and in a daily newspaper published and circulating in the Territory.

Clause 4 will insert a new subsection in section 47 of the Act. Section 47 specifies, inter alia, that a notice published by the Registrar under section 45 of the Act shall specify each distinguishing name of the relevant pesticide under which that pesticide is supplied and has been registered. Proposed new subsection 47 (1A) will specify that the obligation imposed on the Registrar by subsection 47 (1) will be satisfied if the Registrar specifies in the notice the class of pesticide instead of each distinguishing name of the relevant pesticide or pesticides and includes in the notice a statement indicating where and when particulars of the pesticide or pesticides may be inspected. New subsection 47 (1B) will impose a requirement on the Registrar to make the particulars of the relevant pesticide available for inspection by the public.