

c2022-014D
AJP--Animal Justice Party

LEGISLATIVE COUNCIL

Environment Legislation Amendment Bill 2021

First print

Proposed amendments

No. 1 **Prohibition on sale, supply, use or possession of particular restricted pesticides**
Page 14, Schedule 3. Insert after line 8—

[1A] Part 2, Division 4

Insert after section 17—

Division 4 Offences relating to particular restricted pesticides

17A Possession or use of 1080 pesticides

A person must not possess or use a chemical product containing sodium monofluoroacetate (also known as 1080).

Maximum penalty—

- (a) for a corporation—\$550,000, or
- (b) for an individual—\$110,000 or imprisonment for 2 years, or both.

17B Sale or supply of 1080 pesticides

A person must not sell or supply a chemical product containing sodium monofluoroacetate (also known as 1080) to another person.

Maximum penalty—

- (a) for a corporation—\$550,000, or
- (b) for an individual—\$110,000 or imprisonment for 2 years, or both.

No. 2 **Prohibition on sale, supply, use or possession of particular restricted pesticides**
Page 14, Schedule 3. Insert after line 8—

[1B] Sections 17C and 17D

Insert after section 17B as inserted by this Act—

17C Possession or use of particular restricted pesticides

A person must not possess or use any of the following restricted pesticides—

- (a) a chemical product containing 4-aminopropiophenone (also known as PAPP),
- (b) a chemical product used for the purpose of bird control that contains 4-aminopyridine or alphachloralose or fenthion,
- (c) a chemical product containing pindone that is a concentrate and for which the relevant label instructions require further mixing with carriers before it is ready to use as a bait,
- (d) a chemical product containing rabbit haemorrhagic disease virus (RHDV) (also known as rabbit calicivirus) that is in injectable form and requires mixing with carriers such as oats or carrot before it is ready to use as a bait.

Maximum penalty—

- (a) for a corporation—\$550,000, or
- (b) for an individual—\$110,000 or imprisonment for 2 years, or both.

17D Sale or supply of particular restricted pesticides

A person must not sell or supply any of the following restricted pesticides to another person—

- (a) a chemical product containing 4-aminopropiophenone (also known as PAPP),
- (b) a chemical product used for the purpose of bird control that contains 4-aminopyridine or alphachloralose or fenthion,
- (c) a chemical product containing pindone that is a concentrate and for which the relevant label instructions require further mixing with carriers before it is ready to use as a bait,
- (d) a chemical product containing rabbit haemorrhagic disease virus (RHDV) (also known as rabbit calicivirus) that is in injectable form and requires mixing with carriers such as oats or carrot before it is ready to use as a bait.

Maximum penalty—

- (a) for a corporation—\$550,000, or
- (b) for an individual—\$110,000 or imprisonment for 2 years, or both.

No. 3 **Making of pest control orders (to be moved if amendments No. 1, 2, 4 and 5 do not succeed or are not moved)**

Page 14, Schedule 3[2] and [3], lines 9–13. Omit all words on those lines.

No. 4 **Revocation of particular pesticide control orders (to be moved with Amendment No. 1)**

Page 18, Schedule 3. Insert after line 18—

21 Revocation of 1080 pesticide control orders

The following pesticide control orders are revoked—

- (a) the *Pesticide Control (1080 Ejector Capsules) Order 2015*,
- (b) the *Pesticide Control (1080 Ungulate Feeder) Order 2016*,
- (c) the *Pesticide Control (1080 Bait Products) Order 2020*,
- (d) the *Pesticide Control (1080 Felixer Cartridge Trial) Order 2020*.

No. 5 **Revocation of particular pesticide control orders (to be moved with amendment No. 2)**
Page 18, Schedule 3. Insert after line 18—

22 Revocation of particular pesticide control orders

The following pesticide control orders are revoked—

- (a) the *Pesticide Control (Avicide Products) Order 2010*,
- (b) the *Pesticide Control (Pindone Products) Order 2010*,
- (c) the *Pesticide Control (Rabbit Haemorrhagic Disease Virus) Order 2017*,
- (d) the *Pesticide Control (PAPP) Order 2021*.