

## LEGISLATIVE COUNCIL

## AGRICULTURE LEGISLATION AMENDMENT BILL 2022

(Amendments and New Clauses to be proposed in Committee by Dr RATNAM)

1. Clause 1, page 2, line 1, after "powers" insert ", to prohibit the sale of certain rodenticides".
2. Clause 2, line 5, omit "subsection" and insert "subsections (1A) and".
3. Clause 2, after line 6 insert—  

"(1A) Division 4 of Part 2 comes into operation on the first anniversary of the day on which this Act receives the Royal Assent."
4. Clause 2, line 7, after "Act" insert "(other than Division 4 of Part 2)".
5. Page 23, after line 14 insert the following heading—

**"Division 4—Prohibition on selling certain rodenticides".**

NEW CLAUSES

6. Insert the following New Clauses to follow clause 30 and the heading proposed by amendment number 5—

**'30A New section 27A inserted**

After section 27 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** insert—

**"27A Prohibition on sale of second generation rodenticides**

- (1) Except in accordance with the regulations (if any), a person must not sell a chemical product that contains any of the following active ingredients—

- (a) brodifacoum;
- (b) bromadiolone;
- (c) difenacoum;
- (d) difethialone;
- (e) flocoumafen.

Penalty: In the case of a corporation, 200 penalty units.

In any other case, 100 penalty units.

**Note**

Section 72B applies to an offence against this subsection.

(2) Regulations for the purposes of this section may permit and regulate the sale of a chemical product referred to in subsection (1) in any circumstances and manner specified in the regulations."

**30B Criminal liability of officers of bodies corporate—failure to exercise due diligence**

After section 72B(2)(f) of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** insert—

"(fa) section 27A(1);".

**30C Regulations**

In section 76(2) of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, after "27" insert ", 27A".'