

Legislative Council—No 175

As received from the House of Assembly and read a first time, 17 November 2016

South Australia

**Biological Control (Miscellaneous) Amendment
Bill 2016**

A BILL FOR

An Act to amend the *Biological Control Act 1986*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *Biological Control (Miscellaneous) Amendment Act 2016*.

2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

3—Amendment provisions

- 10 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Biological Control Act 1986*

4—Amendment of section 3—Interpretation

- 15 (1) Section 3(1), definitions of *kind* and *organism*—delete the definitions and substitute:
 - kind*, in relation to live organisms, viruses or sub-viral agents, means species, sub-species or variety;
 - organism* means—
 - (a) an organism (whether alive or dead and whether or not indigenous to Australia) other than a human; or

- (b) a part of, or matter discharged from, an organism within the meaning of paragraph (a); or
- (c) a virus or sub-viral agent;

(2) Section 3(1), definition of *prescribed live organisms*—delete the definition and substitute:

prescribed organisms means organisms that are—

- (a) live organisms; or
- (b) viruses or sub-viral agents,

but does not include live vaccines or resistant cultivars;

5—Amendment of section 4—Biological control

Section 4—delete "live" and substitute:

prescribed

6—Amendment of section 19—Agent organisms

Section 19(1)—delete "live"

7—Amendment of section 20—Agent application

Section 20(1)—delete "live"

8—Amendment of section 24—Notice of proposed agent organisms

Section 24(1)—delete "live"

9—Amendment of section 28—Emergency declarations

Section 28(1)(b)—delete "live"

10—Amendment of section 29—Declaration of existing released organisms

Section 29(1)(a)—delete "live"

11—Amendment of section 32—Declaration of organisms declared under a relevant law

Section 32(2)(a)—delete "live"

12—Amendment of section 35—No legal proceedings to be instituted in respect of release of agent organisms under a relevant law

Section 35(2)—delete "live"