

South Australia

Controlled Substances (Pesticides) (SACAT) Variation Regulations 2020

under the *Controlled Substances Act 1984*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Controlled Substances (Pesticides) (SACAT) Variation Regulations 2020*.

2—Commencement

These regulations come into operation on the day on which Part 7 of the *Statutes Amendment (SACAT) Act 2019* comes into operation.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Controlled Substances (Pesticides) Regulations 2017*

4—Substitution of regulation 15

Regulation 15—delete the regulation and substitute:

15—Right of review

- (1) An applicant for a licence under these regulations may apply to the Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* for a review of a decision of the licensing authority—
 - (a) to refuse to grant the licence; or
 - (b) to impose particular conditions on the licence.
- (2) A person who holds or formerly held a licence under these regulations may apply to the Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* for a review of a decision of the licensing authority—
 - (a) to suspend or cancel the licence; or
 - (b) to vary the licence; or
 - (c) to impose or vary particular conditions on the licence.
- (3) Subject to subregulation (5), an application for review under this regulation must be made within 1 month of the making of the licensing authority's decision.
- (4) The licensing authority must, on application by a person seeking a review of a decision of the licensing authority, state in writing the reasons for the decision.
- (5) If the reasons of the licensing authority are not given in writing at the time of making the decision and the person affected by the decision (within 1 month of the making of the decision) requires the licensing authority to state the reasons in writing, the time for making an application for review runs from the time at which the person receives the written statement of those reasons.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

after consultation by the Minister with the Controlled Substances Advisory Council and with the advice and consent of the Executive Council
on 27 February 2020

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