

[AS REPORTED FROM THE PRIMARY PRODUCTION COMMITTEE]

House of Representatives, 19 June 1986.

Words struck out are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a single rule, or with single rule before first line and after last line.

Hon. Colin Moyle

PESTICIDES AMENDMENT

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A BILL INTITULED

An Act to amend the Pesticides Act 1979

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

- 1. Short Title and commencement**—(1) This Act may be cited as the Pesticides Amendment Act 1985, and shall be read together with and deemed part of the Pesticides Act 1979* (hereinafter referred to as the principal Act).
- 10 (2) This Act shall come into force on the 28th day after the date on which it receives the Governor-General's assent.

- 2. Interpretation**—Section 2 of the principal Act is hereby amended by omitting from the definition of the term “pesticide” the words “or organism”, and substituting the words “, organism, active ingredient, or manufacturing concentrate”.
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*1979, No. 26

No. 141—2

Price 80c

3. Power to declare substances, etc., to be pesticides—

(1) Section 7 (1) of the principal Act is hereby amended by omitting the words “or mixture of substances”, and substituting the words “, organism, active ingredient, or manufacturing concentrate”.

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(2) Section 7 (2) of the principal Act is hereby amended—

(a) By omitting the words “or mixture”, and substituting the words “, organism, active ingredient, or manufacturing concentrate”:

(b) By omitting the words “or mixtures”, and substituting the words “, organisms, active ingredients, or manufacturing concentrates”.

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(3) Section 7 (3) of the principal Act is hereby amended by omitting the words “or mixture or class of substances or mixtures”, and substituting the words “, organism, active ingredient, or manufacturing concentrate or class of substances, organisms, active ingredients, or manufacturing concentrates”.

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(4) Section 7 (4) of the principal Act is hereby amended by omitting the words “or mixture of substances”, and substituting the words “, organism, active ingredient, or manufacturing concentrate”.

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*Struck Out***4. Pesticides not to be imported unless registered—**

(1) Section 21 (1) of the principal Act is hereby amended—

(a) By inserting, before the word “sell”, the word “import,”:

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(b) By omitting the word “sale”, and substituting the words “importation, sale,”.

(2) Section 21 (2) of the principal Act is hereby amended by omitting the word “sells”, and substituting the words “imports, sells,”.

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New

4. Pesticides not to be imported, sold, or applied for reward unless registered—The principal Act is hereby amended by repealing section 21, and substituting the following section:

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“21. (1) No proprietor of any pesticide shall import, sell, or apply for reward, the pesticide unless it is registered in the name of that proprietor in accordance with this Part of this Act or the importation, sale, or application of that pesticide by that proprietor is authorised by an experimental use permit issued by the Board under section 25 of this Act.

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New

“(2) Every proprietor of a pesticide who imports, sells, or applies that pesticide in contravention of **subsection (1)** of this section commits an offence against this Act.”

5 **5. Application for registration**—(1) Section 22 (3) of the principal Act is hereby amended by repealing paragraph (a), and substituting the following paragraphs:

10 “(a) The name and percentage of each active ingredient, together with such details of the formulation or the composition of the pesticide as the Board may require:

 “(aa) The name of the manufacturer, and the country of origin, of the pesticide:”.

15 (2) Section 22 (3) of the principal Act is hereby further amended by adding to paragraph (b) (ii) the words “, where the possibility exists of such residues occurring”.

6. Duration of registration—The principal Act is hereby amended by inserting, after section 27, the following section:

20 “27A. (1) Subject to **subsection (2)** of this section, the registration of a pesticide shall continue in force unless and until it is revoked by the Board under section 28 or section 29 of this Act.

25 “(2) Any regulations made under section 76 of this Act may prescribe an annual fee to be paid in respect of the registration of any pesticide and, if in any case any such fee remains unpaid for longer than 6 months after the date on which it becomes due and payable, the Board may revoke the registration of the pesticide.”

30 **7. Advertisements**—Section 40 (3) of the principal Act is hereby amended by inserting, after the word “pesticide”, the words “that is not registered under this Act, or”.

8. Interpretation in relation to controlled pesticides—Section 42 of the principal Act is hereby amended by repealing the definition of the term “licensing year”.

35 **9. Cancellation of licences**—Section 52 of the principal Act is hereby amended by adding the following subsection:

40 “(13) Every person commits an offence against this Act and is liable to a fine not exceeding \$500 who fails to surrender a cancelled licence when required by subsection (9) of this section to do so.”

New

9A. Right of appeal to High Court—Section 70 (1)(d) of the principal Act is hereby amended by adding the words “or under any regulations made pursuant to **section 27A** of this Act”.

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Struck Out

10. Regulations—Section 76 (1)(a) of the principal Act is hereby amended by inserting, after the word “Prescribing”, the words “annual registration fees and other”.

New

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10. Regulations—Section 76 (1) of the principal Act is hereby amended by repealing paragraph (a), and substituting the following paragraph:

“(a) Prescribing annual registration fees and other fees payable under this Act, and providing for the exemption in whole or in part from the payment of any such fee in any specified case or class of cases.”