

PESTICIDES AND ALLIED CHEMICALS ACT 1978\*

Order Under Section 49A(1)

Order Number AIR-1

I, HARVEY JOHN BAKER, being the Registrar of Pesticides appointed under the Pesticides and Allied Chemicals Act 1978, and in pursuance of the powers conferred on me by that Act, and with the consent of the Minister for Agriculture, do, by this my order, require that any person applying a pesticide from an aircraft shall not release, discharge or apply such pesticide within a distance of 150 metres horizontally from the boundary of any dwelling, school premises, factory premises, or any public place without the owner of the property on which the pesticide is applied or his/her nominee having obtained prior consent in writing from the occupier of the dwelling, school, factory, or public place, or person in charge, as the case may be; unless otherwise authorised in writing by the Registrar of Pesticides.

FURTHER TERMS AND/OR CONDITIONS

1. In this Order:-

Dwelling means any premises usually used for human habitation as a home including any yard, garden, garage or outhouse;

Public place includes any park or garden, playing field, or any place to which the public have or are permitted to have access; but for the purposes of this order excludes roads, travelling stock reserves, and State Rail land.

2. This order does not constitute any recommendation by the Registrar of Pesticides, the Government, a Department of the Government, a governmental authority, an organisation, a corporation or any other person.

3. No guarantee is given and no responsibility, risk or liability is accepted, as to the effectiveness; safety including safety to the public, any individual, a governmental authority, crops or other vegetation, or the environment; or any other thing; which may, or may not, occur as a result of:

3.1 the information specified in this order; and/or

3.2 preparing any pesticide for use and/or using any pesticide.

4. A person shall not, before releasing, discharging or applying any pesticide from an aircraft, fail to read, or have read to him the information specified in this order.

This order is in force from 16 February 1987 until revoked.

Signed this sixth day of February, 1987.

H.J.BAKER, Registrar of Pesticides.

\* Note that pesticide orders under the Pesticides Act 1978 are taken to have been made under the Pesticides Act 1999 (see item 7 of Part 2 of Schedule 2 of the Savings and transitional provisions entitled "continuation of existing pesticide orders).