

	Section reference
Comment:	
236 That the public health Act includes a regulation-making power requiring pest control operators to give notice of their proposed use of a pesticide in specified situations.	6.4
Comment: <i>Who are pest controllers? Farmers or specialists</i>	
237 That the public health Act not include any provisions regulating the non-commercial use of pesticides (except to the extent that these are addressed by the nuisance provisions or the Chief Health Officer's ability to issue an improvement or prohibition notice).	6.4
Comment:	
238 That further consideration be given to the development of a memorandum of understanding between the Department of Human Services and the Department of Primary Industries (and other relevant agencies and departments), clarifying the roles and responsibilities of different agencies and departments involved in the management of spray drifts.	6.4
Comment: <i>Unthinkable. Who has 'Primary' responsibility?</i>	
239 That the public health Act provides that an employer of a pest control operator is guilty of an offence if the pest control operator contravenes the provisions of the Act relating to pest control. This would be subject to a due diligence defence analogous to section 17E of the <i>Food Act 1984</i> (Vic).	6.4
Comment: <i>Term 'employer' could mean Contractor or Purchaser of Contracted Work.</i>	
240 That it is an offence for a person to hold him or herself out as being able to use pesticides, where the person would need to be licensed to use these pesticides and the person does not have the required licence.	6.4
Comment:	

	Issue	Section reference
241	That the public health Act not introduce an offence provision relating to damaging a person's property.	6.4
	Comment: <i>Unjust. Disagree</i>	
242	That Part 13 of the Act (s 228), which empowers the Governor in Council to make regulations relating to precautions against fire, not be re-enacted in the public health Act.	6.5
	Comment:	