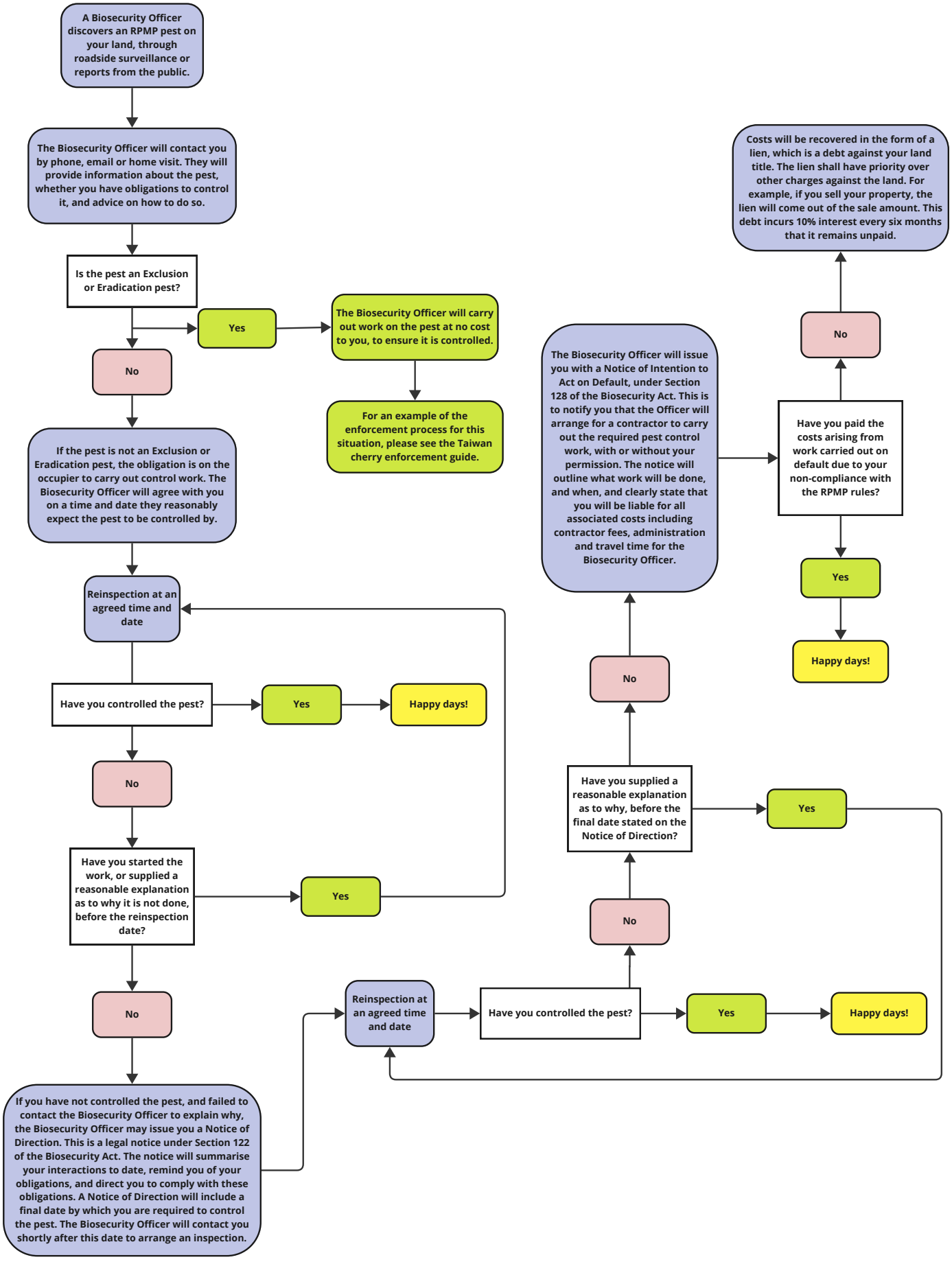
A Biosecurity Officer discovers an RPMP pest on your land, through roadside surveillance or reports from the public.
The Biosecurity Officer will contact you by phone, email or home visit. They will provide information about the pest, whether you have obligations to control it, and advice on how to do so.
Is the pest an Exclusion or Eradication pest?
Yes
The Biosecurity Officer will carry out work on the pest at no cost to you, to ensure it is controlled.
For an example of the enforcement process for this situation, please see the Taiwan cherry enforcement guide.
No
If the pest is not an Exclusion or Eradication pest, the obligation is on the occupier to carry out control work. The Biosecurity Officer will agree with you on a time and date they reasonably expect the pest to be controlled by.
Reinspection at an agreed time and date
Have you controlled the pest?
Yes
Happy days!
No
Have you started the work, or supplied a reasonable explanation as to why it is not done, before the reinspection date?
Yes
No
If you have not controlled the pest, and failed to contact the Biosecurity Officer to explain why, the Biosecurity Officer may issue you a Notice of Direction. This is a legal notice under Section 122 of the Biosecurity Act. The notice will summarise your interactions to date, remind you of your obligations, and direct you to comply with these obligations. A Notice of Direction will include a final date by which you are required to control the pest. The Biosecurity Officer will contact you shortly after this date to arrange an inspection.
Reinspection at an agreed time and date
Have you controlled the pest?
Yes
Happy days!
No
Have you supplied a reasonable explanation as to why, before the final date stated on the Notice of Direction?
Yes
No
The Biosecurity Officer will issue you with a Notice of Intention to Act on Default, under Section 128 of the Biosecurity Act. This is to notify you that the Officer will arrange for a contractor to carry out the required pest control work, with or without your permission. The notice will outline what work will be done, and when, and clearly state that you will be liable for all associated costs including contractor fees, administration and travel time for the Biosecurity Officer.
Have you paid the costs arising from work carried out on default due to your non-compliance with the RPMP rules?
Yes
Happy days!
No
Costs will be recovered in the form of a lien, which is a debt against your land title. The lien shall have priority over other charges against the land. For example, if you sell your property, the lien will come out of the sale amount. This debt incurs 10% interest every six months that it remains unpaid.