EXPLANATORY STATEMENT

Issued by the authority of the
Parliamentary Secretary for Agriculture, Fisheries and Forestry

Agricultural and Veterinary Chemicals Code Repeal Order 2011
Agricultural and Veterinary Chemicals Code Order 1999

Subsection 7(1) of the Agricultural and Veterinary Chemicals Code Act 1994 (the Act) provides that the Minister for Agriculture, Fisheries and Forestry may make orders with respect to matters for which provision has been made in the regulations, being the Agricultural and Veterinary Chemicals Code Regulations 1995 (the Regulations).

The Agricultural and Veterinary Chemicals Code Repeal Order 2011 (the Order) repeals the Agricultural and Veterinary Chemicals Code Order 1999 (the Principal Order).

The Australian Pesticides and Veterinary Medicines Authority (APVMA) was consulted over the Order and confirms the Principal Order is no longer required.

The Office of Best Practice Regulation was consulted on the Order and has advised that no regulatory impact analysis, in the form of a Business Cost Calculator Report or Regulation Impact Statement is required for this regulatory change (reference ID 11503).

Details of the Order are set out below.

Section 1 – Name of Order

This section provides that the name of the Order is the Agricultural and Veterinary Chemicals Code Repeal Order 2011.

Section 2 – Commencement

This section provides for the Order to commence on the day after it is registered.

Section 3 – Repeal

This section provides that the Principal Order is repealed.

The Principal Order was made for paragraph 14(3)(d) of the Agricultural and Veterinary Chemicals Code (the Code, a schedule to the Act) which provides that the Regulations can prescribe requirements in relation to a label for a container for a chemical product which must be complied with for the APVMA to grant an application made under section 10 of the Code. The Principal Order required that a label for containers for pool or spa hypchlorites must be in the form (if any) last published for those containers by the APVMA.

Regulation 11A specified that section 7 of the Act applies to requirements for paragraph 14(3)(d) of the Code in relation to a label for containers for pool or spa hypchlorites. Regulation 11A was removed from the Regulations by the Agricultural and Veterinary Chemicals Code Amendment Regulations 2011 as

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requirements for the presentation and display of a label and the information contained on the label are now to be set out in a labelling standard made for Regulation 18A. The Principal Order is no longer required.