

Administering Department
documents sent to Parliament in connection with
the Bill. Proclamation of
Inclusion of signatures and date of making, and sent
to Legislative Services Section,
Office of Legislative Drafting, Attorney-General's
Department.

F.R.L.I.



1996B00289



Statutory Rules 1995 No. *L¹*

54/

Agricultural and Veterinary Chemicals Code Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia,
acting with the advice of the Federal Executive Council and under
section 4 of the *Acts Interpretation Act 1901*, make the following
Regulations under the *Agricultural and Veterinary Chemicals Code
Act 1994*.

Dated *L* 1995.

22 March/

L Governor-General

BILL HAYDEN/

By His Excellency's Command,

L

Minister for Primary Industries and Energy

BOB COLLINS/

1. Commencement

1.1 These Regulations commence on the same day as the
Agricultural and Veterinary Chemicals Code Act 1994.

2. Amendment

2.1 The Agricultural and Veterinary Chemicals Code Regulations are amended as set out in these Regulations.

3. New regulation 40A

3.1 Before regulation 40, insert, in Part 4 Division 1:

Exemption of existing use active constituents

“40A. (1) Subsection 74 (1) of the Code (which deals with the possession of substances for supply) does not apply to a person in relation to the person’s possession or custody of a substance to which that subsection applies, if the substance is an existing use active constituent.

“(2) Subsection 76 (1) of the Code (which deals with the supply of active constituents) does not apply to a person in relation to the supply by the person of an active constituent to which that subsection applies, if the substance is an existing use active constituent.

“(3) In this regulation, “existing use active constituent” means an active constituent for a chemical product that is taken by section 172 or 174 or subsection 176 (1) of the Code to have been registered under the Code.

“(4) Subregulations (1) and (2) have effect from the commencement of the Code until the end of 12 months after that commencement.”.

4. New regulation 70A

4.1 After regulation 70, insert:

Fees in respect of existing use active constituents

“70A. (1) Despite regulation 70, no fee is payable under that regulation in respect of an application for approval of an active constituent for a chemical product if:

- (a) the active constituent is an existing use active constituent within the meaning of subregulation 40A (3); and

- (b) immediately before the commencement of the Code:
 - (i) a clearance for registration that the NRA granted under section 15 of the repealed Act in respect of the chemical product was in force; or
 - (ii) an application under section 12 of the repealed Act for a clearance for registration of the chemical product had been made and had not been refused or withdrawn; and
- (c) full technical details of the active constituent had been given, before the commencement of the Code, to a relevant body; and
- (d) the application for approval is made within 6 months after the commencement of the Code.

“(2) In paragraph (1) (c):

“full technical details”, in relation to an active constituent, includes, but is not limited to, the following:

- (a) details of the chemistry of the active constituent;
- (b) details of the manufacture of the active constituent;
- (c) the site at which the active constituent is manufactured;
- (d) a declaration of composition of the active constituent;
- (e) a batch analysis of the active constituent;

“relevant body” means any of the following:

- (a) the body known as the Technical Committee on Agricultural Chemicals;
- (b) the body known as the Technical Committee on Veterinary Drugs;
- (c) the Australian Agricultural and Veterinary Chemicals Council established under the repealed Act;
- (d) the NRA.”.

NOTES

- 1. Notified in the *Commonwealth of Australia Gazette* on
- 2. Statutory Rules 1995 No. 27.

L

1995.

29 March/