**EXPLANATORY STATEMENT**

Issued by Authority of the Assistant Minister for Agriculture, Fisheries and Forestry, Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry

*Agricultural and Veterinary Chemicals (Administration) Act 1992*

*Agricultural and Veterinary Chemicals Code Act 1994*

*Agricultural and Veterinary Chemicals Legislation Amendment (Infringement Notices) Regulations 2025*

**Legislative Authority**

Subsection 6(1) of the *Agricultural and Veterinary Chemicals Code Act 1994* (the Code Act) provides that the Governor-General may make regulations prescribing matters required or permitted by the Agricultural and Veterinary Chemicals Code (the Code) to be prescribed by regulations within the meaning of the Code, or necessary or convenient to be prescribed by such regulations for carrying out or giving effect to the Code.

Section 73 of the *Agricultural and Veterinary Chemicals (Administration) Act 1992* (the Administration Act) provides that the Governor-General may make regulations prescribing all matters required or permitted by the Administration Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Administration Act.

**Purpose**

The purpose of the *Agricultural and Veterinary Chemicals Legislation Amendment (Infringement Notices) Regulations 2025* (the Amendment Regulations) is to amend the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995* (the Administration Regulations) and the *Agricultural and Veterinary Chemicals Code Regulations 1995* (the Code Regulations), to make clear that these regulations provide for a scale of amounts of penalty units that may apply for an infringement notice for an alleged contravention of a prescribed civil penalty provision under the Administration Act and Code.

The Amendment Regulations clarify that the amount that may be stated on an infringement notice is an amount that is within a scale of amounts. The Amendment Regulations maintain existing penalty amounts for infringement notices given under the Administration Act and the Code. In particular, there would be no increase to the amounts payable under a notice, and the maximum penalty amount prescribed for each of the relevant civil penalty provisions remains lower than the default maximum penalty unit amounts provided by the Acts.

**Background**

Agricultural and veterinary (agvet) chemicals are regulated through a cooperative National Registration Scheme (NRS). The NRS is a partnership between the Commonwealth and the states and territories, with an agreed division of responsibilities. The states and territories apply the Commonwealth law as a law of their own jurisdiction, supported by an intergovernmental agreement.

The Australian Pesticides and Veterinary Medicines Authority (APVMA) was established by the Commonwealth under the Administration Act as the independent Commonwealth regulator for agvet chemical products. It assesses, registers and approves agvet chemicals for use in Australia. The APVMA is responsible for regulating these chemicals up to and including the point of supply – for example, retail sale. The control of use of agvet chemicals after supply is the responsibility of individual states and territories.

The NRS is implemented, in part, through the Code Act (including the Code set out in the Schedule to the Code Act). The Code operates in each state, the Northern Territory and each participating territory (the Australian Capital Territory and Norfolk Island) to constitute a single national Code applying throughout Australia. The Code provides for the APVMA to assess, approve, and register active constituents and agvet chemical products and their associated labels. It also allows the APVMA to issue permits for supply and use, and to licence the manufacture of agvet chemical products. The Code also provides for the APVMA to regulate the supply of agvet chemical products and ensure compliance with (and enforce) the Code – including suspending and cancelling approvals and registrations.

The Administration Act and the Code each provide for a scheme for issuing infringement notices in relation to alleged contraventions of prescribed civil penalty provisions. Subsection 69EKA(3) of the Administration Act and subsection 145DB(3) of the Code each allow regulations to provide for a scale of amounts of the penalty that may apply when giving an infringement notice for an alleged contravention of a prescribed civil penalty provision.

Division 2 of Part 7AB of the Administration Act and Division 3 of Part 9A of the Code provides for infringement notices to be given by inspectors for the purpose of enforcement under these Acts. An inspector is a Commonwealth officer appointed under subsection 69F(1) or a state or territory officer authorised under subsection 69F(2) of the Administration Act. Subsection 145DA(1) of the Code authorises an inspector to issue an infringement notice for an alleged contravention of a prescribed civil penalty provision.

An infringement notice must state the amount that is payable under the notice. Under subsection 69EKA(2) of the Administration Act and subsection 145DB(2) of the Code, the amount stated in an infringement notice must not exceed one-fifth of the maximum penalty that a court could impose on the person for that contravention. Subsection 69EKA(3) of the Administration Act and subsection 145DB(3) of the Code provide that the regulations may, subject to the relevant subsection (2) mentioned above, provide for a scale of amounts that may apply for an alleged contravention.

* For a corporation, under subsection 69EJA(1) of the Administration Act and subsection 145AA(1) of the Code, the maximum penalty for a contravention of a civil penalty provision is five times the amount of the maximum monetary penalty that could be imposed by a court if the corporation were convicted of an offence constituted by conduct that is the same as the conduct constituting the contravention.
* For an individual, under subsection 69EJA(2) of the Administration Act and subsection 145AA(2) of the Code, the maximum penalty for a contravention of a civil penalty provision is three times the amount of the maximum monetary penalty that could be imposed by a court if the person were convicted of an offence constituted by conduct that is the same as the conduct constituting the contravention.

The existing framework set out in regulation 3A.01 of the Administration Regulations provides that the amounts authorised by subsection 69EKA(3) of the Administration Act are set out in the table in Schedule 5 to the Administration Regulations. Each item in the table specifies the relevant civil penalty provision, any circumstances that apply, and the amount that may be stated in the infringement notice for a contravention by an individual or a contravention by a corporation.

The existing framework in regulation 64 of the Code Regulations provides that the amounts authorised by subsection 145DB(3) of the Code are set out in the table in Schedule 5A to the Code Regulations. Each item in this table specifies the relevant civil penalty provision, any circumstances that apply, and the amount that may be stated in the infringement notice for a contravention by an individual or a contravention by a corporation.

Under that framework, each item in Schedule 5 to the Administration Regulations and in Schedule 5A to the Code Regulations sets out amounts that could be stated in the infringement notice for an alleged contravention of a civil penalty provision by an individual or by a corporation. In accordance with subsection 69EKA(2) of the Administration Act and subsection 145DB(2) of the Code, the maximum penalty unit amounts prescribed by the regulations are less than the maximum amounts prescribed by the Acts and have the effect of setting lower maximum penalty unit amounts than would otherwise apply under the Acts.

Section 4 of the Administration Act defines ‘civil penalty provision’ to mean either a provision declared by the Administration Act or the *Agricultural and Veterinary Chemical Products (Collection of Levy) Act 1994* (the Collection Act) to be a civil penalty provision. The civil penalty provisions in the Collection Act are referred to in the Administration Act’s infringement notice framework to avoid duplicating a separate framework for infringement notices under the Collection Act. As noted above, each civil penalty provision mentioned in Schedule 5 to the Administration Regulations is a prescribed civil penalty provision.

**Impact and Effect**

In the context of the above framework, the Amendment Regulations amend the Administration Regulations and the Code Regulations to clearly provide for penalty units that may apply under the Administration Act and the Code. The amendments maintain existing amounts that may be stated in an infringement notice for alleged contraventions of the relevant civil penalty provisions and reflect the same scales of amounts that previously could be stated in those infringement notices, in accordance with subsection 69EKA(3) of the Administration Act and subsection 145DB(3) of the Code respectively.

Providing for scales of amounts in the regulations makes the law easier to understand without the need to refer to the enabling legislation. These scales of amounts are specified in regulation 3A.01 of the Administration Regulations and regulation 64 of the Code Regulations as the amounts set out in the tables in Schedule 5 and Schedule 5A of those regulations respectively.

**Consultation**

The Amendment Regulations were developed in consultation with the APVMA. In accordance with protocol on national laws, relevant State and Territory Parliamentary Counsel offices were consulted. No further consultation was appropriate or reasonably practicable because these amendments only clarify the existing framework.

**Details/ Operation**

Details of the Amendment Regulations are set out in Attachment A.

Sunsetting does not apply to the Administration Regulations and the Code Regulations, which are amended by the Amendment Regulations, due to subsection 54(1) of the *Legislation Act 2003* (Legislation Act). Subsection 54(1) of the Legislation Act provides that Part 4 of Chapter 3 of the Legislation Act (in relation to sunsetting) does not apply in relation to a legislative instrument if the enabling legislation for the instrument:

* facilitates the establishment or operation of an intergovernmental body or scheme involving the Commonwealth and one or more States or Territories, and
* authorises the instrument to be made by the body or for the purpose of the body or scheme.

The Administration Regulations and the Code Regulations, as well as their enabling legislation (the Administration Act and the Code Act) are part of the legislative framework that facilitates the establishment or operation of an intergovernmental scheme (being the NRS). The Administration Act and the Code Act authorise these regulations to be made for the purposes of the NRS. The Administration Regulations and the Code Regulations are therefore part of a multilateral agreement, with the states and territories applying the Code and the related regulations as a law of their own jurisdictions. For this reason, it would be inappropriate for the Administration Regulations and the Code Regulations to be subject to a unilateral sunsetting process that would have repercussions for each jurisdiction that is a party to the intergovernmental agreement. If the Code Regulations and the Administration Regulations were subject to a unilateral sunsetting process, it would cause them to cease to exist in only one of the jurisdictions that are party to the intergovernmental scheme, without the agreement of the other parties.

**Other**

The Amendment Regulations are compatible with the human rights and freedoms recognised or declared under section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*. A full Statement of Compatibility with Human Rights is set out in Attachment B.

The Amendment Regulations are a legislative instrument for the purposes of the Legislation Act.

The Amendment Regulations commence on the day after registration.

**ATTACHMENT A**

**Details of the *Agricultural and Veterinary Chemicals Legislation Amendment (Infringement Notices) Regulations 2025***

Section 1 – Name

This section provides that the name of the instrument is the *Agricultural and Veterinary Chemicals Legislation Amendment (Infringement Notices) Regulations 2025* (the Amendment Regulations).

Section 2 – Commencement

Subsection 2(1) provides that each provision of the Amendment Regulations specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Item 1 in the table provides that the whole of the Amendment Regulations commences on the day after it is registered.

The note below the table provides that the table relates only to the provisions of the Amendment Regulations as originally made. It will not be amended to deal with later amendments of the Amendment Regulations. The purpose of this note is to clarify that the commencement of any amendments is not reflected in this table.

Subsection 2(2) provides that any information in column 3 of the table is not part of the instrument. Information may be inserted in that column, or information in it may be edited, in any published version of the instrument.

Section 3 – Authority

This section provides that the Amendment Regulations are made under the *Agricultural and Veterinary Chemicals (Administration) Act 1992* (the Administration Act) and the *Agricultural and Veterinary Chemicals Code Act 1994* (the Code Act).

Section 4 – Schedules

This section provides for the amendment or repeal of instruments as set out in a Schedule to the Amendment Regulations. This enables the amendment of the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995* (the Administration Regulations) and the *Agricultural and Veterinary Chemicals Code Regulations 1995* (the Code Regulations).

**Schedule 1 – Amendments**

**Part 1—Main amendments**

***Agricultural and Veterinary Chemicals (Administration) Regulations 1995***

**Item [1] – Subregulation 3A.01(2)**

Regulation 3A.01 of the Administration Regulations provides for infringement notices. Section 4 of the Administration Act defines ***prescribed civil penalty provision*** to mean a civil penalty provision that is prescribed by the regulations. Under subregulation 3A.01(1), each civil penalty provision mentioned in Schedule 5 to the Administration Regulations is prescribed.

Subregulation 3A.01(2) previously provided that for subsection 69EKA(3) of the Administration Act, the amount (in penalty units) mentioned in an item of Schedule 5 to the Administration Regulations is the amount that applies for an alleged contravention by the individual, or the corporation, of the provision mentioned in the item in the circumstances (if any) mentioned in the item.

This item repeals subregulation 3A.01(2) and substitutes new subregulation 3A.01(2) of the Administration Regulations.

New subregulation 3A.01(2) provides that for the purposes of subsection 69EKA(3) of the Administration Act, Schedule 5 sets out a scale of amounts, being penalty units, for an alleged contravention by an individual or corporation of a civil penalty provision, covered by an item of the table in that Schedule, in the circumstances (if any) covered by that item.

This amendment makes clear in the regulations that the amounts set out in Schedule 5 to the Administration Regulations are a scale of amounts in accordance with subsection 69EKA(3) of the Administration Act.

Each item in Schedule 5 to the Administration Regulations previously set out certain amounts for an alleged contravention of a civil penalty provision by an individual and for an alleged contravention of that civil penalty provision by a corporation and each item in Schedule 5 will continue to set out certain amounts for an alleged contravention of a civil penalty provision on this basis.

**Item [2] – Schedule 5 (table)**

The table in Schedule 5 to the Administration Regulations sets out the prescribed civil penalty provisions and any applicable circumstances, the amount for individuals for an infringement notice for an alleged contravention of the relevant civil penalty provision in the circumstances (if any), and the amount for corporations for an infringement notice for an alleged contravention of the relevant civil penalty provision in the circumstances (if any).

This item omits the headings “Penalty amounts for infringement notices”, “Item”, “Civil penalty provision”, “Amount for individual (penalty units), and “Amount for corporation (penalty units)” and substitutes the new headings “Infringement notice penalty amounts”, “Item”, “ Column 1 Civil penalty provision”, “Column 2 Scale of amounts for individual (penalty units)”, and “ Column 3 Scale of amounts for corporation (penalty units)” in the table in Schedule 5 to the Administration Regulations.

This amendment clarifies the relevant table headings in Schedule 5 to the Administration Regulations specify a scale of amounts.

**Item [3] – Schedule 5 (table item 1, column headed “Amount for individual (penalty units)”)**

Table item 1 provides amounts relating to an alleged contravention of subparagraph 69B(1)(a)(i) of the Administration Act (relating to the import of an active constituent for a proposed or existing chemical product that is neither an approved active constituent nor an exempt active constituent) involving:

1. at least 10 kg of an active constituent for a veterinary chemical product; or
2. at least 100 kg of an active constituent for an agricultural chemical product.

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 1 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subparagraph 69B(1)(a)(i) of the Administration Act by an individual in the relevant circumstances is 1 to 90 penalty units.

**Item [4] – Schedule 5 (table item 1, column headed “Amount for corporation (penalty units)”)**

Table item 1 provides amounts relating to an alleged contravention of subparagraph 69B(1)(a)(i) of the Administration Act involving:

1. at least 10 kg of an active constituent for a veterinary chemical product; or
2. at least 100 kg of an active constituent for an agricultural chemical product.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 1 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subparagraph 69B(1)(a)(i) of the Administration Act by a corporation in the relevant circumstances is 1 to 750 penalty units.

**Item [5] – Schedule 5 (table item 2, column headed “Amount for individual (penalty units)”)**

Table item 2 provides amounts relating to an alleged contravention of subparagraph 69B(1)(a)(i) of the Administration Act involving:

1. at least 1 kg, but less than 10 kg, of an active constituent for a veterinary chemical product; or
2. at least 10 kg, but less than 100 kg, of an active constituent for an agricultural chemical product.

This item omits “45” and substitutes “1 to 45” in the column headed “Amount for individual (penalty units)” in table item 2 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subparagraph 69B(1)(a)(i) of the Administration Act by an individual in the relevant circumstances is 1 to 45 penalty units.

**Item [6] – Schedule 5 (table item 2, column headed “Amount for corporation (penalty units)”)**

Table item 2 provides amounts relating to an alleged contravention of subparagraph 69B(1)(a)(i) of the Administration Act involving:

1. at least 1 kg, but less than 10 kg, of an active constituent for a veterinary chemical product; or
2. at least 10 kg, but less than 100 kg, of an active constituent for an agricultural chemical product.

This item omits “375” and substitutes “1 to 375” in the column headed “Amount for corporation (penalty units)” in table item 2 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subparagraph 69B(1)(a)(i) of the Administration Act by a corporation in the relevant circumstances is 1 to 375 penalty units.

**Item [7] – Schedule 5 (table item 3, column headed “Amount for individual (penalty units)”)**

Table item 3 provides amounts relating to an alleged contravention of subparagraph 69B(1)(a)(i) of the Administration Act involving:

1. less than 1 kg of an active constituent for a veterinary chemical product; or
2. less than 10 kg of an active constituent for an agricultural chemical product.

This item omits “9” and substitutes “1 to 9” in the column headed “Amount for individual (penalty units)” in table item 3 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subparagraph 69B(1)(a)(i) of the Administration Act by an individual in the relevant circumstances is 1 to 9 penalty units.

**Item [8] – Schedule 5 (table item 3, column headed “Amount for corporation (penalty units)”)**

Table item 3 provides amounts relating to an alleged contravention of subparagraph 69B(1)(a)(i) of the Administration Act involving:

1. less than 1 kg of an active constituent for a veterinary chemical product; or
2. less than 10 kg of an active constituent for an agricultural chemical product.

This item omits “75” and substitutes “1 to 75” in the column headed “Amount for corporation (penalty units)” in table item 3 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subparagraph 69B(1)(a)(i) of the Administration Act by a corporation in the relevant circumstances is 1 to 75 penalty units.

**Item [9] – Schedule 5 (table item 4, column headed “Amount for individual (penalty units)”)**

Table item 4 provides amounts relating to an alleged contravention of subparagraph 69B(1)(a)(ii) of the Administration Act (relating to the import of a chemical product that is not registered, reserved or exempt) involving at least 500 containers.

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 4 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subparagraph 69B(1)(a)(ii) of the Administration Act by an individual in the relevant circumstances is 1 to 90 penalty units.

**Item [10] – Schedule 5 (table item 4, column headed “Amount for corporation (penalty units)”)**

Table item 4 provides amounts relating to an alleged contravention of subparagraph 69B(1)(a)(ii) of the Administration Act involving at least 500 containers.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 4 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subparagraph 69B(1)(a)(ii) of the Administration Act by a corporation in the relevant circumstances is 1 to 750 penalty units.

**Item [11] – Schedule 5 (table item 5, column headed “Amount for individual (penalty units)”)**

Table item 5 provides amounts relating to an alleged contravention of subparagraph 69B(1)(a)(ii) of the Administration Act involving at least 50 containers but fewer than 500 containers.

This item omits “45” and substitutes “1 to 45” in the column headed “Amount for individual (penalty units)” in table item 5 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subparagraph 69B(1)(a)(ii) of the Administration Act by an individual in the relevant circumstances is 1 to 45 penalty units.

**Item [12] – Schedule 5 (table item 5, column headed “Amount for corporation (penalty units)”)**

Table item 5 provides amounts relating to an alleged contravention of subparagraph 69B(1)(a)(ii) of the Administration Act involving at least 50 containers but fewer than 500 containers.

This item omits “375” and substitutes “1 to 375” in the column headed “Amount for corporation (penalty units)” in table item 5 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subparagraph 69B(1)(a)(ii) of the Administration Act by a corporation in the relevant circumstances is 1 to 375 penalty units.

**Item [13] – Schedule 5 (table item 6, column headed “Amount for individual (penalty units)”)**

Table item 6 provides amounts relating to an alleged contravention of subparagraph 69B(1)(a)(ii) of the Administration Act involving fewer than 50 containers.

This item omits “9” and substitutes “1 to 9” in the column headed “Amount for individual (penalty units)” in table item 6 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subparagraph 69B(1)(a)(ii) of the Administration Act by an individual in the relevant circumstances is 1 to 9 penalty units.

**Item [14] – Schedule 5 (table item 6, column headed “Amount for corporation (penalty units)”)**

Table item 6 provides amounts relating to an alleged contravention of subparagraph 69B(1)(a)(ii) of the Administration Act involving fewer than 50 containers.

This item omits “75” and substitutes “1 to 75” in the column headed “Amount for corporation (penalty units)” in table item 6 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subparagraph 69B(1)(a)(ii) of the Administration Act by a corporation in the relevant circumstances is 1 to 75 penalty units.

**Item [15] – Schedule 5 (table item 7, column headed “Amount for individual (penalty units)”)**

Table item 7 provides amounts relating to an alleged contravention of subsection 69CD(1) of the Administration Act (relating to a failure to provide information about certain chemical products when required to do so under section 69CA or 69CB of the Administration Act).

This item omits “15” and substitutes “1 to 15” in the column headed “Amount for individual (penalty units)” in table item 7 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 69CD(1) of the Administration Act by an individual is 1 to 15 penalty units.

**Item [16] – Schedule 5 (table item 7, column headed “Amount for corporation (penalty units)”)**

Table item 7 provides amounts relating to an alleged contravention of subsection 69CD(1) of the Administration Act.

This item omits “125” and substitutes “1 to 125” in the column headed “Amount for corporation (penalty units)” in table item 7 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 69CD(1) of the Administration Act by a corporation is 1 to 125 penalty units.

**Item [17] – Schedule 5 (table item 9, column headed “Amount for individual (penalty units)”)**

Table item 9 provides amounts relating to an alleged contravention of subsection 69EA(1) of the Administration Act (relating to a failure to keep records relating to compliance with sections 69B and 69C of the Administration Act and retain those records for 6 years).

This item omits “15” and substitutes “1 to 15” in the column headed “Amount for individual (penalty units)” in table item 9 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 69EA(1) of the Administration Act by an individual is 1 to 15 penalty units.

**Item [18] – Schedule 5 (table item 9, column headed “Amount for corporation (penalty units)”)**

Table item 9 provides amounts relating to an alleged contravention of subsection 69EA(1) of the Administration Act.

This item omits “125” and substitutes “1 to 125” in the column headed “Amount for corporation (penalty units)” in table item 9 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 69EA(1) of the Administration Act by a corporation is 1 to 125 penalty units.

**Item [19] – Schedule 5 (table item 10, column headed “Amount for individual (penalty units)”)**

Table item 10 provides amounts relating to an alleged contravention of subsection 69EA(1A) of the Administration Act (relating to a failure to keep records relating to compliance with sections 69CA, 69CB or 69C of the Administration Act and retain those records for 6 years).

This item omits “15” and substitutes “1 to 15” in the column headed “Amount for individual (penalty units)” in table item 10 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 69EA(1A) of the Administration Act by an individual is 1 to 15 penalty units.

**Item [20] – Schedule 5 (table item 10, column headed “Amount for corporation (penalty units)”)**

Table item 10 provides amounts relating to an alleged contravention of subsection 69EA(1A) of the Administration Act .

This item omits “125” and substitutes “1 to 125” in the column headed “Amount for corporation (penalty units)” in table item 10 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 69EA(1A) of the Administration Act by a corporation is 1 to 125 penalty units.

**Item [21] – Schedule 5 (table item 10A, column headed “Amount for individual (penalty units)”)**

Table item 10A provides amounts relating to an alleged contravention of subsection 69ER(3) of the Administration Act (relating to the provision of false or misleading information or documents for the purposes of, or in connection with, the making of a decision by the APVMA as to whether it should give a consent under section 69B of the Administration Act).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 10A of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 69ER(3) of the Administration Act by an individual is 1 to 90 penalty units.

**Item [22] – Schedule 5 (table item 10A, column headed “Amount for corporation (penalty units)”)**

Table item 10A provides amounts relating to an alleged contravention of subsection 69ER(3) of the Administration Act.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 10A of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 69ER(3) of the Administration Act by a corporation is 1 to 750 penalty units.

**Item [23] – Schedule 5 (table item 10B, column headed “Amount for individual (penalty units)”)**

Table item 10B provides amounts relating to an alleged contravention of subsection 69ER(4) of the Administration Act (relating to the provision of false or misleading information or documents in compliance or purported compliance with a requirement made by an inspector under Part 7A, Part 7AA or Part 7AB of the Administration Act or for the purposes of, or in connection with, any provision of those parts (other than section 69B)).

This item omits “18” and substitutes “1 to 18” in the column headed “Amount for individual (penalty units)” in table item 10B of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 69ER(4) of the Administration Act by an individual is 1 to 18 penalty units.

**Item [24] – Schedule 5 (table item 10B, column headed “Amount for corporation (penalty units)”)**

Table item 10B provides amounts relating to an alleged contravention of subsection 69ER(4) of the Administration Act.

This item omits “150” and substitutes “1 to 150” in the column headed “Amount for corporation (penalty units)” in table item 10B of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 69ER(4) of the Administration Act by a corporation is 1 to 150 penalty units.

**Item [25] – Schedule 5 (table item 11, column headed “Amount for individual (penalty units)”)**

Section 4 of the Administration Act defines ***civil penalty provision*** to mean a provision declared by the Administration Act or the *Agricultural and Veterinary Chemical Products (Collection of Levy) Act 1994* (the Collection Act) to be a civil penalty provision. As noted above, each civil penalty provision mentioned in Schedule 5 to the Administration Regulations is a prescribed civil penalty provision.

Table item 11 provides amounts relating to an alleged contravention of section 15 of the Collection Act (relating to a refusal or failure to comply with requirements relating to calculating amounts relating to levies and notifying the collecting agency of the results of those calculations).

This item omits “15” and substitutes “1 to 15” in the column headed “Amount for individual (penalty units)” in table item 11 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 15 of the Collection Act by an individual is 1 to 15 penalty units.

**Item [26] – Schedule 5 (table item 11, column headed “Amount for corporation (penalty units)”)**

Table item 11 provides amounts relating to an alleged contravention of section 15 of the Collection Act.

This item omits “125” and substitutes “1 to 125” in the column headed “Amount for corporation (penalty units)” in table item 11 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 15 of the Collection Act by a corporation is 1 to 125 penalty units.

**Item [27] – Schedule 5 (table item 12, column headed “Amount for individual (penalty units)”)**

Table item 12 provides amounts relating to an alleged contravention of section 20 of the Collection Act (relating to a refusal or failure to give to the APVMA or collecting agency, any information relating to the importation, manufacture or disposal of a chemical product that is necessary to work out the total leviable value in respect of the product for the year).

This item omits “15” and substitutes “1 to 15” in the column headed “Amount for individual (penalty units)” in table item 12 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 20 of the Collection Act by an individual is 1 to 15 penalty units.

**Item [28] – Schedule 5 (table item 12, column headed “Amount for corporation (penalty units)”)**

Table item 12 provides amounts relating to an alleged contravention of section 20 of the Collection Act.

This item omits “125” and substitutes “1 to 125” in the column headed “Amount for corporation (penalty units)” in table item 12 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 20 of the Collection Act by a corporation is 1 to 125 penalty units.

**Item [29] – Schedule 5 (table item 12A, column headed “Amount for individual (penalty units)”)**

Table item 12A provides amounts relating to an alleged contravention of subsection 35(1) of the Collection Act (relating to giving to the APVMA before 30 November in the next financial year, a return setting out the total quantity of the chemical product covered by leviable disposals).

This item omits “15” and substitutes “1 to 15” in the column headed “Amount for individual (penalty units)” in table item 12A of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 35(1) of the Collection Act by an individual is 1 to 15 penalty units.

**Item [30] – Schedule 5 (table item 12A, column headed “Amount for corporation (penalty units)”)**

Table item 12A provides amounts relating to an alleged contravention of subsection 35(1) of the Collection Act.

This item omits “125” and substitutes “1 to 125” in the column headed “Amount for corporation (penalty units)” in table item 12A of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 35(1) of the Collection Act by a corporation is 1 to 125 penalty units.

**Item [31] – Schedule 5 (table item 13, column headed “Amount for individual (penalty units)”)**

Table item 13 provides amounts relating to an alleged contravention of section 36 of the Collection Act (relating to keeping records necessary to work out the total leviable value in respect of a chemical product for any period in respect of which levy may be payable in respect of leviable disposals of the product and retaining those records for 6 years).

This item omits “15” and substitutes “1 to 15” in the column headed “Amount for individual (penalty units)” in table item 13 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 36 of the Collection Act by an individual is 1 to 15 penalty units.

**Item [32] – Schedule 5 (table item 13, column headed “Amount for corporation (penalty units)”)**

Table item 13 provides amounts relating to an alleged contravention of section 36 of the Collection Act.

This item omits “125” and substitutes “1 to 125” in the column headed “Amount for corporation (penalty units)” in table item 13 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 36 of the Collection Act by a corporation is 1 to 125 penalty units.

**Item [33] – Schedule 5 (table item 14, column headed “Amount for individual (penalty units)”)**

Table item 14 provides amounts relating to an alleged contravention of subsection 37(1) of the Collection Act (relating to keeping records that are reasonably necessary to enable APVMA to find out whether section 35 of the Collection Act has been complied with and retaining those records for 6 years).

This item omits “15” and substitutes “1 to 15” in the column headed “Amount for individual (penalty units)” in table item 14 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 37(1) of the Collection Act by an individual is 1 to 15 penalty units.

**Item [34] – Schedule 5 (table item 14, column headed “Amount for corporation (penalty units)”)**

Table item 14 provides amounts relating to an alleged contravention of subsection 37(1) of the Collection Act.

This item omits “125” and substitutes “1 to 125” in the column headed “Amount for corporation (penalty units)” in table item 14 of Schedule 5 to the Administration Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 37(1) of the Collection Act by a corporation is 1 to 125 penalty units.

***Agricultural and Veterinary Chemicals Code Regulations 1995***

**Item [35] – Subregulation 64(2)**

Regulation 64 of the Code Regulations provides for infringement notices. Section 3 of the Agricultural and Veterinary Chemicals Code (the Code) (contained in the Schedule to the Code Act) defines ***prescribed civil penalty provision*** to mean a civil penalty provision that is prescribed by the regulations. Under subregulation 64(1), each civil penalty provision mentioned in Schedule 5A to the Code Regulations is prescribed.

Subregulation 64(2) previously provided that for subsection 145DB(3) of the Code, the amount (in penalty units) mentioned in an item of Schedule 5A to the Code Regulations is the amount that applies for an alleged contravention by the individual, or the corporation, of the provision mentioned in the item in the circumstances (if any) mentioned in the item.

This item repeals subregulation 64(2) and substitutes new subregulation 64(2) of the Code Regulations.

New subregulation 64(2) provides that for the purposes of subsection 145DB(3) of the Code, Schedule 5A sets out a scale of amounts, being penalty units, for an alleged contravention by an individual or corporation of a civil penalty provision, covered by an item of the table in that Schedule, in the circumstances (if any) covered by that item.

This amendment makes clear that the amounts set out in Schedule 5A to the Code Regulations are a scale of amounts in accordance with subsection 145DB(3) of the Code.

Each item in Schedule 5A to the Code Regulations previously set out certain amounts for an alleged contravention of a civil penalty provision by an individual and for an alleged contravention of that civil penalty provision by a corporation and each item in Schedule 5A will continue to set out certain amounts for an alleged contravention of a civil penalty provision on this basis.

**Item [36] – Schedule 5A (table, headings)**

The table in Schedule 5A to the Code Regulations sets out the prescribed civil penalty provisions and any applicable circumstances, the amount for individuals for an infringement notice for an alleged contravention of the relevant civil penalty provision in the circumstances (if any), and the amount for corporations for an infringement notice for an alleged contravention of the relevant civil penalty provision in the circumstances (if any).

The headings to the table in Schedule 5A to the Code Regulations were previously “Infringement notice penalty amounts”, “Item”, “Civil penalty provision”, “Amount for individual (penalty units)”, and “Amount for corporation (penalty units)”.

This item repeals the headings to the table in Schedule 5A to the Code Regulations and substitutes the new headings “Infringement notice penalty amounts”, “Item”, “Column 1 Civil penalty provision”, “Column 2 Scale of amounts for individual (penalty units)”, and “Column 3 Scale of amounts for corporation (penalty units)”.

This amendment clarifies the relevant table headings in Schedule 5A to the Code Regulations specify a scale of amounts.

**Item [37] – Schedule 5A (table item 1, column headed “Amount for individual (penalty units)”)**

Table item 1 provides amounts relating to an alleged contravention of section 26 of the Code (relating to identifying incorrect particulars or conditions entered in the Record or Register, or recorded in the relevant APVMA file, and informing the APVMA of the correct particulars or conditions).

This item omits “9” and substitutes “1 to 9” in the column headed “Amount for individual (penalty units)” in table item 1 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 26 of the Code by an individual is 1 to 9 penalty units.

**Item [38] – Schedule 5A (table item 1, column headed “Amount for corporation (penalty units)”)**

Table item 1 provides amounts relating to an alleged contravention of section 26 of the Code.

This item omits “75” and substitutes “1 to 75” in the column headed “Amount for corporation (penalty units)” in table item 1 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 26 of the Code by a corporation is 1 to 75 penalty units.

**Item [39] – Schedule 5A (table item 2, column headed “Amount for individual (penalty units)”)**

Table item 2 provides amounts relating to an alleged contravention of section 32 of the Code (relating to non-compliance with a requirement to give to the APVMA certain information relevant to the reconsideration of approval or registration).

This item omits “36” and substitutes “1 to 36” in the column headed “Amount for individual (penalty units)” in table item 2 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 32 of the Code by an individual is 1 to 36 penalty units.

**Item [40] – Schedule 5A (table item 2, column headed “Amount for corporation (penalty units)”)**

Table item 2 provides amounts relating to an alleged contravention of section 32 of the Code.

This item omits “300” and substitutes “1 to 300” in the column headed “Amount for corporation (penalty units)” in table item 2 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 32 of the Code by a corporation is 1 to 300 penalty units.

**Item [41] – Schedule 5A (table item 3, column headed “Amount for individual (penalty units)”)**

Table item 3 provides amounts relating to an alleged contravention of section 33 of the Code (relating to non-compliance with a requirement to do certain things for the purposes of the reconsideration of approval or registration, such as giving information to APVMA, reporting results of published literature searches to APVMA, conducting trials or laboratory experiments, and providing samples of active constituents or chemicals products).

This item omits “36” and substitutes “1 to 36” in the column headed “Amount for individual (penalty units)” in table item 3 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 33 of the Code by an individual is 1 to 36 penalty units.

**Item [42] – Schedule 5A (table item 3, column headed “Amount for corporation (penalty units)”)**

Table item 3 provides amounts relating to an alleged contravention of section 33 of the Code.

This item omits “300” and substitutes “1 to 300” in the column headed “Amount for corporation (penalty units)” in table item 3 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 33 of the Code by a corporation is 1 to 300 penalty units.

**Item [43] – Schedule 5A (table item 4, column headed “Amount for individual (penalty units)”)**

Table item 4 provides amounts relating to an alleged contravention of section 45C of the Code (relating to having possession, custody, or otherwise dealing with a constituent or product in accordance with instructions).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 4 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 45C of the Code by an individual is 1 to 90 penalty units.

**Item [44] – Schedule 5A (table item 4, column headed “Amount for corporation (penalty units)”)**

Table item 4 provides amounts relating to an alleged contravention of section 45C of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 4 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 45C of the Code by a corporation is 1 to 750 penalty units.

**Item [45] – Schedule 5A (table item 5, column headed “Amount for individual (penalty units)”)**

Table item 5 provides amounts relating to an alleged contravention of section 47E of the Code (relating to having possession, custody, or otherwise dealing with a chemical product for which registration has ended, in accordance with instructions).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 5 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 47E of the Code by an individual is 1 to 90 penalty units.

**Item [46] – Schedule 5A (table item 5, column headed “Amount for corporation (penalty units)”)**

Table item 5 provides amounts relating to an alleged contravention of section 47E of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 5 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 47E of the Code by a corporation is 1 to 750 penalty units.

**Item [47] – Schedule 5A (table item 6, column headed “Amount for individual (penalty units)”)**

Table item 6 provides amounts relating to an alleged contravention of section 74 of the Code (relating to the possession or custody of an unapproved active constituent) in circumstances involving:

1. at least 10 kg of an active constituent of a veterinary product; or
2. at least 100 kg of an active constituent of an agricultural chemical product.

This item omits “60” and substitutes “1 to 60” in the column headed “Amount for individual (penalty units)” in table item 6 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 74 of the Code by an individual in the relevant circumstances is 1 to 60 penalty units.

**Item [48] – Schedule 5A (table item 6, column headed “Amount for corporation (penalty units)”)**

Table item 6 provides amounts relating to an alleged contravention of section 74 of the Code in circumstances involving:

1. at least 10 kg of an active constituent of a veterinary product; or
2. at least 100 kg of an active constituent of an agricultural chemical product.

This item omits “500” and substitutes “1 to 500” in the column headed “Amount for corporation (penalty units)” in table item 6 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 74 of the Code by a corporation in the relevant circumstances is 1 to 500 penalty units.

**Item [49] – Schedule 5A (table item 7, column headed “Amount for individual (penalty units)”)**

Table item 7 provides amounts relating to an alleged contravention of section 74 of the Code in circumstances involving:

1. at least 1 kg, but less than 10 kg, of an active constituent of a veterinary product; or
2. at least 10 kg, but less than 100 kg of an active constituent of an agricultural chemical product.

This item omits “30” and substitutes “1 to 30” in the column headed “Amount for individual (penalty units)” in table item 7 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 74 of the Code by an individual in the relevant circumstances is 1 to 30 penalty units.

**Item [50] – Schedule 5A (table item 7, column headed “Amount for corporation (penalty units)”)**

Table item 7 provides amounts relating to an alleged contravention of section 74 of the Code in circumstances involving:

1. at least 1 kg, but less than 10 kg, of an active constituent of a veterinary product; or
2. at least 10 kg, but less than 100 kg, of an active constituent of an agricultural chemical product.

This item omits “250” and substitutes “1 to 250” in the column headed “Amount for corporation (penalty units)” in table item 7 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 74 of the Code by a corporation in the relevant circumstances is 1 to 250 penalty units.

**Item [51] – Schedule 5A (table item 8, column headed “Amount for individual (penalty units)”)**

Table item 8 provides amounts relating to an alleged contravention of section 74 of the Code in circumstances involving:

1. less than 1 kg of an active constituent of a veterinary product; or
2. less than 10 kg of an active constituent of an agricultural chemical product.

This item omits “6” and substitutes “1 to 6” in the column headed “Amount for individual (penalty units)” in table item 8 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 74 of the Code by an individual in the relevant circumstances is 1 to 6 penalty units.

**Item [52] – Schedule 5A (table item 8, column headed “Amount for corporation (penalty units)”)**

Table item 8 provides amounts relating to an alleged contravention of section 74 of the Code in circumstances involving:

1. less than 1 kg of an active constituent of a veterinary product; or
2. less than 10 kg of an active constituent of an agricultural chemical product.

This item omits “50” and substitutes “1 to 50” in the column headed “Amount for corporation (penalty units)” in table item 8 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 74 of the Code by a corporation in the relevant circumstances is 1 to 50 penalty units.

**Item [53] – Schedule 5A (table item 9, column headed “Amount for individual (penalty units)”)**

Table item 9 provides amounts relating to an alleged contravention of section 75 of the Code (relating to the possession or custody of a chemical product that is not registered or reserved) in circumstances involving at least 500 containers.

This item omits “60” and substitutes “1 to 60” in the column headed “Amount for individual (penalty units)” in table item 9 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 75 of the Code by an individual in the relevant circumstances is 1 to 60 penalty units.

**Item [54] – Schedule 5A (table item 9, column headed “Amount for corporation (penalty units)”)**

Table item 9 provides amounts relating to an alleged contravention of section 75 of the Code in circumstances involving at least 500 containers.

This item omits “500” and substitutes “1 to 500” in the column headed “Amount for corporation (penalty units)” in table item 9 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 75 of the Code by a corporation in the relevant circumstances is 1 to 500 penalty units.

**Item [55] – Schedule 5A (table item 10, column headed “Amount for individual (penalty units)”)**

Table item 10 provides amounts relating to an alleged contravention of section 75 of the Code in circumstances involving at least 50 containers but fewer than 500 containers.

This item omits “30” and substitutes “1 to 30” in the column headed “Amount for individual (penalty units)” in table item 10 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 75 of the Code by an individual in the relevant circumstances is 1 to 30 penalty units.

**Item [56] – Schedule 5A (table item 10, column headed “Amount for corporation (penalty units)”)**

Table item 10 provides amounts relating to an alleged contravention of section 75 of the Code in circumstances involving at least 50 containers but fewer than 500 containers.

This item omits “250” and substitutes “1 to 250” in the column headed “Amount for corporation (penalty units)” in table item 10 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 75 of the Code by a corporation in the relevant circumstances is 1 to 250 penalty units.

**Item [57] – Schedule 5A (table item 11, column headed “Amount for individual (penalty units)”)**

Table item 11 provides amounts relating to an alleged contravention of section 75 of the Code in circumstances involving fewer than 50 containers.

This item omits “6” and substitutes “1 to 6” in the column headed “Amount for individual (penalty units)” in table item 11 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 75 of the Code by an individual in the relevant circumstances is 1 to 6 penalty units.

**Item [58] – Schedule 5A (table item 11, column headed “Amount for corporation (penalty units)”)**

Table item 11 provides amounts relating to an alleged contravention of section 75 of the Code in circumstances involving fewer than 50 containers.

This item omits “50” and substitutes “1 to 50” in the column headed “Amount for corporation (penalty units)” in table item 11 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 75 of the Code by a corporation in the relevant circumstances is 1 to 50 penalty units.

**Item [59] – Schedule 5A (table item 12, column headed “Amount for individual (penalty units)”)**

Table item 12 provides amounts relating to an alleged contravention of section 76 of the Code (relating to the supply of unapproved active constituents) in circumstances involving:

1. at least 10 kg of an active constituent of a veterinary chemical product; or
2. at least 100 kg of an active constituent of an agricultural chemical product.

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 12 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 76 of the Code by an individual in the relevant circumstances is 1 to 90 penalty units.

**Item [60] – Schedule 5A (table item 12, column headed “Amount for corporation (penalty units)”)**

Table item 12 provides amounts relating to an alleged contravention of section 76 of the Code in circumstances involving:

1. at least 10 kg of an active constituent of a veterinary chemical product; or
2. at least 100 kg of an active constituent of an agricultural chemical product.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 12 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 76 of the Code by a corporation in the relevant circumstances is 1 to 750 penalty units.

**Item [61] – Schedule 5A (table item 13, column headed “Amount for individual (penalty units)”)**

Table item 13 provides amounts relating to an alleged contravention of section 76 of the Code in circumstances involving:

1. at least 1 kg, but less than 10 kg, of an active constituent of a veterinary chemical product; or
2. at least 10 kg, but less than 100 kg, of an active constituent of an agricultural chemical product.

This item omits “45” and substitutes “1 to 45” in the column headed “Amount for individual (penalty units)” in table item 13 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 76 of the Code by an individual in the relevant circumstances is 1 to 45 penalty units.

**Item [62] – Schedule 5A (table item 13, column headed “Amount for corporation (penalty units)”)**

Table item 13 provides amounts relating to an alleged contravention of section 76 of the Code in circumstances involving:

1. at least 1 kg, but less than 10 kg, of an active constituent of a veterinary chemical product; or
2. at least 10 kg, but less than 100 kg, of an active constituent of an agricultural chemical product.

This item omits “375” and substitutes “1 to 375” in the column headed “Amount for corporation (penalty units)” in table item 13 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 76 of the Code by a corporation in the relevant circumstances is 1 to 375 penalty units.

**Item [63] – Schedule 5A (table item 14, column headed “Amount for individual (penalty units)”)**

Table item 14 provides amounts relating to an alleged contravention of section 76 of the Code in circumstances involving:

1. less 1 kg of an active constituent of a veterinary chemical product; or
2. less than 10 kg of an active constituent of an agricultural chemical product.

This item omits “9” and substitutes “1 to 9” in the column headed “Amount for individual (penalty units)” in table item 14 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 76 of the Code by an individual in the relevant circumstances is 1 to 9 penalty units.

**Item [64] – Schedule 5A (table item 14, column headed “Amount for corporation (penalty units)”)**

Table item 14 provides amounts relating to an alleged contravention of section 76 of the Code in circumstances involving:

1. less than 1 kg of an active constituent of a veterinary chemical product; or
2. less than 10 kg of an active constituent of an agricultural chemical product.

This item omits “75” and substitutes “1 to 75” in the column headed “Amount for corporation (penalty units)” in table item 14 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 76 of the Code by a corporation in the relevant circumstances is 1 to 75 penalty units.

**Item [65] – Schedule 5A (table item 15, column headed “Amount for individual (penalty units)”)**

Table item 15 provides amounts relating to an alleged contravention of section 77 of the Code (relating to the supply of approved active constituents in contravention of conditions of approval).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 15 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 77 of the Code by an individual is 1 to 90 penalty units.

**Item [66] – Schedule 5A (table item 15, column headed “Amount for corporation (penalty units)”)**

Table item 15 provides amounts relating to an alleged contravention of section 77 of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 15 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 77 of the Code by a corporation is 1 to 750 penalty units.

**Item [67] – Schedule 5A (table item 16, column headed “Amount for individual (penalty units)”)**

Table item 16 provides amounts relating to an alleged contravention of section 78 of the Code (relating to the supply of chemical products that are not registered or reserved) in circumstances involving at least 500 containers.

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 16 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 78 of the Code by an individual in the relevant circumstances is 1 to 90 penalty units.

**Item [68] – Schedule 5A (table item 16, column headed “Amount for corporation (penalty units)”)**

Table item 16 provides amounts relating to an alleged contravention of section 78 of the Code in circumstances involving at least 500 containers.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 16 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 78 of the Code by a corporation in the relevant circumstances is 1 to 750 penalty units.

**Item [69] – Schedule 5A (table item 17, column headed “Amount for individual (penalty units)”)**

Table item 17 provides amounts relating to an alleged contravention of section 78 of the Code in circumstances involving at least 50 containers but fewer than 500 containers.

This item omits “45” and substitutes “1 to 45” in the column headed “Amount for individual (penalty units)” in table item 17 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 78 of the Code by an individual in the relevant circumstances is 1 to 45 penalty units.

**Item [70] – Schedule 5A (table item 17, column headed “Amount for corporation (penalty units)”)**

Table item 17 provides amounts relating to an alleged contravention of section 78 of the Code in circumstances involving at least 50 containers but fewer than 500 containers.

This item omits “375” and substitutes “1 to 375” in the column headed “Amount for corporation (penalty units)” in table item 17 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 78 of the Code by a corporation in the relevant circumstances is 1 to 375 penalty units.

**Item [71] – Schedule 5A (table item 18, column headed “Amount for individual (penalty units)”)**

Table item 18 provides amounts relating to an alleged contravention of section 78 of the Code in circumstances involving fewer than 50 containers.

This item omits “9” and substitutes “1 to 9” in the column headed “Amount for individual (penalty units)” in table item 18 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 78 of the Code by an individual in the relevant circumstances is 1 to 9 penalty units.

**Item [72] – Schedule 5A (table item 18, column headed “Amount for corporation (penalty units)”)**

Table item 18 provides amounts relating to an alleged contravention of section 78 of the Code in circumstances involving fewer than 50 containers.

This item omits “75” and substitutes “1 to 75” in the column headed “Amount for corporation (penalty units)” in table item 18 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 78 of the Code by a corporation in the relevant circumstances is 1 to 75 penalty units.

**Item [73] – Schedule 5A (table item 19, column headed “Amount for individual (penalty units)”)**

Table item 19 provides amounts relating to an alleged contravention of section 79 of the Code (relating to the supply of registered chemical products in contravention of conditions of registration).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 19 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 79 of the Code by an individual is 1 to 90 penalty units.

**Item [74] – Schedule 5A (table item 19, column headed “Amount for corporation (penalty units)”)**

Table item 19 provides amounts relating to an alleged contravention of section 79 of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 19 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 79 of the Code by a corporation is 1 to 750 penalty units.

**Item [75] – Schedule 5A (table item 20, column headed “Amount for individual (penalty units)”)**

Table item 20 provides amounts relating to an alleged contravention of section 79B of the Code (relating to the supply of reserved chemical products contrary to conditions specified in the regulations).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 20 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 79B of the Code by an individual is 1 to 90 penalty units.

**Item [76] – Schedule 5A (table item 20, column headed “Amount for corporation (penalty units)”)**

Table item 20 provides amounts relating to an alleged contravention of section 79B of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 20 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 79B of the Code by a corporation is 1 to 750 penalty units.

**Item [77] – Schedule 5A (table item 21, column headed “Amount for individual (penalty units)”)**

Table item 21 provides amounts relating to an alleged contravention of section 80 of the Code (relating to the supply of chemical products without a label) in circumstances involving at least 500 containers.

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 21 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 80 of the Code by an individual in the relevant circumstances is 1 to 90 penalty units.

**Item [78] – Schedule 5A (table item 21, column headed “Amount for corporation (penalty units)”)**

Table item 21 provides amounts relating to an alleged contravention of section 80 of the Code in circumstances involving at least 500 containers.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 21 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 80 of the Code by a corporation in the relevant circumstances is 1 to 750 penalty units.

**Item [79] – Schedule 5A (table item 22, column headed “Amount for individual (penalty units)”)**

Table item 22 provides amounts relating to an alleged contravention of section 80 of the Code in circumstances involving at least 50 containers but fewer than 500 containers.

This item omits “45” and substitutes “1 to 45” in the column headed “Amount for individual (penalty units)” in table item 22 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 80 of the Code by an individual in the relevant circumstances is 1 to 45 penalty units.

**Item [80] – Schedule 5A (table item 22, column headed “Amount for corporation (penalty units)”)**

Table item 22 provides amounts relating to an alleged contravention of section 80 of the Code in circumstances involving at least 50 containers but fewer than 500 containers.

This item omits “375” and substitutes “1 to 375” in the column headed “Amount for corporation (penalty units)” in table item 22 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 80 of the Code by a corporation in the relevant circumstances is 1 to 375 penalty units.

**Item [81] – Schedule 5A (table item 23, column headed “Amount for individual (penalty units)”)**

Table item 23 provides amounts relating to an alleged contravention of section 80 of the Code in circumstances involving fewer than 50 containers.

This item omits “9” and substitutes “1 to 9” in the column headed “Amount for individual (penalty units)” in table item 23 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 80 of the Code by an individual in the relevant circumstances is 1 to 9 penalty units.

**Item [82] – Schedule 5A (table item 23, column headed “Amount for corporation (penalty units)”)**

Table item 23 provides amounts relating to an alleged contravention of section 80 of the Code in circumstances involving fewer than 50 containers.

This item omits “75” and substitutes “1 to 75” in the column headed “Amount for corporation (penalty units)” in table item 23 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 80 of the Code by a corporation in the relevant circumstances is 1 to 75 penalty units.

**Item [83] – Schedule 5A (table item 24, column headed “Amount for individual (penalty units)”)**

Table item 24 provides amounts relating to an alleged contravention of section 81 of the Code (relating to the supply of registered chemical products with an unapproved label) in circumstances involving at least 500 containers.

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 24 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 81 of the Code by an individual in the relevant circumstances is 1 to 90 penalty units.

**Item [84] – Schedule 5A (table item 24, column headed “Amount for corporation (penalty units)”)**

Table item 24 provides amounts relating to an alleged contravention of section 81 of the Code in circumstances involving at least 500 containers.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 24 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 81 of the Code by a corporation in the relevant circumstances is 1 to 750 penalty units.

**Item [85] – Schedule 5A (table item 25, column headed “Amount for individual (penalty units)”)**

Table item 25 provides amounts relating to an alleged contravention of section 81 of the Code in circumstances involving at least 50 containers but fewer than 500 containers.

This item omits “45” and substitutes “1 to 45” in the column headed “Amount for individual (penalty units)” in table item 25 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 81 of the Code by an individual in the relevant circumstances is 1 to 45 penalty units.

**Item [86] – Schedule 5A (table item 25, column headed “Amount for corporation (penalty units)”)**

Table item 25 provides amounts relating to an alleged contravention of section 81 of the Code in circumstances involving at least 50 containers but fewer than 500 containers.

This item omits “375” and substitutes “1 to 375” in the column headed “Amount for corporation (penalty units)” in table item 25 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 81 of the Code by a corporation in the relevant circumstances is 1 to 375 penalty units.

**Item [87] – Schedule 5A (table item 26, column headed “Amount for individual (penalty units)”)**

Table item 26 provides amounts relating to an alleged contravention of section 81 of the Code in circumstances involving fewer than 50 containers.

This item omits “9” and substitutes “1 to 9” in the column headed “Amount for individual (penalty units)” in table item 26 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 81 of the Code by an individual in the relevant circumstances is 1 to 9 penalty units.

**Item [88] – Schedule 5A (table item 26, column headed “Amount for corporation (penalty units)”)**

Table item 26 provides amounts relating to an alleged contravention of section 81 of the Code in circumstances involving fewer than 50 containers.

This item omits “75” and substitutes “1 to 75” in the column headed “Amount for corporation (penalty units)” in table item 26 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 81 of the Code by a corporation in the relevant circumstances is 1 to 75 penalty units.

**Item [89] – Schedule 5A (table item 27, column headed “Amount for individual (penalty units)”)**

Table item 27 provides amounts relating to an alleged contravention of section 83 of the Code (relating to the supply of substances whose constituents differ from the constituents of the registered chemical product).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 27 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 83 of the Code by an individual is 1 to 90 penalty units.

**Item [90] – Schedule 5A (table item 27, column headed “Amount for corporation (penalty units)”)**

Table item 27 provides amounts relating to an alleged contravention of section 83 of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 27 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 83 of the Code by a corporation is 1 to 750 penalty units.

**Item [91] – Schedule 5A (table item 28, column headed “Amount for individual (penalty units)”)**

Table item 28 provides amounts relating to an alleged contravention of section 84 of the Code (relating to making claims inconsistent with labels).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 28 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 84 of the Code by an individual is 1 to 90 penalty units.

**Item [92] – Schedule 5A (table item 28, column headed “Amount for corporation (penalty units)”)**

Table item 28 provides amounts relating to an alleged contravention of section 84 of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 28 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 84 of the Code by a corporation is 1 to 750 penalty units.

**Item [93] – Schedule 5A (table item 29, column headed “Amount for individual (penalty units)”)**

Table item 29 provides amounts relating to an alleged contravention of section 85 of the Code (relating to making a claim that is inconsistent with the expiry date on the label attached to a container).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 29 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 85 of the Code by an individual is 1 to 90 penalty units.

**Item [94] – Schedule 5A (table item 29, column headed “Amount for corporation (penalty units)”)**

Table item 29 provides amounts relating to an alleged contravention of section 85 of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 29 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 85 of the Code by a corporation is 1 to 750 penalty units.

**Item [95] – Schedule 5A (table item 30, column headed “Amount for individual (penalty units)”)**

Table item 30 provides amounts relating to an alleged contravention of section 86 of the Code (relating to detaching labels and altering particulars).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 30 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 86 of the Code by an individual is 1 to 90 penalty units.

**Item [96] – Schedule 5A (table item 30, column headed “Amount for corporation (penalty units)”)**

Table item 30 provides amounts relating to an alleged contravention of section 86 of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 30 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 86 of the Code by a corporation is 1 to 750 penalty units.

**Item [97] – Schedule 5A (table item 31, column headed “Amount for individual (penalty units)”)**

Table item 31 provides amounts relating to an alleged contravention of section 87 of the Code (relating to supplying chemical products that do not conform to prescribed standards).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 31 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 87 of the Code by an individual is 1 to 90 penalty units.

**Item [98] – Schedule 5A (table item 31, column headed “Amount for corporation (penalty units)”)**

Table item 31 provides amounts relating to an alleged contravention of section 87 of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 31 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 87 of the Code by a corporation is 1 to 750 penalty units.

**Item [99] – Schedule 5A (table item 32, column headed “Amount for individual (penalty units)”)**

Table item 32 provides amounts relating to an alleged contravention of section 88 of the Code (relating to the publication of certain notices).

This item omits “15” and substitutes “1 to 15” in the column headed “Amount for individual (penalty units)” in table item 32 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 88 of the Code by an individual is 1 to 15 penalty units.

**Item [100] – Schedule 5A (table item 32, column headed “Amount for corporation (penalty units)”)**

Table item 32 provides amounts relating to an alleged contravention of section 88 of the Code.

This item omits “125” and substitutes “1 to 125” in the column headed “Amount for corporation (penalty units)” in table item 32 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 88 of the Code by a corporation is 1 to 125 penalty units.

**Item [101] – Schedule 5A (table item 33, column headed “Amount for individual (penalty units)”)**

Table item 33 provides amounts relating to an alleged contravention of section 89 of the Code (relating to making prohibited statements).

This item omits “15” and substitutes “1 to 15” in the column headed “Amount for individual (penalty units)” in table item 33 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 89 of the Code by an individual is 1 to 15 penalty units.

**Item [102] – Schedule 5A (table item 33, column headed “Amount for corporation (penalty units)”)**

Table item 33 provides amounts relating to an alleged contravention of section 89 of the Code.

This item omits “125” and substitutes “1 to 125” in the column headed “Amount for corporation (penalty units)” in table item 33 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 89 of the Code by a corporation is 1 to 125 penalty units.

**Item [103] – Schedule 5A (table item 34, column headed “Amount for individual (penalty units)”)**

Table item 34 provides amounts relating to an alleged contravention of section 90 of the Code (relating to making and keeping a record of the date of manufacture or import or both, of a date-controlled chemical product) in circumstances involving at least 500 containers.

This item omits “36” and substitutes “1 to 36” in the column headed “Amount for individual (penalty units)” in table item 34 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 90 of the Code by an individual in the relevant circumstances is 1 to 36 penalty units.

**Item [104] – Schedule 5A (table item 34, column headed “Amount for corporation (penalty units)”)**

Table item 34 provides amounts relating to an alleged contravention of section 90 of the Code in circumstances involving at least 500 containers.

This item omits “300” and substitutes “1 to 300” in the column headed “Amount for corporation (penalty units)” in table item 34 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 90 of the Code by a corporation in the relevant circumstances is 1 to 300 penalty units.

**Item [105] – Schedule 5A (table item 35, column headed “Amount for individual (penalty units)”)**

Table item 35 provides amounts relating to an alleged contravention of section 90 of the Code in circumstances involving at least 50 containers but fewer than 500 containers.

This item omits “18” and substitutes “1 to 18” in the column headed “Amount for individual (penalty units)” in table item 35 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 90 of the Code by an individual in the relevant circumstances is 1 to 18 penalty units.

**Item [106] – Schedule 5A (table item 35, column headed “Amount for corporation (penalty units)”)**

Table item 35 provides amounts relating to an alleged contravention of section 90 of the Code in circumstances involving at least 50 containers but fewer than 500 containers.

This item omits “150” and substitutes “1 to 150” in the column headed “Amount for corporation (penalty units)” in table item 35 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 90 of the Code by a corporation in the relevant circumstances is 1 to 150 penalty units.

**Item [107] – Schedule 5A (table item 36, column headed “Amount for individual (penalty units)”)**

Table item 36 provides amounts relating to an alleged contravention of section 90 of the Code in circumstances involving fewer than 50 containers.

This item omits “3” and substitutes “1 to 3” in the column headed “Amount for individual (penalty units)” in table item 36 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 90 of the Code by an individual in the relevant circumstances is 1 to 3 penalty units.

**Item [108] – Schedule 5A (table item 36, column headed “Amount for corporation (penalty units)”)**

Table item 36 provides amounts relating to an alleged contravention of section 90 of the Code in circumstances involving fewer than 50 containers.

This item omits “30” and substitutes “1 to 30” in the column headed “Amount for corporation (penalty units)” in table item 36 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 90 of the Code by a corporation in the relevant circumstances is 1 to 30 penalty units.

**Item [109] – Schedule 5A (table item 37, column headed “Amount for individual (penalty units)”)**

Table item 37 provides amounts relating to an alleged contravention of section 91 of the Code (relating to the supply of date-controlled chemical products without identifying the date of manufacture and expiry date) in circumstances involving at least 500 containers.

This item omits “36” and substitutes “1 to 36” in the column headed “Amount for individual (penalty units)” in table item 34 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 91 of the Code by an individual in the relevant circumstances is 1 to 36 penalty units.

**Item [110] – Schedule 5A (table item 37, column headed “Amount for corporation (penalty units)”)**

Table item 37 provides amounts relating to an alleged contravention of section 91 of the Code in circumstances involving at least 500 containers.

This item omits “300” and substitutes “1 to 300” in the column headed “Amount for corporation (penalty units)” in table item 37 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 91 of the Code by a corporation in the relevant circumstances is 1 to 300 penalty units.

**Item [111] – Schedule 5A (table item 38, column headed “Amount for individual (penalty units)”)**

Table item 38 provides amounts relating to an alleged contravention of section 91 of the Code in circumstances involving at least 50 containers but fewer than 500 containers.

This item omits “18” and substitutes “1 to 18” in the column headed “Amount for individual (penalty units)” in table item 38 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 91 of the Code by an individual in the relevant circumstances is 1 to 18 penalty units.

**Item [112] – Schedule 5A (table item 38, column headed “Amount for corporation (penalty units)”)**

Table item 38 provides amounts relating to an alleged contravention of section 91 of the Code in circumstances involving at least 50 containers but fewer than 500 containers.

This item omits “150” and substitutes “1 to 150” in the column headed “Amount for corporation (penalty units)” in table item 38 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 91 of the Code by a corporation in the relevant circumstances is 1 to 150 penalty units.

**Item [113] – Schedule 5A (table item 39, column headed “Amount for individual (penalty units)”)**

Table item 39 provides amounts relating to an alleged contravention of section 91 of the Code in circumstances involving fewer than 50 containers.

This item omits “3” and substitutes “1 to 3” in the column headed “Amount for individual (penalty units)” in table item 39 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 91 of the Code by an individual in the relevant circumstances is 1 to 3 penalty units.

**Item [114] – Schedule 5A (table item 39, column headed “Amount for corporation (penalty units)”)**

Table item 39 provides amounts relating to an alleged contravention of section 91 of the Code in circumstances involving fewer than 50 containers.

This item omits “30” and substitutes “1 to 30” in the column headed “Amount for corporation (penalty units)” in table item 39 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 91 of the Code by a corporation in the relevant circumstances is 1 to 30 penalty units.

**Item [115] – Schedule 5A (table item 40, column headed “Amount for individual (penalty units)”)**

Table item 40 provides amounts relating to an alleged contravention of section 92 of the Code (relating to detaching warning labels or altering approved matters contained on labels).

This item omits “36” and substitutes “1 to 36” in the column headed “Amount for individual (penalty units)” in table item 40 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 92 of the Code by an individual is 1 to 36 penalty units.

**Item [116] – Schedule 5A (table item 40, column headed “Amount for corporation (penalty units)”)**

Table item 40 provides amounts relating to an alleged contravention of section 92 of the Code.

This item omits “300” and substitutes “1 to 300” in the column headed “Amount for corporation (penalty units)” in table item 40 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 92 of the Code by a corporation is 1 to 300 penalty units.

**Item [117] – Schedule 5A (table item 41, column headed “Amount for individual (penalty units)”)**

Table item 41 provides amounts relating to an alleged contravention of section 94 of the Code (relating to the supply of restricted chemical products to persons who are not authorised to use the product).

This item omits “36” and substitutes “1 to 36” in the column headed “Amount for individual (penalty units)” in table item 41 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 94 of the Code by an individual is 1 to 36 penalty units.

**Item [118] – Schedule 5A (table item 41, column headed “Amount for corporation (penalty units)”)**

Table item 41 provides amounts relating to an alleged contravention of section 94 of the Code.

This item omits “300” and substitutes “1 to 300” in the column headed “Amount for corporation (penalty units)” in table item 41 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 94 of the Code by a corporation is 1 to 300 penalty units.

**Item [119] – Schedule 5A (table item 42, column headed “Amount for individual (penalty units)”)**

Table item 42 provides amounts (in penalty units) relating to an alleged contravention of section 95 of the Code.

Table item 42 provides amounts relating to an alleged contravention of section 95 of the Code (relating to labels that must be attached to restricted chemical products).

This item omits “36” and substitutes “1 to 36” in the column headed “Amount for individual (penalty units)” in table item 42 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 95 of the Code by an individual is 1 to 36 penalty units.

**Item [120] – Schedule 5A (table item 42, column headed “Amount for corporation (penalty units)”)**

Table item 42 provides amounts relating to an alleged contravention of section 95 of the Code.

This item omits “300” and substitutes “1 to 300” in the column headed “Amount for corporation (penalty units)” in table item 42 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 95 of the Code by a corporation is 1 to 300 penalty units.

**Item [121] – Schedule 5A (table item 43, column headed “Amount for individual (penalty units)”)**

Table item 43 provides amounts relating to an alleged contravention of section 99 of the Code (relating to a failure to comply with a requirement to give APVMA certain information or documents or to take certain steps, relating to substances supplied as active constituents or chemical products).

This item omits “36” and substitutes “1 to 36” in the column headed “Amount for individual (penalty units)” in table item 43 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 99 of the Code by an individual is 1 to 36 penalty units.

**Item [122] – Schedule 5A (table item 43, column headed “Amount for corporation (penalty units)”)**

Table item 43 provides amounts relating to an alleged contravention of section 99 of the Code.

This item omits “300” and substitutes “1 to 300” in the column headed “Amount for corporation (penalty units)” in table item 43 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 99 of the Code by a corporation is 1 to 300 penalty units.

**Item [123] – Schedule 5A (table item 44, column headed “Amount for individual (penalty units)”)**

Table item 44 provides amounts relating to an alleged contravention of section 105 of the Code (relating to non-compliance with a recall notice).

This item omits “36” and substitutes “1 to 36” in the column headed “Amount for individual (penalty units)” in table item 44 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 105 of the Code by an individual is 1 to 36 penalty units.

**Item [124] – Schedule 5A (table item 44, column headed “Amount for corporation (penalty units)”)**

Table item 44 provides amounts relating to an alleged contravention of section 105 of the Code.

This item omits “300” and substitutes “1 to 300” in the column headed “Amount for corporation (penalty units)” in table item 44 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 105 of the Code by a corporation is 1 to 300 penalty units.

**Item [125] – Schedule 5A (table item 44A, column headed “Amount for individual (penalty units)”)**

Table item 44A provides amounts relating to an alleged contravention of subsection 106(2) of the Code (relating to providing APVMA notification of a voluntary recall).

This item omits “36” and substitutes “1 to 36” in the column headed “Amount for individual (penalty units)” in table item 44A of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 106(2) of the Code by an individual is 1 to 36 penalty units.

**Item [126] – Schedule 5A (table item 44A, column headed “Amount for corporation (penalty units)”)**

Table item 44A provides amounts relating to an alleged contravention of subsection 106(2) of the Code.

This item omits “300” and substitutes “1 to 300” in the column headed “Amount for corporation (penalty units)” in table item 44A of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 106(2) of the Code by a corporation is 1 to 300 penalty units.

**Item [127] – Schedule 5A (table item 45, column headed “Amount for individual (penalty units)”)**

Table item 45 provides amounts relating to an alleged contravention of section 116 of the Code (relating to contravening conditions of a permit in respect of an active constituent for a proposed or existing product, or in respect of a chemical product).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 45 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 116 of the Code by an individual is 1 to 90 penalty units.

**Item [128] – Schedule 5A (table item 45, column headed “Amount for corporation (penalty units)”)**

Table item 45 provides amounts relating to an alleged contravention of section 116 of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 45 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 116 of the Code by a corporation is 1 to 750 penalty units.

**Item [129] – Schedule 5A (table item 46, column headed “Amount for individual (penalty units)”)**

Table item 46 provides amounts relating to an alleged contravention of subsection 121(3) of the Code (relating to the manufacture of prohibited chemical products).

This item omits “72” and substitutes “1 to 72” in the column headed “Amount for individual (penalty units)” in table item 46 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(3) of the Code by an individual is 1 to 72 penalty units.

**Item [130] – Schedule 5A (table item 46, column headed “Amount for corporation (penalty units)”)**

Table item 46 provides amounts relating to an alleged contravention of subsection 121(3) of the Code.

This item omits “600” and substitutes “1 to 600” in the column headed “Amount for corporation (penalty units)” in table item 46 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(3) of the Code by a corporation is 1 to 600 penalty units.

**Item [131] – Schedule 5A (table item 47, column headed “Amount for individual (penalty units)”)**

Table item 47 provides amounts relating to an alleged contravention of subsection 121(4) of the Code (relating to the manufacture of prohibited chemical products) relating to a step in the manufacture of a veterinary chemical product mentioned in the definition of ***category 1 licence***.

This item omits “72” and substitutes “1 to 72” in the column headed “Amount for individual (penalty units)” in table item 47 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(4) of the Code by an individual in the relevant circumstances is 1 to 72 penalty units.

**Item [132] – Schedule 5A (table item 47, column headed “Amount for corporation (penalty units)”)**

Table item 47 provides amounts relating to an alleged contravention of subsection 121(4) of the Code relating to a step in the manufacture of a veterinary chemical product mentioned in the definition of ***category 1 licence***.

This item omits “600” and substitutes “1 to 600” in the column headed “Amount for corporation (penalty units)” in table item 47 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(4) of the Code by a corporation in the relevant circumstances is 1 to 600 penalty units.

**Item [133] – Schedule 5A (table item 48, column headed “Amount for individual (penalty units)”)**

Table item 48 provides amounts relating to an alleged contravention of subsection 121(4) of the Code relating to a step in the manufacture of a veterinary chemical product mentioned in the definition of ***category 2 licence*** or ***category 3 licence***.

This item omits “36” and substitutes “1 to 36” in the column headed “Amount for individual (penalty units)” in table item 48 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(4) of the Code by an individual in the relevant circumstances is 1 to 36 penalty units.

**Item [134] – Schedule 5A (table item 48, column headed “Amount for corporation (penalty units)”)**

Table item 48 provides amounts relating to an alleged contravention of subsection 121(4) of the Code relating to a step in the manufacture of a veterinary chemical product mentioned in the definition of ***category 2 licence*** or ***category 3 licence***.

This item omits “300” and substitutes “1 to 300” in the column headed “Amount for corporation (penalty units)” in table item 48 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(4) of the Code by a corporation in the relevant circumstances is 1 to 300 penalty units.

**Item [135] – Schedule 5A (table item 49, column headed “Amount for individual (penalty units)”)**

Table item 49 provides amounts relating to an alleged contravention of subsection 121(4) of the Code relating to a step in the manufacture of a veterinary chemical product mentioned in the definition of ***category 4 licence***.

This item omits “7” and substitutes “1 to 7” in the column headed “Amount for individual (penalty units)” in table item 49 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(4) of the Code by an individual in the relevant circumstances is 1 to 7 penalty units.

**Item [136] – Schedule 5A (table item 49, column headed “Amount for corporation (penalty units)”)**

Table item 49 provides amounts relating to an alleged contravention of subsection 121(4) of the Code relating to a step in the manufacture of a veterinary chemical product mentioned in the definition of ***category 4 licence***.

This item omits “60” and substitutes “1 to 60” in the column headed “Amount for corporation (penalty units)” in table item 49 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(4) of the Code by a corporation in the relevant circumstances is 1 to 60 penalty units.

**Item [137] – Schedule 5A (table item 50, column headed “Amount for individual (penalty units)”)**

Table item 50 provides amounts relating to an alleged contravention of subsection 121(4) of the Code relating to a step in the manufacture of a veterinary chemical product mentioned in the definition of ***category 6 licence***.

This item omits “7” and substitutes “1 to 7” in the column headed “Amount for individual (penalty units)” in table item 50 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(4) of the Code by an individual in the relevant circumstances is 1 to 7 penalty units.

**Item [138] – Schedule 5A (table item 50, column headed “Amount for corporation (penalty units)”)**

Table item 50 provides amounts relating to an alleged contravention of subsection 121(4) of the Code relating to a step in the manufacture of a veterinary chemical product mentioned in the definition of ***category 6 licence***.

This item omits “60” and substitutes “1 to 60” in the column headed “Amount for corporation (penalty units)” in table item 50 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(4) of the Code by a corporation in the relevant circumstances is 1 to 60 penalty units.

**Item [139] – Schedule 5A (table item 51, column headed “Amount for individual (penalty units)”)**

Table item 51 provides amounts relating to an alleged contravention of subsection 121(5) of the Code (relating to the contravention of conditions of a licence) involving non-compliance with a condition other than a condition mentioned in items 52, 53 or 54 of the table in Schedule 5A to the Code Regulations.

This item omits “36” and substitutes “1 to 36” in the column headed “Amount for individual (penalty units)” in table item 51 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(5) of the Code by an individual in the relevant circumstances is 1 to 36 penalty units.

**Item [140] – Schedule 5A (table item 51, column headed “Amount for corporation (penalty units)”)**

Table item 51 provides amounts relating to an alleged contravention of subsection 121(5) of the Code involving non-compliance with a condition other than a condition mentioned in items 52, 53 or 54 of the table in Schedule 5A to the Code Regulations.

This item omits “300” and substitutes “1 to 300” in the column headed “Amount for corporation (penalty units)” in table item 51 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(5) of the Code by a corporation in the relevant circumstances is 1 to 300 penalty units.

**Item [141] – Schedule 5A (table item 52, column headed “Amount for individual (penalty units)”)**

Table item 52 provides amounts relating to an alleged contravention of subsection 121(5) of the Code involving non-compliance with a condition mentioned in subregulation 61(4), (7) or (7A) of the Code Regulations.

This item omits “18” and substitutes “1 to 18” in the column headed “Amount for individual (penalty units)” in table item 52 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(5) of the Code by an individual in the relevant circumstances is 1 to 18 penalty units.

**Item [142] – Schedule 5A (table item 52, column headed “Amount for corporation (penalty units)”)**

Table item 52 provides amounts relating to an alleged contravention of subsection 121(5) of the Code involving non-compliance with a condition mentioned in subregulation 61(4), (7) or (7A) of the Code Regulations.

This item omits “150” and substitutes “1 to 150” in the column headed “Amount for corporation (penalty units)” in table item 52 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(5) of the Code by a corporation in the relevant circumstances is 1 to 150 penalty units.

**Item [143] – Schedule 5A (table item 53, column headed “Amount for individual (penalty units)”)**

Table item 53 provides amounts relating to an alleged contravention of subsection 121(5) of the Code involving non-compliance with a condition mentioned in subregulation 61(10) of the Code Regulations.

This item omits “3” and substitutes “1 to 3” in the column headed “Amount for individual (penalty units)” in table item 53 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(5) of the Code by an individual in the relevant circumstances is 1 to 3 penalty units.

**Item [144] – Schedule 5A (table item 53, column headed “Amount for corporation (penalty units)”)**

Table item 53 provides amounts relating to an alleged contravention of subsection 121(5) of the Code involving non-compliance with a condition mentioned in subregulation 61(10) of the Code Regulations.

This item omits “30” and substitutes “1 to 30” in the column headed “Amount for corporation (penalty units)” in table item 53 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(5) of the Code by a corporation in the relevant circumstances is 1 to 30 penalty units.

**Item [145] – Schedule 5A (table item 54, column headed “Amount for individual (penalty units)”)**

Table item 54 provides amounts relating to an alleged contravention of subsection 121(5) of the Code involving non-compliance with a condition mentioned in subregulation 61(2) or (9) or regulation 62 of the Code Regulations.

This item omits “1” and substitutes “up to 1” in the column headed “Amount for individual (penalty units)” in table item 54 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(5) of the Code by an individual in the relevant circumstances is up to 1 penalty unit.

**Item [146] – Schedule 5A (table item 54, column headed “Amount for corporation (penalty units)”)**

Table item 54 provides amounts relating to an alleged contravention of subsection 121(5) of the Code involving non-compliance with a condition mentioned in subregulation 61(2) or (9) or regulation 62 of the Code Regulations.

This item omits “5” and substitutes “1 to 5” in the column headed “Amount for corporation (penalty units)” in table item 54 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 121(5) of the Code by a corporation in the relevant circumstances is 1 to 5 penalty units.

**Item [147] – Schedule 5A (table item 54A, column headed “Amount for individual (penalty units)”)**

Table item 54A provides amounts relating to an alleged contravention of subsection 146(3) of the Code (relating to providing false or misleading information or documents).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 54A of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 146(3) of the Code by an individual is 1 to 90 penalty units.

**Item [148] – Schedule 5A (table item 54A, column headed “Amount for corporation (penalty units)”)**

Table item 54A provides amounts relating to an alleged contravention of subsection 146(3) of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 54A of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 146(3) of the Code by a corporation is 1 to 750 penalty units.

**Item [149] – Schedule 5A (table item 54B, column headed “Amount for individual (penalty units)”)**

Table item 54B provides amounts relating to an alleged contravention of subsection 146(4) of the Code (relating to providing false or misleading information or documents).

This item omits “18” and substitutes “1 to 18” in the column headed “Amount for individual (penalty units)” in table item 54B of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 146(4) of the Code by an individual is 1 to 18 penalty units.

**Item [150] – Schedule 5A (table item 54B, column headed “Amount for corporation (penalty units)”)**

Table item 54B provides amounts relating to an alleged contravention of subsection 146(4) of the Code.

This item omits “150” and substitutes “1 to 150” in the column headed “Amount for corporation (penalty units)” in table item 54B of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subsection 146(4) of the Code by a corporation is 1 to 150 penalty units.

**Item [151] – Schedule 5A (table item 55, column headed “Amount for individual (penalty units)”)**

Table item 55 provides amounts relating to an alleged contravention of section 160A of the Code (relating to providing to APVMA relevant information in relation to a constituent, chemicals product or any of its constituents or in relation to a label, for which an application has been lodged).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 55 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 160A of the Code by an individual is 1 to 90 penalty units.

**Item [152] – Schedule 5A (table item 55, column headed “Amount for corporation (penalty units)”)**

Table item 55 provides amounts relating to an alleged contravention of section 160A of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 55 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 160A of the Code by a corporation is 1 to 750 penalty units.

**Item [153] – Schedule 5A (table item 56, column headed “Amount for individual (penalty units)”)**

Table item 56 provides amounts relating to an alleged contravention of section 161 of the Code (relating to the notification of new information to APVMA relevant to active constituents for which there is an approval or permit, chemical products that are registered or for which there is a permit, or labels for which there is an approval).

This item omits “90” and substitutes “1 to 90” in the column headed “Amount for individual (penalty units)” in table item 56 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 161 of the Code by an individual is 1 to 90 penalty units.

**Item [154] – Schedule 5A (table item 56, column headed “Amount for corporation (penalty units)”)**

Table item 56 provides amounts relating to an alleged contravention of section 161 of the Code.

This item omits “750” and substitutes “1 to 750” in the column headed “Amount for corporation (penalty units)” in table item 56 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of section 161 of the Code by a corporation is 1 to 750 penalty units.

**Item [155] – Schedule 5A (table item 57, column headed “Amount for individual (penalty units)”)**

Table item 57 provides amounts relating to an alleged contravention of subregulation 47C(1) of the Code Regulations (relating to the supply of hormonal growth promotant).

This item omits “30” and substitutes “1 to 30” in the column headed “Amount for individual (penalty units)” in table item 57 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 47C(1) of the Code Regulations by an individual is 1 to 30 penalty units.

**Item [156] – Schedule 5A (table item 57, column headed “Amount for corporation (penalty units)”)**

Table item 57 provides amounts relating to an alleged contravention of subregulation 47C(1) of the Code Regulations.

This item omits “250” and substitutes “1 to 250” in the column headed “Amount for corporation (penalty units)” in table item 57 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 47C(1) of the Code Regulations by a corporation is 1 to 250 penalty units.

**Item [157] – Schedule 5A (table item 58, column headed “Amount for individual (penalty units)”)**

Table item 58 provides amounts relating to an alleged contravention of subregulation 48(1) of the Code Regulations (relating to purchaser declarations for the supply of hormonal growth promotant).

This item omits “30” and substitutes “1 to 30” in the column headed “Amount for individual (penalty units)” in table item 58 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 48(1) of the Code Regulations by an individual is 1 to 30 penalty units.

**Item [158] – Schedule 5A (table item 58, column headed “Amount for corporation (penalty units)”)**

Table item 58 provides amounts relating to an alleged contravention of subregulation 48(1) of the Code Regulations.

This item omits “250” and substitutes “1 to 250” in the column headed “Amount for corporation (penalty units)” in table item 58 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 48(1) of the Code Regulations by a corporation is 1 to 250 penalty units.

**Item [159] – Schedule 5A (table item 59, column headed “Amount for individual (penalty units)”)**

Table item 59 provides amounts relating to an alleged contravention of subregulation 49(1) of the Code Regulations (relating to record making requirements for manufacturers and suppliers of hormonal growth promotant).

This item omits “18” and substitutes “1 to 18” in the column headed “Amount for individual (penalty units)” in table item 59 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 49(1) of the Code Regulations by an individual is 1 to 18 penalty units.

**Item [160] – Schedule 5A (table item 59, column headed “Amount for corporation (penalty units)”)**

Table item 59 provides amounts relating to an alleged contravention of subregulation 49(1) of the Code Regulations.

This item omits “150” and substitutes “1 to 150” in the column headed “Amount for corporation (penalty units)” in table item 59 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 49(1) of the Code Regulations by a corporation is 1 to 150 penalty units.

**Item [161] – Schedule 5A (table item 60, column headed “Amount for individual (penalty units)”)**

Table item 60 provides amounts relating to an alleged contravention of subregulation 50(1) of the Code Regulations (relating to record making requirements for importers and suppliers of hormonal growth promotant).

This item omits “18” and substitutes “1 to 18” in the column headed “Amount for individual (penalty units)” in table item 60 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 50(1) of the Code Regulations by an individual is 1 to 18 penalty units.

**Item [162] – Schedule 5A (table item 60, column headed “Amount for corporation (penalty units)”)**

Table item 60 provides amounts relating to an alleged contravention of subregulation 50(1) of the Code Regulations.

This item omits “150” and substitutes “1 to 150” in the column headed “Amount for corporation (penalty units)” in table item 60 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 50(1) of the Code Regulations by a corporation is 1 to 150 penalty units.

**Item [163] – Schedule 5A (table item 61, column headed “Amount for individual (penalty units)”)**

Table item 61 provides amounts relating to an alleged contravention of subregulation 51(2) of the Code Regulations (relating to record making requirements for other suppliers of hormonal growth promotant).

This item omits “18” and substitutes “1 to 18” in the column headed “Amount for individual (penalty units)” in table item 61 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 51(2) of the Code Regulation by an individual is 1 to 18 penalty units.

**Item [164] – Schedule 5A (table item 61, column headed “Amount for corporation (penalty units)”)**

Table item 61 provides amounts relating to an alleged contravention of subregulation 51(2) of the Code Regulations.

This item omits “150” and substitutes “1 to 150” in the column headed “Amount for corporation (penalty units)” in table item 61 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 51(2) of the Code Regulation by a corporation is 1 to 150 penalty units.

**Item [165] – Schedule 5A (table item 62, column headed “Amount for individual (penalty units)”)**

Table item 62 provides amounts relating to an alleged contravention of subregulation 53(2) of the Code Regulations (relating to requirements to provide copies of records about hormonal growth promotant to the APVMA).

This item omits “30” and substitutes “1 to 30” in the column headed “Amount for individual (penalty units)” in table item 62 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 53(2) of the Code Regulations by an individual is 1 to 30 penalty units.

**Item [166] – Schedule 5A (table item 62, column headed “Amount for corporation (penalty units)”)**

Table item 62 provides amounts relating to an alleged contravention of subregulation 53(2) of the Code Regulations.

This item omits “250” and substitutes “1 to 250” in the column headed “Amount for corporation (penalty units)” in table item 62 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 53(2) of the Code Regulations by a corporation is 1 to 250 penalty units.

**Item [167] – Schedule 5A (table item 63, column headed “Amount for individual (penalty units)”)**

Table item 63 provides amounts relating to an alleged contravention of subregulation 54(3) of the Code Regulations (relating to keeping records about hormonal growth promotant for 2 years).

This item omits “18” and substitutes “1 to 18” in the column headed “Amount for individual (penalty units)” in table item 63 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 54(3) of the Code Regulation by an individual is 1 to 18 penalty units.

**Item [168] – Schedule 5A (table item 63, column headed “Amount for corporation (penalty units)”)**

Table item 63 provides amounts relating to an alleged contravention of subregulation 54(3) of the Code Regulations.

This item omits “150” and substitutes “1 to 150” in the column headed “Amount for corporation (penalty units)” in table item 63 of Schedule 5A to the Code Regulations.

This amendment makes clear that the scale of amounts for an infringement notice for an alleged contravention of subregulation 54(3) of the Code Regulation by a corporation is 1 to 150 penalty units.

**Part 2—Application provisions**

***Agricultural and Veterinary Chemicals (Administration) Regulations 1995***

**Item [169] – Part 5A (heading)**

Part 5A of the Administration Regulations provides for application, saving and transitional provisions.

This item repeals the heading “Part 5A—Application, saving and transitional provisions”.

Part 5 of the Administration Regulations also provides for application, saving and transitional provisions. This is a technical amendment which has the effect that all application, saving and transitional provisions are provided in Part 5 of the Administration Regulations.

**Item [170] – Before regulation 5.1**

Part 5 of the Administration Regulations provides for application, saving and transitional provisions.

This item inserts new Division 2 of Part 5 with the heading “Division 2—Amendments made by the Agricultural and Veterinary Chemicals Legislation Amendment (Improvements) Regulations 2021” before regulation 5.1 of the Administration Regulations.

This amendment is consequential to the repeal of the heading of Part 5A of the Administration Regulations made by item 169 above.

**Item [171] – Regulation 5.1 (heading)**

This item omits “5.1” and substitutes “5.10” in the heading of regulation 5.1 of the Administration Regulations.

This amendment has the effect that the provision which provides for saving provisions relating to the *Agricultural and Veterinary Chemicals Legislation Amendment (Improvements) Regulations 2021* is regulation 5.10 of the Administration Regulations.

This amendment is consequential to the insertion of new regulation 5.15 by item 172 below.

**Item [172] – Before Schedule 1**

Part 5 of the Administration Regulations provides for application, saving and transitional provisions.

This item inserts new Division 3 of Part 5 of the Administration Regulations. New Division 3 provides for the application of amendments made by the Amendment Regulations.

New regulation 5.15 provides that the amendments made by Part 1 of Schedule 1 to the Amendment Regulations apply in relation to an infringement notice given on or after the day on which this regulation commences, whether the alleged contravention occurred before, on or after that day.

New regulation 5.15 makes clear that the amendments of the Administration Regulations made by Part 1 of this Schedule, have prospective effect. New section 5.15 has the effect that the scale of amounts in Schedule 5 to the Administration Regulations, as amended by Part 1 of this Schedule, only apply to infringement notices given on or after the commencement of the Amendment Regulations.

***Agricultural and Veterinary Chemicals Code Regulations 1995***

**Item [173] – In the appropriate position in Part 10**

Part 10 of the Code Regulations provides transitional and application provisions.

This item inserts new Division 10.9 in the appropriate position in Part 10 of the Code Regulations. New Part 10 provides for the application of amendments made by the Amendment Regulations.

New regulation 96 provides that the amendments made by Part 1 of Schedule 1 to the Amendment Regulations apply in relation to an infringement notice given on or after the day on which this regulation commences, whether the alleged contravention occurred before, on or after that day.

New regulation 96 makes clear that the amendments of the Code Regulations made by Part 1 of this Schedule, have prospective effect. New section 96 has the effect that the scale of amounts in Schedule 5A to the Code Regulations, as amended by Part 1 of this Schedule, apply to infringement notices given on or after the commencement of the Amendment Regulations.

**ATTACHMENT B**

**Statement of Compatibility with Human Rights**

*Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011*

***Agricultural and Veterinary Chemicals Legislation Amendment (Infringement Notices) Regulations 2025***

This Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

**Overview of the Legislative Instrument**

The purpose of the *Agricultural and Veterinary Chemicals Legislation Amendment (Infringement Notices) Regulations 2025* (the Legislative Instrument) is to amend the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995* (the Administration Regulations) and the *Agricultural and Veterinary Chemicals Code Regulations 1995* (the Code Regulations) to make clear that these regulations provide for a scale of amounts of penalty units that may apply for an infringement notice for an alleged contravention of a prescribed civil penalty provision under the Administration Act and Code.

Agvet chemicals are regulated through a cooperative National Registration Scheme (NRS). The NRS is a partnership between the Commonwealth and the states and territories, with an agreed division of responsibilities. The states and territories apply the Commonwealth law as a law of their own jurisdiction, supported by an intergovernmental agreement.

The APVMA was established by the Commonwealth under the Administration Act as the independent Commonwealth regulator for agvet chemical products. It assesses, registers and approves agvet chemicals for use in Australia. The APVMA is responsible for regulating these chemicals up to and including the point of supply – for example, retail sale. The control of use of agvet chemicals after supply is the responsibility of individual states and territories.

The NRS is implemented, in part, through the *Agricultural and Veterinary Chemicals Code Act 1994* (Code Act) (including the Agricultural and Veterinary Chemicals Code (the Code) set out in the Schedule to the Code Act). The Code operates in each state, the Northern Territory and each participating territory (the Australian Capital Territory and Norfolk Island) to constitute a single national Code applying throughout Australia. The Code provides for the APVMA to assess, approve, and register active constituents and agvet chemical products and their associated labels. It also allows the APVMA to issue permits for supply and use, and to licence the manufacture of agvet chemical products. The Code also provides for the APVMA to regulate the supply of agvet chemical products; and ensure compliance with (and enforce) the Code – including suspending and cancelling approvals and registrations.

The *Agricultural and Veterinary Chemicals (Administration) Act 1992* (the Administration Act) and the Code each provide for a scheme for issuing infringement notices in relation to alleged contraventions of prescribed civil penalty provisions. Subsection 69EKA(3) of the Administration Act and subsection 145DB(3) of the Code each allow regulations to provide for a scale of amounts of the penalty that may apply when giving an infringement notice for an alleged contravention of a prescribed civil penalty provision.

Division 2 of Part 7AB of the Administration Act and Division 3 of Part 9A of the Code provides for infringement notices to be given by inspectors for the purpose of enforcement under these Acts. An inspector is a Commonwealth officer appointed under subsection 69F(1) or a state or territory officer authorised under subsection 69F(2) of the Administration Act. Subsection 145DA(1) of the Code authorises an inspector to issue an infringement notice for an alleged contravention of a prescribed civil penalty provision.

An infringement notice must state the amount that is payable under the notice. Under subsection 69EKA(2) of the Administration Act and subsection 145DB(2) of the Code, the amount stated in an infringement notice must not exceed one-fifth of the maximum penalty that a court could impose on the person for that contravention. Subsection 69EKA(3) of the Administration Act and subsection 145DB(3) of the Code provide that the regulations may, subject to the relevant subsection (2) mentioned above, provide for a scale of amounts that may apply for an alleged contravention.

* For a corporation, under subsection 69EJA(1) of the Administration Act and subsection 145AA(1) of the Code, the maximum penalty for a contravention of a civil penalty provision is five times the amount of the maximum monetary penalty that could be imposed by a court if the corporation were convicted of an offence constituted by conduct that is the same as the conduct constituting the contravention.
* For an individual, under subsection 69EJA(2) of the Administration Act and subsection 145AA(2) of the Code, the maximum penalty for a contravention of a civil penalty provision is three times the amount of the maximum monetary penalty that could be imposed by a court if the person were convicted of an offence constituted by conduct that is the same as the conduct constituting the contravention.

The existing framework set out in regulation 3A.01 of the Administration Regulations provides that the amounts authorised by subsection 69EKA(3) of the Administration Act are set out in the table in Schedule 5 to the Administration Regulations. Each item in the table specifies the relevant civil penalty provision, any circumstances that apply, and the amount that may be stated in the infringement notice for a contravention by an individual or a contravention by a corporation.

The existing framework in regulation 64 of the Code Regulations provides that the amounts authorised by subsection 145DB(3) of the Code are set out in the table in Schedule 5A to the Code Regulations. Each item in this table specifies the relevant civil penalty provision, any circumstances that apply, and the amount that may be stated in the infringement notice for a contravention by an individual or a contravention by a corporation.

Under that framework, each item in Schedule 5 to the Administration Regulations and in Schedule 5A to the Code Regulations sets out amounts that could be stated in the infringement notice for an alleged contravention of a civil penalty provision by an individual or by a corporation. In accordance with subsection 69EKA(2) of the Administration Act and subsection 145DB(2) of the Code, the maximum penalty unit amounts prescribed by the regulations are less than the maximum amounts prescribed by the Acts and have the effect of setting lower maximum penalty unit amounts than would otherwise apply under the Acts.

Section 4 of the Administration Act defines ‘civil penalty provision’ to mean either a provision declared by the Administration Act or the *Agricultural and Veterinary Chemical Products (Collection of Levy) Act 1994* (the Collection Act) to be a civil penalty provision. The civil penalty provisions in the Collection Act are referred to in the Administration Act’s infringement notice framework to avoid duplicating a separate framework for infringement notices under the Collection Act. As noted above, each civil penalty provision mentioned in Schedule 5 to the Administration Regulations is a prescribed civil penalty provision.

**Human rights implications**

The Legislative Instrument amends the items in Schedule 5 to the Administration Regulations and Schedule 5A to the Code Regulations to clarify the existing framework by making clear that the amounts set out are scales of amounts. Providing for scales of amounts in the regulations makes the law easier to understand without the need to refer to the enabling legislation. The Legislative Instrument is technical in effect and does not change the maximum penalty amounts that may be stated in an infringement notice for contraventions of civil penalty provisions. The maximum penalty amounts prescribed for each of the relevant civil penalty provisions remains lower than the default penalty unit amounts provided by the Acts. This Legislative Instrument does not engage any of the applicable rights or freedoms.

**Conclusion**

This Legislative Instrument is compatible with human rights as it does not raise any human rights issues.

**Senator the Hon. Anthony Chisholm**

**Assistant Minister for Agriculture, Fisheries and Forestry**

**Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry**