



Agricultural and Veterinary Chemicals (Administration) Regulations 1995

Statutory Rules No. 28, 1995

made under the

Agricultural and Veterinary Chemicals (Administration) Act 1992

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About this compilation

This compilation

This is a compilation of the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995* that shows the text of the law as amended and in force on 21 December 2021 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

Part 1—Preliminary	1
1.1 Name of Regulations.....	1
1.3 Interpretation.....	1
1.3A Meaning of <i>controlled chemical</i>	2
1.4 Meaning of <i>authorised officer</i>	3
1.5 Meaning of <i>generic information</i> about a person	3
Part 1A—Annual operational plan and annual report	4
1A.1 Information for inclusion in annual report	4
1A.2 Information for inclusion in annual operational plan	4
1A.3 Performance indicators for inclusion in annual report	4
Part 2—Providing information about certain active constituents and chemical products	6
2.05 Prescribed international agreements (Act s 69CA(1)).....	6
2.10 Prescribed chemicals (Act s 69CA(2)).....	6
2.15 Prescribed chemicals (Act s 69CB(1)).....	6
2.20 Prescribed information—import (Act ss 69CA(2)(a) and 69CB(2)(a)).....	6
2.25 Prescribed information—manufacture (Act ss 69CA(2)(b) and 69CB(2)(b))	7
2.30 Prescribed information—use (Act ss 69CA(2)(b) or 69CB(2)(b))	7
2.35 Prescribed information—other dealings (Act ss 69CA(2)(c) or 69CB(2)(c)).....	7
2.40 Prescribed information—export (Act ss 69CA(2)(d) and 69CB(2)(d))	7
2.45 Prescribed period for giving prescribed information (Act ss 69CA(5) and 69CB(5))	7
Part 3—Prohibition on import, manufacture etc of certain active constituents and chemical products	9
Division 3.1—General	9
3.05 Prescribed international agreements (Act, s 69C).....	9
3.10 Effect of grant of permissions or multiple permits.....	9
3.15 Notice to be given if additional information required	9
3.20 Matters that may be considered when making decision	9
Division 3.2—Import	11
Subdivision 3.2.1—Absolute prohibition	11
3.45 Prohibited importation	11
Subdivision 3.2.2—Prohibition subject to conditions	11
3.50 Chemicals to which this Subdivision applies	11
3.55 Prohibition	11
3.60 Applications for permission to import import-prohibited chemicals	12
3.65 When permission may be granted	12
Division 3.3—Manufacture	13
Subdivision 3.3.1—Absolute prohibition	13
3.100 Prohibited manufacture	13

Subdivision 3.3.2—Prohibition subject to conditions	13
3.105 Chemicals to which this Subdivision applies	13
3.110 Prohibition	13
3.115 Applications for permission to manufacture manufacture-prohibited chemicals	14
3.120 When permission may be granted	14
Division 3.4—Use	16
3.145 Absolute prohibition	16
3.150 Prohibition subject to conditions.....	16
Division 3.5—Dealing with chemicals	17
Subdivision 3.5.1—Absolute prohibition	17
3.175 Prohibited dealing	17
Subdivision 3.5.2—Prohibition subject to conditions	17
3.180 Chemicals to which this Subdivision applies	17
3.185 Prohibition	17
3.190 Applications for permission to deal with dealing-prohibited chemicals	18
3.195 When permission may be granted	18
Division 3.6—Export	19
Subdivision 3.6.1—Absolute prohibition	19
3.200 Prohibited export.....	19
Subdivision 3.6.2—Prohibition subject to conditions	19
3.205 Chemicals to which this Subdivision applies	19
3.210 Prohibition	19
3.215 Applications for permission to export export-prohibited chemicals	20
3.220 Additional information required for certain exports.....	20
3.225 When permission must be granted	21
3.230 When permission may be granted	21
3.235 Required conditions	22
3.240 Deciding application for permission to export when import decision available.....	22
3.245 Deciding application for permission to export when import decision not known	23
3.250 When permission must be refused	23
Division 3.7—Multiple entry import and multiple exit export permits	25
3.305 Definitions	25
3.310 Purpose	25
3.315 Fit and proper person	25
3.320 Multiple entry import permits	26
3.325 When multiple entry import permits may be granted.....	26
3.330 Multiple exit export permits.....	26
3.335 When multiple exit export permits may be granted—general.....	26
3.340 Grant of multiple exit export permits in special circumstances.....	27
3.345 Annual reports.....	27
3.350 Period of validity and renewal of permit.....	27

Division 3.8—Conditions or restrictions of permissions or multiple permits	29
3.405 Conditions.....	29
3.410 Revocation etc of permission or multiple permits.....	29
Division 3.9—Review of decisions	30
3.505 Notice of authorised officer’s decision	30
3.510 Reconsideration of decisions by Minister	30
3.515 Notice of Minister’s decision	30
3.520 Review of decisions by AAT	31
3.550 Export of chemical products—fees for certificates	31
Part 3A—Infringement notices	32
3A.01 Infringement notices	32
Part 4—Miscellaneous	33
4.15 Method of securing samples	33
4.20 Reconsideration participation review	33
Part 5—Application, saving and transitional provisions	35
5.1 Saving provisions relating to the <i>Agricultural and Veterinary Chemicals Legislation Amendment (Improvements) Regulations 2021</i>	35
Schedule 1—Chemicals	36
Part 1—Reading this Schedule	36
Part 2—Chemical products defined in terms of a single active constituent	38
Part 3—Chemical products defined in terms of 2 or more active constituents	63
Schedules 2 to 4	64
Schedule 5—Infringement notices	65
Endnotes	66
Endnote 1—About the endnotes	66
Endnote 2—Abbreviation key	67
Endnote 3—Legislation history	68
Endnote 4—Amendment history	70
Endnote 5—Editorial changes	75

Part 1—Preliminary

1.1 Name of Regulations

These Regulations are the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995*.

1.3 Interpretation

(1) In these Regulations:

Act means the *Agricultural and Veterinary Chemicals (Administration) Act 1992*.

active constituent has the same meaning as in the Agvet Code of the participating Territories.

agricultural chemical product has the same meaning as in the Agvet Code of the participating Territories.

Agvet Code of the participating Territories has the same meaning as in subsection 5(1) of the *Agricultural and Veterinary Chemicals Code Act 1994*.

authorised officer has the meaning given by regulation 1.4.

CAS number or *Chemical Abstracts Service number* means the registry number:

- (a) assigned to the chemical by the Chemical Abstracts Service, Columbus, Ohio, United States of America; and
- (b) published by the Service in the journal *Chemical Abstracts*.

chemical product has the same meaning as in the Agvet Code of the participating Territories.

Collector has the meaning given by subsection 8(1) of the *Customs Act 1901*.

controlled chemical has the meaning given by regulation 1.3A.

generic information has the meaning given by regulation 1.5.

import decision means a response, made under paragraph 2 of Article 10 of the Rotterdam Convention, providing a response in accordance with the requirements of paragraph 4 of that Article that consists of a final decision or an interim decision (within the respective meanings given by that paragraph):

- (a) consenting to import with or without specified conditions; or
- (b) not consenting to import.

IUPAC name means a name assigned to a chemical by the International Union of Pure and Applied Chemistry, set out in International Standard ISO 1750—1981: *Pesticides and Agrochemicals—Common Names*, published in Geneva by the International Standards Organisation in 1981.

multiple entry import permit has the meaning given by regulation 3.310.

Regulation 1.3A

multiple exit export permit has the meaning given by regulation 3.310.

multiple permit means a multiple entry import permit or multiple exit export permit.

non-party, in relation to a Convention, means a country that has not consented to be bound by the Convention or for which the Convention is not in force.

prescribed chemical means:

- (a) an active constituent or chemical product that has been prescribed by these Regulations for the purposes of section 69CA or 69CB of the Act; or
- (b) a chemical product containing an active constituent referred to in paragraph (a).

Rotterdam Convention means the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.

Note: In 2012, the text of the Convention was available at www.pic.int.

Secretariat means:

- (a) in relation to the Rotterdam Convention, the secretariat established under Article 19 of that Convention; and
- (b) in relation to the Stockholm Convention, the secretariat established under Article 20 of that Convention.

Stockholm Convention means the Stockholm Convention on Persistent Organic Pollutants (POPs).

Note: In 2012, the text of the Convention was available at www.pops.int.

veterinary chemical product has the same meaning as in the Agvet Code of the participating Territories.

- (2) Unless the contrary intention appears, a term that is defined in an international agreement or arrangement and that is used in these Regulations has the same meaning in these Regulations when used in relation to that agreement or arrangement.
- (3) A reference in these Regulations to an **active constituent** is a reference to an active constituent for a proposed or existing chemical product.

1.3A Meaning of *controlled chemical*

- (1) Subject to subregulation (2), in these Regulations:

controlled chemical means:

- (a) an active constituent or chemical product listed in Part 2 of Schedule 1; or
- (b) a chemical product containing an active constituent referred to in paragraph (a); or
- (c) the chemical product listed as an item in Part 3 of Schedule 1.

- (2) To avoid doubt, if the heading of an item in Part 2 of Schedule 1 includes the words ‘and its compounds’ or other words describing all compounds, or all compounds of a particular kind (such as, for example, ‘and its salts and esters’) of the relevant chemical, all compounds, or all such compounds, of the chemical are also controlled chemicals.

1.4 Meaning of *authorised officer*

An officer of the Department is an ***authorised officer*** for a provision of these Regulations if the person is authorised in writing by the Secretary under the provision in which the expression occurs.

1.5 Meaning of *generic information about a person*

- (1) In these Regulations:

generic information about a person means the following information:

- (a) the person’s name;
 - (b) the person’s ABN;
 - (c) the address of the person’s principal place of business;
 - (d) the address of the person’s registered office, if different from the address of the person’s principal place of business;
 - (e) if the person is not an individual, the name of an individual who is to be the contact person;
 - (f) the telephone and facsimile numbers for, and e-mail address of, the person and contact person.
- (2) If a person has given generic information about himself, herself or itself to the Department, and the information changes, the person must give the new information to the Department within 30 days.

Part 1A—Annual operational plan and annual report

1A.1 Information for inclusion in annual report

The APVMA must include in its annual report a list of:

- (a) the standards made under section 6E of the Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994* during the period to which the annual report relates; and
- (b) the standards made under section 6E that were varied by the APVMA during the period to which the annual report relates.

1A.2 Information for inclusion in annual operational plan

For paragraph 55(2)(c) of the Act, the following information is prescribed:

- (a) the number of reconsiderations to be commenced by the APVMA under section 31 of the Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994* (the **Agvet Code Act**) during the period to which the annual operational plan relates;
- (b) the number of reconsiderations to be concluded by the APVMA under Division 4 of Part 2 of the Schedule to the Agvet Code Act during that period;
- (c) brief details of how the APVMA plans to progress those reconsiderations during that period.

1A.3 Performance indicators for inclusion in annual report

For subparagraph 61(b)(ii) of the Act, the following performance indicators are prescribed:

- (a) the number of reconsiderations commenced by the APVMA under section 31 of the Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994* (the **Agvet Code Act**) during the period to which the annual report relates;
- (b) the number of reconsiderations concluded by the APVMA under Division 4 of Part 2 of the Schedule to the Agvet Code Act during that period;
- (c) brief details of the progress of reconsiderations that were scheduled to progress in that period;
- (ca) a summary of any action taken by the APVMA under section 99 of the Schedule to the Agvet Code Act during that period;
- (d) the number of applications mentioned in each item of Part 2 of Schedule 6 of the *Agricultural and Veterinary Chemicals Code Regulations 1995* that were:
 - (i) made under the Schedule to the Agvet Code Act during that period;and

Regulation 1A.3

- (ii) not determined within the period required for the application by regulations made under section 165 of that Schedule;
- (e) the number of reports (known as adverse experience reports) received by the APVMA during that period;
- (f) the number of adverse experience reports mentioned in paragraph (e) that the APVMA determined were related to each of the following:
 - (i) human health;
 - (ii) environment;
 - (iii) animal health;
 - (iv) crop health;
 - (v) efficacy for agricultural chemical products or veterinary chemical products;
- (g) a summary of any action taken by the APVMA during that period in relation to adverse experience reports.

Note: Adverse experience reports are received under the Adverse Experience Reporting Program (AERP) which is a post-registration quality assurance program established by the APVMA.

Part 2—Providing information about certain active constituents and chemical products

2.05 Prescribed international agreements (Act s 69CA(1))

Each of the following is a prescribed international agreement for the purposes of subsection 69CA(1) of the Act:

- (a) the Rotterdam Convention;
- (b) the Stockholm Convention.

2.10 Prescribed chemicals (Act s 69CA(2))

A chemical is a prescribed active constituent or prescribed chemical product for the purposes of subsection 69CA(2) of the Act if:

- (a) there is an item in Schedule 1 for the chemical; and
- (b) the item describes the chemical as a prescribed active constituent or a prescribed chemical product for the purposes of that subsection.

Note: For each constituent or product, the relevant item identifies the relevant international agreement or arrangement (see the Act, subsection 69CA(3)).

2.15 Prescribed chemicals (Act s 69CB(1))

A chemical is a prescribed active constituent or prescribed chemical product for the purposes of subsection 69CB(1) of the Act if:

- (a) there is an item in Schedule 1 for the chemical; and
- (b) the item describes the chemical as a prescribed active constituent or prescribed chemical product for the purposes of that subsection.

2.20 Prescribed information—import (Act ss 69CA(2)(a) and 69CB(2)(a))

The following information about the import into Australia of a prescribed chemical is prescribed for the purposes of paragraphs 69CA(2)(a) and 69CB(2)(a) of the Act:

- (a) generic information about the importer;
- (b) the technical name and common name of the chemical;
- (c) the name of any chemical product that contains the chemical;
- (d) the name of the exporting country or countries;
- (e) the chemical's intended use;
- (f) the total quantity of the chemical imported in any calendar year or part of any calendar year, specifying the quantity imported from each named exporting country;
- (g) any additional information specified in the relevant item in Schedule 1.

2.25 Prescribed information—manufacture (Act ss 69CA(2)(b) and 69CB(2)(b))

The following information about the manufacture in Australia of a prescribed chemical is prescribed for the purposes of paragraphs 69CA(2)(b) and 69CB(2)(b) of the Act:

- (a) generic information about the manufacturer;
- (b) the technical name and common name of the chemical;
- (c) the address of the place of manufacture;
- (d) the quantity manufactured in any calendar year or part of any calendar year;
- (e) the chemical's intended use;
- (f) any additional information specified in the relevant item in Schedule 1.

2.30 Prescribed information—use (Act ss 69CA(2)(b) or 69CB(2)(b))

Note: This regulation is reserved for information that may be prescribed for the purposes of paragraph 69CA(2)(b) or 69CB(2)(b) of the Act.

2.35 Prescribed information—other dealings (Act ss 69CA(2)(c) or 69CB(2)(c))

Note: This regulation is reserved for information that may be prescribed for the purposes of paragraph 69CA(2)(c) or 69CB(2)(c) of the Act.

2.40 Prescribed information—export (Act ss 69CA(2)(d) and 69CB(2)(d))

The following information about the export from Australia of a prescribed chemical is prescribed for the purposes of paragraphs 69CA(2)(d) and 69CB(2)(d) of the Act:

- (a) generic information about the exporter;
- (b) the technical name and common name of the chemical;
- (c) the name of importing country or countries;
- (d) the total quantity of the prescribed chemical exported in any calendar year or part of any calendar year, specifying the quantity exported to each named importing country;
- (e) any additional information specified in the relevant item in Schedule 1.

2.45 Prescribed period for giving prescribed information (Act ss 69CA(5) and 69CB(5))

- (1) Subject to subregulation (2), for the purposes of subsections 69CA(5) and 69CB(5) of the Act, the period within which relevant prescribed information in respect of a prescribed chemical must be provided:
 - (a) starts on the date when a notice setting out:
 - (i) the obligation to provide information to the Department; and
 - (ii) the address where the information must be sent;is published in the *Gazette*; and
 - (b) ends 30 days after that date.

Regulation 2.45

- (2) For the purposes of subsections 69CA(5) and 69CB(5) of the Act, the following prescribed information must be given to the Department by an importer, exporter or manufacturer on or before 28 February following the calendar year to which it relates:
- (a) the total quantity of the prescribed chemical imported in a calendar year, specifying the quantity imported from each named exporting country;
 - (b) the total quantity of the prescribed chemical exported in a calendar year, specifying the quantity exported to each named importing country;
 - (c) the total quantity of the prescribed chemical manufactured in a calendar year;
 - (d) generic information about the importer, exporter or manufacturer.

Part 3—Prohibition on import, manufacture etc of certain active constituents and chemical products

Division 3.1—General

3.05 Prescribed international agreements (Act, s 69C)

Each of the following is a prescribed international agreement for the purposes of section 69C of the Act:

- (a) the Rotterdam Convention;
- (b) the Stockholm Convention.

3.10 Effect of grant of permissions or multiple permits

The grant of a permission or multiple permit under this Part does not excuse the holder from compliance with other requirements in the Act, in these Regulations and in other Commonwealth, State or Territory legislation relating to the controlled chemical to which the permission or permit relates.

3.15 Notice to be given if additional information required

- (1) An authorised officer or the Minister may, by written notice, require an applicant to give additional information in relation to the applicant's application.
- (2) The notice must include a statement to the effect that:
 - (a) the application will not be considered further until the applicant gives to the authorised officer or Minister the information; and
 - (b) the application will be taken to have been withdrawn if the applicant does not give the information within 28 days after the day on which the notice is received by the applicant or within such further period as the authorised officer or Minister allows in writing.
- (3) If an applicant does not give the additional information within the required period, the application is taken to have been withdrawn.
- (4) In this regulation:

applicant means:

- (a) an applicant for a permission or multiple permit under this Part; or
- (b) an applicant for reconsideration under regulation 3.510.

3.20 Matters that may be considered when making decision

In making a decision whether to grant an application for a permission or multiple permit under this Part, the authorised officer may take into consideration:

- (a) whether the applicant has previously been granted a permission or permit of that kind; and

Regulation 3.20

- (b) whether the applicant complied with any conditions or restrictions specified in the permission or permit; and
- (c) whether the applicant has failed to comply with any of the following:
 - (i) the Act;
 - (ii) these Regulations;
 - (iii) the *Agricultural and Veterinary Chemicals Act 1994*;
 - (iv) the *Agricultural and Veterinary Chemicals Code Act 1994*;
 - (v) any Act relating to the collection of a levy on agricultural and veterinary chemical products;
 - (vi) the *Industrial Chemicals (Notification and Assessment) Act 1989*;
 - (vii) regulations under any Act mentioned or referred to in subparagraphs (iii) to (vi).

Division 3.2—Import

Subdivision 3.2.1—Absolute prohibition

3.45 Prohibited importation

- (1) The importation into Australia of a controlled chemical is prohibited if the relevant item in Schedule 1 states that its importation is prohibited in all cases.
- (2) For the purposes of subsection 69C(1) of the Act, the condition that a person must not import a chemical in contravention of subregulation (1) is prescribed.

Subdivision 3.2.2—Prohibition subject to conditions

3.50 Chemicals to which this Subdivision applies

- (1) This Subdivision applies to a controlled chemical if the relevant item in Schedule 1 states that its importation is prohibited except with written permission.
- (2) In this Subdivision, a controlled chemical to which this Subdivision applies is called an *import-prohibited chemical*.

3.55 Prohibition

- (1) The importation into Australia of an import-prohibited chemical is prohibited unless:
 - (a) an authorised officer or the Minister has given permission in writing to import the chemical; and
 - (b) the permission is produced to a Collector; and
 - (c) any condition or restriction specified in the relevant item in Schedule 1 is satisfied.

Note 1: The permission to import required under this regulation must be produced to a Collector for the purposes of complying with regulation 5I of the *Customs (Prohibited Imports) Regulations 1956* in relation to the importation of chemicals under those Regulations that are active constituents or chemical products.

Note 2: A multiple entry import permit is a permission for purposes of this regulation (see subregulation 3.310(2)).

- (2) For the purposes of subsection 69C(1) of the Act, the following conditions or restrictions are prescribed for each such chemical:
 - (a) a person must not import the chemical:
 - (i) without the written permission of an authorised officer or the Minister; or
 - (ii) contrary to a condition or restriction specified in the permission;
 - (b) a person who imports the chemical must not fail to produce the permission if asked to do so by a Collector;
 - (c) any condition or restriction set out in the relevant item in Schedule 1.

Regulation 3.60

Note: A person who imports such a chemical in contravention of a prescribed condition or restriction may be punished by a fine of up to 300 penalty units (see subsection 69C(5) of the Act).

- (3) This regulation applies despite:
- (a) the APVMA's written consent to import referred to in subsection 69B(1B) of the Act; and
 - (b) any approval to import under any other legislation.

3.60 Applications for permission to import import-prohibited chemicals

- (1) A person may apply to the Department for permission to import an import-prohibited chemical.
- (2) An application must be in the approved form and must include the following information:
- (a) generic information about the applicant;
 - (b) the technical name, common name and CAS number (if known) of the chemical;
 - (c) the quantity to be imported;
 - (d) the name of the exporting country;
 - (e) the intended use in Australia.

Note 1: The applicant may be required to give additional information (see regulation 3.15).

Note 2: An authorised officer must give written notice of his or her decision on the application (see regulation 3.505).

3.65 When permission may be granted

- (1) An authorised officer may grant an application for permission to import an import-prohibited chemical if the officer is satisfied that:
- (a) in the case of a chemical whose importation is stated in an item in Schedule 1 to be prohibited except with written permission under paragraph 3.65(1)(a)—the chemical is being imported for the purpose of environmentally sound disposal in accordance with paragraph (1)(d) of Article 6 of the Stockholm Convention; or
 - (b) in any other case—the chemical is being imported for a use or purpose that is permitted under the relevant Convention.

Note: In deciding whether to grant the application, the officer may take into consideration the matters mentioned in regulation 3.20.

- (2) If the officer is not satisfied as to the matters mentioned in subregulation (1), the officer must refuse to grant the application.
- (3) To avoid doubt, an authorised officer may refuse to grant an application despite the fact that the applicant has the APVMA's written consent, referred to in subsection 69B(1B) of the Act, to import the import-prohibited chemical.

Division 3.3—Manufacture

Subdivision 3.3.1—Absolute prohibition

3.100 Prohibited manufacture

- (1) The manufacture in Australia of a controlled chemical is prohibited if the relevant item in Schedule 1 states that its manufacture is prohibited in all cases.
- (2) For the purposes of subsection 69C(1) of the Act, the condition that a person must not manufacture a chemical in contravention of subregulation (1) is prescribed.

Subdivision 3.3.2—Prohibition subject to conditions

3.105 Chemicals to which this Subdivision applies

- (1) This Subdivision applies to a controlled chemical if the relevant item in Schedule 1 states that its manufacture is:
 - (a) prohibited except with written permission; or
 - (b) prohibited except if specified conditions are met.
- (2) In this Subdivision, a controlled chemical to which this Subdivision applies is called a *manufacture-prohibited chemical*.

3.110 Prohibition

- (1) The manufacture in Australia of a manufacture-prohibited chemical is prohibited unless:
 - (a) an authorised officer or the Minister has given permission in writing to manufacture the chemical (if such permission is required); and
 - (b) any condition or restriction specified in the relevant item in Schedule 1 is satisfied.
- (2) For the purposes of subsection 69C(1) of the Act, the following conditions or restrictions are prescribed for each such chemical:
 - (a) a person must not manufacture the chemical:
 - (i) without the written permission of an authorised officer or the Minister (if such permission is required); or
 - (ii) contrary to a condition or restriction specified in the permission;
 - (b) a person who manufactures the chemical must not fail to produce any required permission if asked to do so by:
 - (i) an authorised officer; or
 - (ii) an officer of another Agency, or an officer or employee of a State or Territory government, authorised in writing by the Secretary for the purposes of this paragraph;
 - (c) any condition or restriction specified in the relevant item in Schedule 1.

Regulation 3.115

Note: A person who manufactures such a chemical in contravention of a prescribed condition or restriction may be punished by a fine of up to 300 penalty units (see subsection 69C(5) of the Act).

- (3) This regulation applies despite any approval to manufacture under any other legislation.

3.115 Applications for permission to manufacture manufacture-prohibited chemicals

- (1) A person may apply to the Department for permission to manufacture a manufacture-prohibited chemical.
- (2) An application must be in the approved form and must include the following information:
- (a) generic information about the applicant;
 - (b) the technical name, common name and CAS number (if known) of the chemical;
 - (c) the quantity to be manufactured.

Note 1: The applicant may be required to give additional information (see regulation 3.15).

Note 2: An authorised officer must give written notice of his or her decision on the application (see regulation 3.505).

3.120 When permission may be granted

- (1) An authorised officer may grant an application for permission to manufacture a manufacture-prohibited chemical if:
- (a) the manufacture of the chemical is stated in an item in Schedule 1 to be prohibited except with written permission under subregulation 3.120(1); and
 - (b) the officer is satisfied that there is in effect for Australia a production-specific exemption for the chemical under Article 4 of the Stockholm Convention.
- (2) An authorised officer may grant an application for permission to manufacture a manufacture-prohibited chemical if:
- (a) the manufacture of the chemical is stated in an item in Schedule 1 to be prohibited except with written permission under subregulation 3.120(2); and
 - (b) the officer is satisfied that, in accordance with paragraph 9 of Article 10 of the Rotterdam Convention, the chemical to be manufactured is to be exported and not used in Australia.
- (3) An authorised officer may grant an application for permission to manufacture a manufacture-prohibited chemical if:
- (a) neither subregulation (1) nor (2) applies; and
 - (b) the chemical is to be manufactured for a use or purpose that is permitted under the relevant Convention.

Regulation 3.120

Note: In deciding whether to grant the application, the officer may take into consideration the matters mentioned in regulation 3.20.

- (4) If the officer is not satisfied as to the matters mentioned in subregulation (1), (2) or (3), the officer must refuse to grant the application.

Division 3.4—Use

3.145 Absolute prohibition

- (1) The use in Australia of a controlled chemical is prohibited if the relevant item in Schedule 1 states that its use is prohibited in all cases.
- (2) For the purposes of subsection 69C(1) of the Act, the condition that a person must not use a chemical in contravention of subregulation (1) is prescribed.

3.150 Prohibition subject to conditions

- (1) This regulation applies to a controlled chemical if:
 - (a) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Stockholm Convention; and
 - (b) that item states that use is prohibited unless paragraphs 3.150(2)(a) to (d) are complied with.
- (2) The use in Australia of a controlled chemical to which this regulation applies is prohibited unless:
 - (a) the chemical is an approved active constituent or a registered chemical product; and
 - (b) the use is in accordance with the instructions for its use that the APVMA has approved; and
 - (c) the use is in accordance with a use-specific exemption that is in effect for Australia under Article 4 of the Stockholm Convention; and
 - (d) the use is permitted under the law of the State or Territory in which the chemical is to be used.

Division 3.5—Dealing with chemicals

Subdivision 3.5.1—Absolute prohibition

3.175 Prohibited dealing

- (1) Any dealing (other than importation, manufacture, use or exportation) in Australia of a controlled chemical is prohibited if the relevant item in Schedule 1 states that dealing in the chemical is prohibited in all cases.
- (2) For the purposes of subsection 69C(1) of the Act, the condition that a person must not deal in a chemical in contravention of subregulation (1) is prescribed.

Subdivision 3.5.2—Prohibition subject to conditions

3.180 Chemicals to which this Subdivision applies

- (1) This Subdivision applies to a controlled chemical if the relevant item in Schedule 1 states that Subdivision 3.5.2 applies to it.
- (2) In this Subdivision, a controlled chemical to which this Subdivision applies is called a *dealing-prohibited chemical*.

3.185 Prohibition

- (1) Any dealing (other than importation, manufacture, use or exportation) of a dealing-prohibited chemical in Australia is prohibited unless an authorised officer or the Minister has given permission in writing to deal with the chemical in the relevant way.
- (2) For the purposes of subsection 69C(1) of the Act, the following conditions or restrictions are prescribed for each such chemical:
 - (a) a person must not deal with the chemical:
 - (i) without the written permission of an authorised officer or the Minister; or
 - (ii) contrary to a condition or restriction specified in the permission;
 - (b) a person who deals with the chemical must not fail to produce the permission if asked to do so by:
 - (i) an authorised officer; or
 - (ii) an officer of another Agency, or an officer or employee of a State or Territory government, authorised in writing by the Secretary for the purposes of this paragraph;
 - (c) any condition or restriction specified in the relevant item in Schedule 1.

Note: A person who deals with such a chemical in contravention of a prescribed condition or restriction may be punished by a fine of up to 300 penalty units (see subsection 69C(5) of the Act).

Regulation 3.190

- (3) This regulation applies despite any approval to deal with the chemical under any other legislation.

3.190 Applications for permission to deal with dealing-prohibited chemicals

- (1) A person may apply to the Department for permission to deal with a dealing-prohibited chemical.
- (2) An application to deal with a dealing-prohibited chemical must be in the approved form and must include the following information:
- (a) generic information about the applicant;
 - (b) the technical name, common name and CAS number (if known) of the chemical;
 - (c) information that the applicant considers supports the application.

Note 1: The applicant may be required to give additional information (see regulation 3.15).

Note 2: An authorised officer must give written notice of his or her decision on the application (see regulation 3.505).

3.195 When permission may be granted

- (1) An authorised officer may grant an application for permission to deal with a dealing-prohibited chemical if the officer is satisfied that the dealing is in accordance with Australia's obligations under the relevant international agreement or arrangement.

Note: In deciding whether to grant the application, the officer may take into consideration the matters mentioned in regulation 3.20.

- (2) If the officer is not satisfied as to the matter mentioned in subregulation (1), the officer must refuse to grant the application.

Division 3.6—Export

Subdivision 3.6.1—Absolute prohibition

3.200 Prohibited export

- (1) The export from Australia of a controlled chemical is prohibited if the relevant item in Schedule 1 states that its export is prohibited in all cases.
- (2) For the purposes of subsection 69C(1) of the Act, the condition that a person must not export a chemical in contravention of subregulation (1) is prescribed.

Subdivision 3.6.2—Prohibition subject to conditions

3.205 Chemicals to which this Subdivision applies

- (1) This Subdivision applies to a controlled chemical if the relevant item in Schedule 1 states that its export is prohibited except with written permission.
- (2) In this Subdivision, a controlled chemical to which this Subdivision applies is called an *export-prohibited chemical*.

3.210 Prohibition

- (1) The export from Australia of an export-prohibited chemical is prohibited unless:
 - (a) an authorised officer or the Minister has given permission in writing to export the chemical; and
 - (b) the permission is produced to a Collector; and
 - (c) any condition or restriction specified in the relevant item in Schedule 1 is satisfied.

Note 1: The permission to export required under this regulation must be produced to a Collector for the purposes of complying with regulation 4A of the *Customs (Prohibited Exports) Regulations 1958* in relation to the exportation of chemicals under those Regulations that are active constituents or chemical products.

Note 2: A multiple exit export permit is a permission for the purposes of this regulation (see subregulation 3.310(3)).

- (2) For the purposes of subsection 69C(1) of the Act, the following conditions or restrictions are prescribed for each such chemical:
 - (a) a person must not export the chemical:
 - (i) without the written permission of an authorised officer or the Minister; or
 - (ii) contrary to a condition or restriction specified in the permission;
 - (b) a person who exports the chemical must not fail to produce the permission if asked to do so by a Collector;
 - (c) any condition or restriction set out in the relevant item in Schedule 1.

Regulation 3.215

Note: A person who exports such a chemical in contravention of a prescribed condition or restriction may be punished by a fine of up to 300 penalty units (see subsection 69C(5) of the Act).

- (3) This regulation applies despite:
- (a) the APVMA's certificate setting out its findings (if any) in relation to the export of a chemical product under section 69D of the Act; and
 - (b) any approval to export under any other legislation.

3.215 Applications for permission to export export-prohibited chemicals

- (1) A person may apply to the Department for permission to export an export-prohibited chemical.
- (2) An application must be in the approved form and must include the following information:
- (a) generic information about the applicant;
 - (b) the technical name, common name and CAS number (if known) of the chemical;
 - (c) the quantity to be exported;
 - (d) the name of the importing country;
 - (e) the name of any transit country (if known);
 - (f) the intended use in the importing country.

Note 1: The applicant may be required to give additional information (see regulation 3.15).

Note 2: An authorised officer must give written notice of his or her decision on the application (see regulation 3.505).

3.220 Additional information required for certain exports

- (1) This regulation applies to an export-prohibited chemical if the relevant item in Schedule 1 states that the chemical is subject to a notification of final regulatory action by Australia under Article 5 of the Rotterdam Convention.
- (2) An application for permission to export a chemical to which this regulation applies must, in addition to the information required under regulation 3.215, include the following information:
- (a) expected date of export;
 - (b) category (pesticide or industrial use) under which the chemical is being exported;
 - (c) the name and address of the importer;
 - (d) precautionary measures to reduce exposure to, and emission of, the chemical;
 - (e) in the case of a mixture or preparation, the concentration of the prescribed active constituent or constituents.

Note The above information forms part of the export notification required under Article 12 of the Rotterdam Convention.

3.225 When permission must be granted

An authorised officer must grant an application for permission to export an export-prohibited chemical if:

- (a) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; and
- (b) the export is to a non-party to that Convention.

3.230 When permission may be granted

- (1) An authorised officer may grant an application for permission to export an export-prohibited chemical whose export is stated in an item in Schedule 1 to be prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c) if the officer is satisfied that the export is:

- (a) for the purpose of environmentally sound disposal in accordance with paragraph (1)(d) of Article 6 of the Stockholm Convention; or
- (b) to a party that is permitted to use the chemical under Annex A or B of the Stockholm Convention; or
- (c) to a State not Party to the Stockholm Convention (within the meaning of paragraph 2 of Article 3 of that Convention) that has provided an annual certification to Australia in accordance with that paragraph.

Note 1: The export of an active constituent or chemical product for the purpose of environmentally sound disposal must also comply with the *Hazardous Waste (Regulation of Exports and Imports) Act 1989* and any regulations made under that Act.

Note 2: Under paragraph 2(b)(iii) of Article 3 of the Stockholm Convention, the annual certification of a non-party must:

- (a) specify the intended use of the chemical; and
- (b) include a statement that, with respect to that chemical, the importing State is committed to:
 - (i) protect human health and the environment by taking the necessary measures to minimize or prevent releases;
 - (ii) comply with the provisions of paragraph 1 of Article 6; and
 - (iii) comply, where appropriate, with the provisions of paragraph 2 of Part II of Annex B; and
- (c) include any appropriate supporting documentation, such as legislation, regulatory instruments, or administrative or policy guidelines.

Note 3: Paragraph 2(d) of Article 3 of the Stockholm Convention states:
'For the purposes of this paragraph, the term "State not Party to this Convention" shall include with respect to a particular chemical, a State or regional economic integration organization that has not agreed to be bound by the Convention with respect to that chemical.'

- (2) An authorised officer may grant an application for permission to export an export-prohibited chemical if:
 - (a) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; and
 - (b) the export is to a party to that Convention; and
 - (c) the officer is satisfied that the export complies with the requirements of that Convention.

Regulation 3.235

- (3) An authorised officer may grant an application for permission to export an export-prohibited chemical if:
- (a) neither subregulation (1) nor (2) applies; and
 - (b) the chemical is being exported for a use or purpose in the importing country that is permitted under the relevant Convention.

Note: In deciding whether to grant the application, the officer may take into consideration the matters mentioned in regulation 3.20.

- (4) To avoid doubt, an authorised officer may refuse to grant an application despite the fact that the APVMA has given a certificate setting out its findings (if any) in relation to the export of the chemical product under section 69D of the Act.

3.235 Required conditions

- (1) This regulation applies to the export of an export-prohibited chemical if:
- (a) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; and
 - (b) the export is to a party to that Convention.
- (2) It is a condition of a permission for the export that the exporter will:
- (a) include the Harmonized System customs code for the chemical (if assigned) on shipping documentation; and
 - (b) ensure that the labelling of the chemical complies with relevant international standards (including standards requiring information regarding risks and hazards to human health and the environment); and
 - (c) if the chemical is to be used for occupational purposes, give to the importer a safety data sheet that:
 - (i) is in accordance with an internationally recognised format; and
 - (ii) sets out up-to-date information; and
 - (iii) if practicable, is in one of the official languages of the country to which the chemical is to be exported; and
 - (d) give to the Department, on or before 28 February following each calendar year, a statement of the total quantity of the chemical exported in the calendar year, naming each importing country and specifying how much of the chemical was exported to each importing country.

3.240 Deciding application for permission to export when import decision available

- (1) This regulation applies to the export of an export-prohibited chemical if the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention.
- (2) In making a decision whether to grant an application for permission to export the chemical to a party to the Convention, an authorised officer must take into consideration:
- (a) any import decision notified to the Secretariat by the party; and

- (b) if the chemical is described in the relevant item in Schedule 1 as a severely hazardous pesticide formulation, any applicable condition or restriction specified in that item; and
- (c) whether the applicant has provided any additional information required under regulation 3.220.

Note: Under Article 10 of the Convention, the Secretariat must, every 6 months, inform all parties of the import responses it has received. It does so by way of a six-monthly information circular.

3.245 Deciding application for permission to export when import decision not known

- (1) This regulation applies to the export of an export-prohibited chemical if:
 - (a) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; and
 - (b) the export is to a party to that Convention; and
 - (c) the party's import decision is not known.
- (2) An authorised officer must not grant an application for permission to export the chemical, unless he or she is satisfied that the export will not be in breach of Australia's obligations under Article 11 of the Rotterdam Convention.

Note: The import decision of a party may not be known because:

- (a) the party failed to transmit to the Secretariat its decision; or
- (b) the party transmitted an import response stating that a final import decision is under consideration or requesting more information or assistance in making its decision (see paragraph 4 (b) of Article 10 of the Rotterdam Convention).

3.250 When permission must be refused

- (1) An authorised officer must refuse to grant an application for permission to export an export-prohibited chemical if the officer is not satisfied as to the matters mentioned in subregulation 3.230(1).
- (2) An authorised officer must refuse an application for permission to export an export-prohibited chemical if:
 - (a) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; and
 - (b) the export is to a party to that Convention; and
 - (c) any of the following applies:
 - (i) the officer is not satisfied that the export complies with the Rotterdam Convention;
 - (ii) the party has notified to the Secretariat an import decision not to consent to the import;
 - (iii) the party has notified to the Secretariat an import decision to consent to the import only subject to specified conditions and the authorised officer is not satisfied that those conditions have been met or will be met.

Note: A list of the parties to the Rotterdam Convention is available at <http://www.pic.int>.

Regulation 3.250

- (3) An authorised officer must refuse to grant an application for permission to export an export-prohibited chemical if:
- (a) neither subregulation (1) nor (2) applies; and
 - (b) the chemical is being exported for a use or purpose in the importing country that is not permitted under the relevant Convention.

Division 3.7—Multiple entry import and multiple exit export permits

3.305 Definitions

In this Division:

export-prohibited chemical means a controlled chemical to which Subdivision 3.6.2 applies.

import-prohibited chemical means a controlled chemical to which Subdivision 3.2.2 applies.

3.310 Purpose

- (1) The purpose of this Division is to allow persons who from time to time import import-prohibited chemicals, or export export-prohibited chemicals, to apply for a permission to import (***multiple entry import permit***) or export (***multiple exit export permit***) those chemicals over a period of time, instead of having to apply for a permission for each import or export.
- (2) A multiple entry import permit is a permission for the purposes of regulation 3.55.
- (3) A multiple exit export permit is a permission for the purposes of regulation 3.210.

3.315 Fit and proper person

- (1) For the purposes of regulation 3.340, an authorised officer must have regard to the following matters in determining whether a person is a fit and proper person:
 - (a) any conviction of the applicant for an offence against the Act or these Regulations;
 - (b) if the applicant is an individual:
 - (i) any conviction of the applicant for an offence under a law of the Commonwealth, of a State or of a Territory that is punishable by imprisonment for a period of one year or longer; and
 - (ii) whether the applicant is bankrupt;
 - (c) if the applicant is a corporation:
 - (i) any conviction of the applicant for an offence under a law of the Commonwealth, of a State or of a Territory that is punishable by a fine of 50 penalty units or more, being an offence committed at a time when a person who is a director, officer or shareholder of the company was a director, officer or shareholder of the company; and
 - (ii) whether the applicant is a Chapter 5 body corporate (within the meaning of the *Corporations Act 2001*);
 - (d) whether the applicant has previously held a multiple permit or a permission under this Part;

Regulation 3.320

- (e) whether the applicant complied with any conditions or restrictions specified in the permit or permission.
- (2) To avoid doubt, the matters mentioned in subregulation (1) are in addition to:
 - (a) any matters that an authorised officer is required to take into consideration under a provision of this Division; and
 - (b) any other matters that are relevant.

3.320 Multiple entry import permits

Note: Regulation 3.320 is reserved.

3.325 When multiple entry import permits may be granted

Note: Regulation 3.325 is reserved.

3.330 Multiple exit export permits

- (1) This regulation applies if:
 - (a) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; and
 - (b) either:
 - (i) the export is to a non-party to that Convention; or
 - (ii) the chemical to be exported is a severely hazardous pesticide formulation that is of a form different from, or is of a concentration lower than, the relevant formulation given in Schedule 1.
- (2) A person may apply to the Department for a multiple exit export permit.
- (3) An application must be in the approved form and must include generic information about the applicant and the following information in respect of each export-prohibited chemical to be exported under the permit:
 - (a) the technical name, common name and CAS number (if known) of each chemical;
 - (b) the non-parties to which exports are to be made (if applicable);
 - (c) the formulation to be exported (if applicable);
 - (d) the quantity of chemical to be exported under the permit or, if that quantity is not known, an estimate of the quantity to be exported.

3.335 When multiple exit export permits may be granted—general

- (1) An authorised officer may grant an application for a multiple exit export permit if the officer is satisfied that the exports to be made under the permit comply with the requirements of the Rotterdam Convention.

Note: In deciding whether to grant the application, the officer may take into consideration the matters mentioned in regulation 3.20.

- (2) An authorised officer must refuse to grant an application if:

- (a) the officer is not satisfied as to the matter mentioned in subregulation (1);
or
- (b) the applicant has at any time failed to comply with any condition or restriction specified in a permission or permit.

3.340 Grant of multiple exit export permits in special circumstances

Despite any thing else in this Division, an authorised officer may grant a multiple exit export permit to a person if the authorised officer is satisfied that:

- (a) the relevant items in Schedule 1 for the export-prohibited chemicals to be exported under the permit identify the relevant international agreement or arrangement as the Rotterdam Convention; and
- (b) the person has, over an aggregate period of at least 1 year, exported export-prohibited chemicals; and
- (c) the person has complied with the requirements of the Act and these Regulations in relation to those exports; and
- (d) the person is a fit and proper person.

Note: In deciding whether to grant the permit, the officer may take into consideration the matters mentioned in regulation 3.20.

3.345 Annual reports

- (1) The holder of a multiple permit must give to the Department an annual report about imports or exports made under the permit.
- (2) The report:
 - (a) must state the name of the holder, the identification number and date of issue, of the permit; and
 - (b) must include the following information in respect of the chemicals imported or exported under the permit:
 - (i) the technical name and common name of the chemical;
 - (ii) the name of the exporting or importing countries;
 - (iii) the date of each import or export;
 - (iv) the name of any transit country (if known);
 - (v) any additional information required as a condition or restriction specified on the permit;
 - (vi) the quantity of each kind of chemical imported from or exported to each named exporting or importing country; and
 - (c) must be signed by the holder of the permit; and
 - (d) must be given on or before 28 February of each year.

3.350 Period of validity and renewal of permit

- (1) A multiple permit is valid until the end of 31 March next occurring after the permit is granted.

Regulation 3.350

- (2) An application for renewal of a permit may be made in writing by the holder of the permit not more than 60 days before the day on which the permit ceases to be valid under subregulation (1).
- (3) An authorised officer may grant an application for renewal if the authorised officer is satisfied that:
 - (a) the holder has not imported or exported a chemical in contravention of the permit; and
 - (b) the holder has complied with any conditions or restrictions specified in the permit; and
 - (c) the holder continues to be a fit and proper person (if applicable); and
 - (d) the holder has complied with the annual reporting requirements under regulation 3.345.

Division 3.8—Conditions or restrictions of permissions or multiple permits

3.405 Conditions

A permission or multiple permit granted under this Part may specify conditions or restrictions to be complied with by the holder and may, in respect of any such condition or restriction, specify a time (being a time before or after the act permitted) at or before which the holder must comply with the condition or restriction.

3.410 Revocation etc of permission or multiple permits

- (1) An authorised officer may revoke, vary or suspend a permission or multiple permit granted under this Part.
- (2) The authorised officer must give to the holder of a permission or permit written notice of the revocation, variation or suspension of the permission or permit within 10 days after doing so.
- (3) The notice must include:
 - (a) a brief statement of the reasons for the revocation, variation or suspension; and
 - (b) a statement that the applicant may apply to the Minister for reconsideration of the decision.
- (4) A failure to comply with subregulation (2) or (3) does not affect the validity of the revocation, variation or suspension.

Division 3.9—Review of decisions

3.505 Notice of authorised officer’s decision

- (1) An authorised officer must give, to an applicant for a permission or multiple permit under this Part, written notice of the officer’s decision on the application within 10 days after making the decision.
- (2) A notice of a decision to refuse to grant a permission or permit must include:
 - (a) a brief statement of the reasons for the refusal; and
 - (b) a statement that the applicant may apply to the Minister for reconsideration of the decision.
- (3) A failure to comply with subregulation (1) or (2) in relation to a decision does not affect the validity of the decision.

3.510 Reconsideration of decisions by Minister

- (1) An application for reconsideration of the following decisions may be made to the Minister by the applicant for, or the holder of, a permission or multiple permit:
 - (a) an authorised officer’s decision to refuse to grant a permission or permit;
 - (b) an authorised officer’s decision to revoke, vary or suspend a permission or permit.
- (2) The application must be made in writing within 15 days after the applicant receives notice of the decision.
- (3) The Minister may:
 - (a) grant or refuse to grant a permission or permit; or
 - (b) vary or affirm a decision to revoke, vary or suspend a permission or permit; or
 - (c) set aside, and substitute his or her decision for, a decision to revoke, vary or suspend a permission or permit.

3.515 Notice of Minister’s decision

- (1) The Minister must give, to a person who applies for reconsideration of a decision, written notice of the Minister’s decision on the person’s application within 10 days after making the decision.
- (2) The notice must include a statement that the person may apply to the Administrative Appeals Tribunal for a review of the decision.
- (3) A failure to comply with subregulation (1) or (2) in relation to a decision does not affect the validity of the decision.

3.520 Review of decisions by AAT

An application may be made to the Administrative Appeals Tribunal for a review of the Minister's decision on an application for reconsideration under this Division.

3.550 Export of chemical products—fees for certificates

- (1) Subject to subregulation (2), the following fees are prescribed for subsection 69D(1) of the Act:
 - (a) \$125 as the standard fee for a certificate;
 - (b) if the certificate requires technical or scientific assessment to be undertaken by the APVMA, a further \$105 for the assessment.
- (2) No fee is payable for a certificate (the *subsequent certificate*) if an applicant applies for the subsequent certificate on the same day when the applicant applied for another certificate (the *original certificate*), and the original and subsequent certificates are:
 - (a) the same in all respects; or
 - (b) the same in all respects except for one or more of the following:
 - (i) the addressee of the certificate;
 - (ii) the country to which the chemical product is to be exported;
 - (iii) the authority of the country to which the chemical product is to be exported.
- (3) For the purposes of subsection 69D(1) of the Act, a fee is prescribed if the applicant requires the APVMA to request the performance, in relation to a certificate (whether original or subsequent), of a consular act for which a fee (the *consular fee*):
 - (a) is imposed under the *Consular Fees Act 1955*; and
 - (b) is payable by the APVMA.
- (4) The amount of the fee prescribed under subregulation (3) is an amount equal to the amount of the consular fee.

Part 3A—Infringement notices

3A.01 Infringement notices

- (1) For the definition of *prescribed civil penalty provision* in section 4 of the Act, each civil penalty provision mentioned in Schedule 5 is prescribed.
- (2) For subsection 69EKA(3) of the Act:
 - (a) the amount (in penalty units) mentioned for an individual in an item of Schedule 5 is the amount that applies for an alleged contravention by the individual of the provision mentioned in the item in the circumstances (if any) mentioned in the item; and
 - (b) the amount (in penalty units) mentioned for a corporation in an item of Schedule 5 is the amount that applies for an alleged contravention by the corporation of the provision mentioned in the item in the circumstances (if any) mentioned in the item.

Part 4—Miscellaneous

4.15 Method of securing samples

- (1) This regulation applies to an inspector who exercises:
 - (a) the monitoring power mentioned in paragraph 69EAC(1)(g) of the Act to take and keep samples of any thing on any premises; or
 - (b) the investigation power mentioned in paragraph 69EBA(1)(g) of the Act to take a sample and keep samples of any thing on any premises.
- (2) The inspector must ensure that:
 - (a) the sample is contained and sealed in an appropriate vessel or package; and
 - (b) the vessel or package is so marked as to clearly identify the sample; and
 - (c) the vessel or package cannot be opened, or the identification of the sample removed, without breaking the seal; and
 - (d) the sample is stored and transported in such a way that the composition of the sample is not altered.

4.20 Reconsideration participation review

- (1) The Minister must ensure that a review (a ***reconsideration participation review***) is conducted in relation to strategies to encourage participation by industry in reconsiderations under Division 4 of Part 2 of the Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994*.

Terms of reference

- (2) The terms of reference for the reconsideration participation review must include terms that require the following:
 - (a) the identification of any problems with the chemical industry and user industries participating in reconsiderations under that Division, including:
 - (i) any obstacles or disincentives to the provision of information to support ongoing registration of chemical products under that Division; and
 - (ii) compensation for providers of information;
 - (b) the identification of options for addressing any identified problems and for collaboratively generating information, including the following options:
 - (i) the task force approach adopted by the United States Environmental Protection Agency;
 - (ii) other relevant approaches used in comparable markets outside Australia;
 - (iii) other options to reduce the need for the generation and provision of information;
 - (c) an analysis of the costs and benefits of identified options for addressing problems, including an analysis of the impacts of the options on:

Regulation 4.20

- (i) different sectors of the chemical industry and user industries; and
- (ii) the availability, and safe use, of chemical products;
- (d) the making of recommendations, relating to matters within the APVMA's functions and powers, for preferred options to address any identified problems.

Persons conducting review

- (3) At least one of the persons conducting the review must not be otherwise appointed, employed or engaged in an ongoing capacity by the Commonwealth.

Use of external expertise

- (4) The persons conducting the review may draw on external expertise where necessary for the review.

Public consultation

- (5) The review must involve the publication of a public consultation document in relation to the review that includes a request for submissions in relation to the review from members of the public.
- (6) Submissions received in relation to the review must be:
 - (a) considered by the persons conducting the review; and
 - (b) made public, unless the person making the submission has requested that the submission, or a part of the submission, be kept confidential.

Time for completion of review

- (7) The review must be completed, and a written report of the review given to the Minister, no later than 30 June 2019.

Review report and response

- (8) The Minister must ensure that the report of the review is published on the Department's website within 6 weeks of receiving the report.
- (9) The Minister must ensure that the Minister's response to the report of the review is published on the Department's website within 3 months of receiving the report.

Part 5—Application, saving and transitional provisions

5.1 Saving provisions relating to the *Agricultural and Veterinary Chemicals Legislation Amendment (Improvements) Regulations 2021*

- (1) Despite the repeal of regulation 4.10 by the *Agricultural and Veterinary Chemicals Legislation Amendment (Improvements) Regulations 2021*, that regulation, as in force immediately before the commencement of this regulation, continues to apply on and after that commencement for the purposes of the continued application of section 69E of the Act as mentioned in subitem 35(1) of Schedule 1 to the *Agricultural and Veterinary Chemicals Legislation Amendment (Australian Pesticides and Veterinary Medicines Authority Board and Other Improvements) Act 2021*.
- (2) Despite the repeal of item 8 of the table in Schedule 5 by the *Agricultural and Veterinary Chemicals Legislation Amendment (Improvements) Regulations 2021*, that item, as in force immediately before the commencement of this regulation, continues to apply on and after that commencement in relation to a contravention of subsection 69E(1) of the Act that occurs before, on or after that commencement.

Schedule 1—Chemicals

(regulation 1.3, definition of *controlled chemical*)

Part 1—Reading this Schedule

1 Description of chemicals

- (1) Each chemical dealt with in Part 2 or 3 of this Schedule is described in a separate item in the form of a small table, as follows:
 - (a) in Part 2, which covers chemicals defined in terms of a single active constituent (whether or not at a concentration above a specified concentration):
 - (i) the heading is the common name of the active constituent; and
 - (ii) the first row gives the active constituent's IUPAC name; and
 - (iii) the second row gives its CAS number; and
 - (iv) if the chemical is a prescribed active constituent or prescribed chemical product for the purposes of subsection 69CA(2) of the Act, the third row states that fact; and
 - (v) the fourth row identifies, for subsection 69CA(3) of the Act, the relevant international agreement or arrangement; and
 - (vi) the fifth row sets out any conditions or restrictions applicable to the chemical;
 - (b) in Part 3, which covers chemical products defined in terms of 2 or more active constituents (whether or not at concentrations above specified concentrations, and whether or not in a particular form):
 - (i) the heading is or includes the common names of the active constituents in the chemical product, and may specify the concentration of 1 or more of them and a particular form; and
 - (ii) the first row gives the names of each chemical (including their IUPAC names and CAS numbers) and their concentration in the chemical product, and, if the item applies only to a particular form of the chemical product, that form; and
 - (iii) the second row identifies, for subsection 69CA(3) of the Act, the relevant international agreement or arrangement; and
 - (iv) the third row sets out any conditions or restrictions applicable to the chemical product.

Note: The international agreement or arrangement so identified is also the agreement or arrangement under which the import, manufacture etc of the formulation may be prohibited (absolutely or subject to prescribed conditions or restrictions) under Part 3.

- (2) There may be 1 or more additional rows in a particular item giving or requiring additional information, and any information so given, or any such requirement, is part of the item.

2 References to controlled chemical in Regulations as applied to this Schedule

To avoid doubt, a reference in these Regulations to a relevant item in this Schedule for a controlled chemical includes (consistently with the definition of controlled chemical) a chemical product that contains the active constituent dealt with in the item.

Part 2—Chemical products defined in terms of a single active constituent

1 2-(Acetoxymercuric)ethanol

IUPAC name	
CAS number	4665-55-8
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

2 2,4,5-T and its salts and esters

IUPAC name	(2,4,5-trichlorophenoxy)acetic acid
CAS number	93-76-5
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

Note: The CAS number refers to 2,4,5-T only.

2A Alachlor

IUPAC name	2-chloro-2', 6'-diethyl-N-methoxymethylacetanilide
CAS number	15972-60-8
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

2AA Aldicarb

IUPAC name	2-methyl-2-(methylthio)propionaldehyde-O-methylcarbamoyl-oxime
CAS number	116-06-3
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention

Conditions or restrictions	Export prohibited except with written permission
3 Aldrin (HHDN)	
IUPAC name	(1R,4S,4aS,5S,8R,8aR)-1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-1,4:5,8-dimethano-naphthalene
CAS number	309-00-2
Prescribed active constituent/chemical product	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
Relevant international agreement or arrangement	Stockholm Convention
Conditions or restrictions	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)
3AA Azinphos-methyl	
IUPAC name	S-(3,4-dihydro-4-oxobenzo[d]-[1,2,3]-triazin-3-ylmethyl)-O,O-dimethyl phosphorodithioate
CAS number	86-50-0
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
3A Binapacryl	
IUPAC name	2-sec-butyl-4,6-dinitrophenyl 3-methylcrotonate
CAS number	485-31-4
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

Schedule 1 Chemicals**Part 2 Chemical products defined in terms of a single active constituent****4 Captafol**

IUPAC name	<i>N</i> -(1,1,2,2-tetrachloroethylthio)cyclohex-4-ene-1,2-dicarboximide; or 3a,4,7,7a-tetrahydro- <i>N</i> -(1,1,2,2-tetrachloroethanesulfenyl)phthalimide
CAS number	2425-06-1
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

4A Carbofuran

IUPAC name	2,3-dihydro-2,2-dimethylbenzofuran-7-yl methylcarbamate
CAS number	1563-66-2
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

5 Chlordane

IUPAC name	1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7, 7a-hexahydro-4, 7-methanoindene
CAS number	57-74-9
Prescribed active constituent/chemical product	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
Relevant international agreement or arrangement	Stockholm Convention
Conditions or restrictions	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)

6 Chlordimeform

IUPAC name	<i>N</i> ² -(4-chloro- <i>o</i> -tolyl)- <i>N</i> ¹ , <i>N</i> ¹ -dimethylformamidine
CAS number	6164-98-3
Prescribed active constituent/chemical product	No

product	
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
7 Chlorobenzilate	
IUPAC name	Ethyl 4,4'-dichlorobenzilate
CAS number	510-15-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
8 Cyano(methylmercuric)guanidine	
IUPAC name	1-cyano-3-(methylmercurio)guanidine
CAS number	502-39-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
9 DDT (pp'-DDT)	
IUPAC name	1,1,1-trichloro-2,2-bis (4-chlorophenyl) ethane
CAS number	50-29-3
Prescribed active constituent/chemical product	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
Relevant international agreement or arrangement	Stockholm Convention
Conditions or restrictions	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)
10 Dieldrin (HEOD)	
IUPAC name	(1R,4S,4aS,5R,6R,7S,8S,8aR)-1,2,3,4,10,10-hexachloro-1,4,4a,5,6,7,8,8a-octahydro-6,7-epoxy-1,4:5, 8-dimethano-naphthalene
CAS number	60-57-1
Prescribed active	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act

Schedule 1 Chemicals

Part 2 Chemical products defined in terms of a single active constituent

constituent/chemical product	
Relevant international agreement or arrangement	Stockholm Convention
Conditions or restrictions	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)
10A Dinitro-ortho-cresol (DNOC) and its salts	
IUPAC name	4,6-dinitro- <i>o</i> -cresol
CAS number	534-52-1
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
Note: The CAS number refers to DNOC only.	
11 Dinoseb and its salts and esters	
IUPAC name	2-sec-butyl-4,6-dinitrophenol
CAS number	88-85-7
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
Note: The CAS number refers to Dinoseb only.	
11A Endosulfan	
IUPAC name	(1,4,5,6,7,7-hexachloro-8,9,10-trinorborn-5-en-2,3-ylenebismethylene) sulfite
CAS number	115-29-7
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

13 Endrin

IUPAC name	(1R,4S,4aS,5S,6S,7R,8R,8aR)-1,2,3,4,10,10-hexachloro-1,4,4a,5,6,7,8,8a octahydro-6,7-epoxy-1, 4:5,8-dimethano-naphthalene
CAS number	72-20-8
Prescribed active constituent/chemical product	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
Relevant international agreement or arrangement	Stockholm Convention
Conditions or restrictions	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)

14 Ethylene dibromide (EDB)

IUPAC name	1,2-dibromoethane
CAS number	106-93-4
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

14A Ethylene dichloride

IUPAC name	1,2-dichloroethane
CAS number	107-06-2
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

14B Ethylene oxide

IUPAC name	Oxirane
CAS number	75-21-8
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

Schedule 1 Chemicals**Part 2 Chemical products defined in terms of a single active constituent****15 Fluoroacetamide**

IUPAC name	2-fluoroacetamide
CAS number	640-19-7
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

16 HCH (mixed isomers) (BHC) (HCH) (except gamma isomer)

IUPAC name	1,2,3,4,5,6-hexachlorocyclohexane
CAS number	608-73-1
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

17 Heptachlor

IUPAC name	1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-4,7-methanoindene
CAS number	76-44-8
Prescribed active constituent/chemical product	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
Relevant international agreement or arrangement	Stockholm Convention
Conditions or restrictions	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)

18 Hexachlorobenzene (HCB)

IUPAC name	Hexachlorobenzene
CAS number	118-74-1
Prescribed active constituent/chemical product	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
Relevant international agreement or arrangement	Stockholm Convention
Conditions or restrictions	Import prohibited except with written permission under paragraph 3.65(1)(a)

	Manufacture prohibited in all cases
	Use prohibited in all cases
	Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)

19 Hydroxymercuri-o-nitrophenol

IUPAC name	
CAS number	17140-73-7
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

20 Lindane (γ -BHC, γ -HCH)

IUPAC name	1 α , 2 α , 3 β , 4 α , 5 α , 6 β)-hexachlorocyclohexane
CAS number	58-89-9
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

21 Mercuric acetate

IUPAC name	
CAS number	1600-27-7
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

22 Mercuric chloride

IUPAC name	Mercury (II) chloride; mercury dichloride
CAS number	7487-94-7
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

Schedule 1 Chemicals**Part 2 Chemical products defined in terms of a single active constituent**

23 Mercuric oxide

IUPAC name	Mercury (II) oxide; mercury oxide
CAS number	21908-53-2
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

24 Mercurous chloride

IUPAC name	Mercury (I) chloride; dimercury dichloride
CAS number	7546-30-7
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

25 Mercury

IUPAC name	
CAS number	7439-97-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

26 Mercury naphthenate

IUPAC name	
CAS number	1336-96-5
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

27 Mercury oleate

IUPAC name	
CAS number	1191-80-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

28 Mercury pentanedione

IUPAC name	
CAS number	14024-55-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

29 Mercury phenate

IUPAC name	
CAS number	588-66-9
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

30 Methamidophos

IUPAC name	O,S-dimethyl phosphoramidothioate
CAS number	10265-92-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

31 Methazole

IUPAC name	2-(3,4-dichlorophenyl)-4-methyl-1,2,4-oxadiazolidine-3,5-dione
CAS number	20354-26-1
Prescribed active constituent/chemical	No

Schedule 1 Chemicals**Part 2 Chemical products defined in terms of a single active constituent**

product	
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
32 Methylmercury 2,3-dihydroxypropyl mercaptide	
IUPAC name	
CAS number	2597-95-7
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
33 Methylmercury 8-quinolinolate	
IUPAC name	
CAS number	86-85-1
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
34 Methylmercury acetate	
IUPAC name	
CAS number	108-07-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
35 Methylmercury benzoate	
IUPAC name	Methylmercury(II) benzoate; methylmercury(2+) benzoate; methylmercuric benzoate
CAS number	3626-13-9
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention

arrangement	
Conditions or restrictions	Export prohibited except with written permission
36 Methylmercury hydroxide	
IUPAC name	
CAS number	1184-57-2
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
37 Methylmercury nitrite	
IUPAC name	
CAS number	2591-97-9
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
38 Methylmercury propionate	
IUPAC name	
CAS number	5903-10-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
39 Mirex	
IUPAC name	(1,1a,2,2,3,3a,4,5,5,5a,5b,6-dodecachlorooctahydro-1,3,4-metheno-1 <i>H</i> -cyclobuta[<i>cd</i>]pentalene) dodecachloropentacyclo[5.3.0.0 ^{2,6} .0 ^{3,9} .0 ^{4,8}]decane or perchloropentacyclo-[5.3.0.0 ^{2,6} .0 ^{3,9} .0 ^{4,8}]decane
CAS number	2385-85-5
Prescribed active constituent/chemical product	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
Relevant international agreement or arrangement	Stockholm Convention
Conditions or	Import prohibited except with written permission under paragraph 3.65(1)(a)

Schedule 1 Chemicals**Part 2 Chemical products defined in terms of a single active constituent**

restrictions	Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)
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40 Monocrotophos

IUPAC name	Dimethyl (E)-1-methyl-2 (methylcarbamoyl)vinyl phosphate; 3-dimethoxyphosphinoyloxy-N- methylisocrotonamide
CAS number	6923-22-4
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

41 N-(phenylmercuric) urea

IUPAC name	(phenylmercurio)urea
CAS number	2279-64-3
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

42 Parathion (ethyl)

IUPAC name	O,O-diethyl O-4-nitrophenyl phosphorothioate
CAS number	56-38-2
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

43 Parathion-methyl

IUPAC name	<i>O,O</i> -dimethyl <i>O</i> -4-nitrophenyl phosphorothioate
CAS number	298-00-0
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission Severely hazardous pesticide formulation under Annex III of the Rotterdam Convention—formulation in the form of: (a) emulsifiable concentrate with 19.5%, 40%, 50% and 60% active constituent; or (b) dust containing 1.5%, 2% and 3% active constituent

44 Pentachlorophenol and its salts and esters

IUPAC name	Pentachlorophenol
CAS number	87-86-5
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

Note: The CAS number refers to Pentachlorophenol only.

45 Phenylethylmercuric salicylate

IUPAC name	
CAS number	54-64-8
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

Schedule 1 Chemicals

Part 2 Chemical products defined in terms of a single active constituent

46 Phenylmercuric acetate

IUPAC name	Phenylmercury(II) acetate; phenylmercury(2+) acetate; phenylmercuric acetate
CAS number	62-38-4
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

47 Phenylmercuric ammonium acetate

IUPAC name	
CAS number	53404-67-4
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

48 Phenylmercuric ammonium propionate

IUPAC name	
CAS number	53404-68-5
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

49 Phenylmercuric borate

IUPAC name

CAS number 102-98-7

Prescribed active constituent/chemical product No

Relevant international agreement or arrangement Rotterdam Convention

Conditions or restrictions Export prohibited except with written permission

50 Phenylmercuric carbonate

IUPAC name

CAS number 53404-69-6

Prescribed active constituent/chemical product No

Relevant international agreement or arrangement Rotterdam Convention

Conditions or restrictions Export prohibited except with written permission

51 Phenylmercuric chloride

IUPAC name Phenylmercury(II) chloride;
phenylmercury(2+) chloride;
phenylmercuric chloride

CAS number 100-56-1

Prescribed active constituent/chemical product No

Relevant international agreement or arrangement Rotterdam Convention

Conditions or restrictions Export prohibited except with written permission

Schedule 1 Chemicals

Part 2 Chemical products defined in terms of a single active constituent

52 Phenylmercuric dimethyldithiocarbamate

IUPAC name	Phenylmercury dimethyldithiocarbamate
CAS number	32407-99-1
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

53 Phenylmercuric formamide

IUPAC name	
CAS number	22894-47-9
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

54 Phenylmercuric hydroxide

IUPAC name	
CAS number	100-57-2
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

55 Phenylmercuric lactate

IUPAC name

CAS number 122-64-5

Prescribed active constituent/chemical product No

Relevant international agreement or arrangement Rotterdam Convention

Conditions or restrictions Export prohibited except with written permission

56 Phenylmercuric monoethanol ammonium acetate

IUPAC name

CAS number 5822-97-9

Prescribed active constituent/chemical product No

Relevant international agreement or arrangement Rotterdam Convention

Conditions or restrictions Export prohibited except with written permission

57 Phenylmercuric monoethanol ammonium lactate

IUPAC name

CAS number 53404-70-9

Prescribed active constituent/chemical product No

Relevant international agreement or arrangement Rotterdam Convention

Conditions or restrictions Export prohibited except with written permission

Schedule 1 Chemicals

Part 2 Chemical products defined in terms of a single active constituent

58 Phenylmercuric naphthenate

IUPAC name	
CAS number	31632-68-5
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

59 Phenylmercuric nitrate

IUPAC name	Phenylmercury(II) nitrate; phenylmercury(2+) nitrate; phenylmercuric nitrate
CAS number	55-68-5
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

60 Phenylmercuric oleate

IUPAC name	
CAS number	104-68-9
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

61 Phenylmercuric propionate

IUPAC name	
CAS number	103-27-5
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

62 Phenylmercuric salicylate

IUPAC name	Phenylmercury(II) salicylate; phenylmercury(2+) salicylate; phenylmercuric salicylate
CAS number	28086-13-7
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

63 Phenylmercuric thiocyanate

IUPAC name	
CAS number	16751-55-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

Schedule 1 Chemicals

Part 2 Chemical products defined in terms of a single active constituent

64 Phenylmercuric threthanol ammonium lactate

IUPAC name	
CAS number	23319-66-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

65 Phenylmercuric-2-ethylhexonate

IUPAC name	
CAS number	13302-00-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

66 Phenylmercuric-8-quinolinate

IUPAC name	Phenylmercury(II) quinolin-8-olate; phenylmercury(2+) quinolin-8-olate; phenylmercuric quinolin-8-olate
CAS number	26114-17-0
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

67 Phenyl mercury lauryl mercaptide

IUPAC name	
CAS number	–
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

67A Phorate

IUPAC name	Diethoxy-(ethylsulfanylmethylsulfanyl)-sulfanylidene- λ^5 -phosphane
CAS number	298-02-2
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

68 Phosphamidon

IUPAC name	2-chloro-2-diethylcarbamoyl-1-methylvinyl dimethyl phosphate
CAS number	13171-21-6 23783-98-4 297-99-4
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission Severely hazardous pesticide formulation under Annex III of the Rotterdam Convention—formulation in the form of soluble liquid that exceeds 1 000 grams of the active constituent per litre

Schedule 1 Chemicals**Part 2 Chemical products defined in terms of a single active constituent****69 Toxaphene (camphechlor)**

IUPAC name	Reaction mixture of chlorinated camphenes containing 67–69% chlorine
CAS number	8001-35-2
Prescribed active constituent/chemical product	Prescribed active constituent for the purposes of subsection 69CA (2) of the Act
Relevant international agreement or arrangement	Stockholm Convention
Conditions or restrictions	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)

70 Tribufos

IUPAC name	S,S,S-tributyl phosphorotrithioate
CAS number	78-48-8
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

71 Tributyltin compounds

IUPAC name	Includes 'tributylstannane' or 'tributylstannyl'
CAS number	
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

Note: Tributyltin compounds are a class of chemicals. The structure of each chemical includes the tributyltin group, which on its own has a formula written as $C_{12}H_{27}Sn$ or $(C_4H_9)_3Sn$. Items 72 to 78 are specific examples of this class.

72 Tributyltin benzoate

IUPAC name	(Benzyloxy) tributyl stannane
CAS number	4342-36-3
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention

Conditions or restrictions	Export prohibited except with written permission
73 Tributyltin chloride	
IUPAC name	Tributyl-chloro stannane
CAS number	1461-22-9
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
74 Tributyltin fluoride	
IUPAC name	Tributyl-fluoro stannane
CAS number	1983-10-4
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
75 Tributyltin linoleate	
IUPAC name	Tributyl-(1-oxo-9,12-octadecadienyl)oxy-stannane
CAS number	24124-25-2
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission
76 Tributyltin methacrylate	
IUPAC name	Tributyl-(2-methyl-1-oxo-2-propyl)oxystannane
CAS number	2155-70-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

Schedule 1 Chemicals

Part 2 Chemical products defined in terms of a single active constituent

77 Tributyltin naphthenate

IUPAC name	Tributyl-mono(naphthenoyloxy)stannane
CAS number	85409-17-2
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

78 Tributyltin oxide

IUPAC name	Hexabutyl-distannoxane
CAS number	56-35-9
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

79 Trichlorfon

IUPAC name	dimethyl (RS)-2,2,2-trichloro-1-hydroxyethylphosphonate
CAS number	52-68-6
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

Part 3—Chemical products defined in terms of 2 or more active constituents

1 Benomyl/carbofuran/thiram dustable powder

Chemical product	Dustable powder that contains: (a) benomyl (IUPAC name methyl 1-[(butylamino)carbonyl]-1H-benzimidazol-2-ylcarbamate, CAS number 17804-35-2) at or above 7%; and (b) carbofuran (IUPAC name 2,3-dihydro-2,2-dimethylbenzofuran-7-yl methylcarbamate, CAS number 1563-66-2) at or above 10%; and (c) thiram (IUPAC name tetramethylthiuram disulfide, CAS number 137-26-8) at or above 15%
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission Severely hazardous pesticide formulation under Annex III of the Rotterdam Convention

Schedules 2 to 4

Note: Schedules 2 to 4 are reserved for future use.

Schedule 5—Infringement notices

Note: See regulation 3A.01.

Penalty amounts for infringement notices			
Item	Civil penalty provision	Amount for individual (penalty units)	Amount for corporation (penalty units)
Civil penalty provisions of the Act			
1	A contravention of subparagraph 69B(1)(a)(i) of the Act involving: (a) at least 10 kg of an active constituent for a veterinary chemical product; or (b) at least 100 kg of an active constituent for an agricultural chemical product	90	750
2	A contravention of subparagraph 69B(1)(a)(i) of the Act involving: (a) at least 1 kg, but less than 10 kg, of an active constituent for a veterinary chemical product; or (b) at least 10 kg, but less than 100 kg, of an active constituent for an agricultural chemical product	45	375
3	A contravention of subparagraph 69B(1)(a)(i) of the Act involving: (a) less than 1 kg of an active constituent for a veterinary chemical product; or (b) less than 10 kg of an active constituent for an agricultural chemical product	9	75
4	A contravention of subparagraph 69B(1)(a)(ii) involving at least 500 containers	90	750
5	A contravention of subparagraph 69B(1)(a)(ii) involving at least 50 containers but fewer than 500 containers	45	375
6	A contravention of subparagraph 69B(1)(a)(ii) involving fewer than 50 containers	9	75
7	A contravention of subsection 69CD(1)	15	125
9	A contravention of subsection 69EA(1)	15	125
10	A contravention of subsection 69EA(1A)	15	125
Civil penalty provisions of the Collection Act			
11	A contravention of section 15 of the Collection Act	15	125
12	A contravention of section 20 of the Collection Act	15	125
12A	A contravention of subsection 35(1) of the Collection Act	15	125
13	A contravention of section 36 of the Collection Act	15	125
14	A contravention of subsection 37(1) of the Collection Act	15	125

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Number and year	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
1995 No. 28	28 Feb 1995	15 Mar 1995 (r 2)	
1997 No. 320	17 Nov 1997	17 Nov 1997 (r 2)	—
2004 No. 242	12 Aug 2004	18 Aug 2004 (r 2)	—
2005 No. 104	8 June 2005 (F2005L01411)	1 July 2005 (r 2)	—
2006 No. 89	10 May 2006 (F2006L01437)	12 June 2006 (r 2)	—
2010 No. 91	31 May 2010 (F2010L01377)	1 June 2010 (r 2)	—
2010 No. 143	29 June 2010 (F2010L01802)	1 July 2010 (r 2)	—
2010 No. 307	13 Dec 2010 (F2010L03201)	14 Dec 2010 (r 2)	—
2012 No. 180	3 Aug 2012 (F2012L01647)	4 Aug 2012 (r 2)	—
179, 2013	29 June 2013 (F2013L01458)	Sch 1 (items 6–10): 1 July 2014 (s 2)	—
67, 2014	13 June 2014 (F2014L00714)	Sch 1 (items 6–10): 1 July 2014 (s 2 item 2)	—
5, 2015	3 Mar 2015 (F2015L00247)	Sch 2: 4 Mar 2015 (s 2 item 3)	—
219, 2015	16 Dec 2015 (F2015L02042)	Sch 1 (items 1–3): 17 Dec 2015 (s 2(1) item 2)	—

Name	Registration	Commencement	Application, saving and transitional provisions
Corporations and Other Legislation Amendment (Insolvency Law Reform) Regulation 2016	13 Dec 2016 (F2016L01926)	Sch 1 (item 1): 1 Mar 2017 (s 2(1) item 2)	—
Agricultural and Veterinary Chemicals Legislation Amendment (Reconsideration Participation Review) Regulations 2017	28 June 2017 (F2017L00771)	Sch 1 (item 1): 29 June 2017 (s 2(1) item 1)	—

Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Agricultural and Veterinary Chemicals (Administration) Amendment (Methamidophos) Regulations 2017	13 July 2017 (F2017L00919)	14 July 2017 (s 2(1) item 1)	—
Agricultural and Veterinary Chemicals (Administration) Amendment (Carbofuran and Trichlorfon) Regulations 2018	22 June 2018 (F2018L00848)	23 June 2018 (s 2(1) item 1)	—
Agricultural and Veterinary Chemicals Legislation Amendment (Timeshift Applications and Other Measures) Regulations 2019	22 Mar 2019 (F2019L00357)	Sch 1 (item 51): 23 Mar 2019 (s 2(1) item 1)	—
Agricultural and Veterinary Chemicals (Administration) Amendment (Phorate) Regulations 2020	13 July 2020 (F2020L00906)	14 July 2020 (s 2(1) item 1)	—
Minamata Convention on Mercury (Consequential Amendments) Regulations 2021	5 Oct 2021 (F2021L01390)	Sch 1 (items 1–42): <u>awaiting commencement (s 2(1) item 1)</u>	—
Agricultural and Veterinary Chemicals Legislation Amendment (Improvements) Regulations 2021	20 Dec 2021 (F2021L01862)	Sch 1 (items 11–15): 21 Dec 2021 (s 2(1) item 5) Sch 1 (item 16): <u>7 Mar 2022 (s 2(1) item 6)</u> Sch 1 (items 20, 21): <u>1 Jan 2022 (s 2(1) item 8)</u>	—

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Part 1	
Part 1 heading.....	ad 2004 No 242
r. 1.....	rs 2004 No 242
r. 2	
Renumbered as r. 1.2.....	2004 No 242
r. 1.2.....	rep LA s 48D
r. 3	
Renumbered as r. 1.3.....	2004 No 242
r. 1.3.....	am 2006 No 89; 2012 No 180; F2021L01390
r. 1.3A.....	ad 2006 No 89 am F2021L01390
r. 1.4.....	ad 2004 No 242
r. 1.5.....	ad 2004 No 242
Part 1A	
Part 1A.....	ad No 179, 2013
r. 1A.1.....	ad No 179, 2013 am No 219, 2015
r. 1A.2.....	ad No 179, 2013 rep F2021L01862
r. 1A.3.....	ad No 179, 2013 am No 67, 2014; No 219, 2015; F2021L01862
Part 2	
Part 2.....	ad 2004 No 242
r. 2.05.....	ad 2004 No 242
r. 2.10.....	ad 2004 No 242
r. 2.15.....	ad 2004 No 242
r. 2.20.....	ad 2004 No 242
r. 2.25.....	ad 2004 No 242
r. 2.30.....	ad 2004 No 242
r. 2.35.....	ad 2004 No 242
r. 2.40.....	ad 2004 No 242
r. 2.45.....	ad 2004 No 242
Part 3	
Part 3.....	ad 2004 No 242
Division 3.1	
r. 3.05.....	ad 2004 No 242 am F2021L01390

Endnote 4—Amendment history

Provision affected	How affected
r. 3.10	ad 2004 No 242
r. 3.15	ad 2004 No 242
r. 3.20	ad 2004 No 242
Division 3.2	
Subdivision 3.2.1	
r. 3.45	ad 2004 No 242 am F2021L01390
Subdivision 3.2.2	
r. 3.50	ad 2004 No 242 am F2021L01390
r. 3.55	ad 2004 No 242 am F2021L01390
r. 3.60	ad 2004 No 242
r. 3.65	ad 2004 No 242 am F2021L01390
Division 3.3	
Subdivision 3.3.1	
r. 3.100	ad 2004 No 242 am F2021L01390
Subdivision 3.3.2	
r. 3.105	ad 2004 No 242
r. 3.110	ad 2004 No 242
r. 3.115	ad 2004 No 242
r. 3.120	ad 2004 No 242
Division 3.4	
r. 3.145	ad 2004 No 242
r. 3.150	ad 2004 No 242
Division 3.5	
Subdivision 3.5.1	
r. 3.175	ad 2004 No 242
Subdivision 3.5.2	
r. 3.180	ad 2004 No 242
r. 3.185	ad 2004 No 242
r. 3.190	ad 2004 No 242
r. 3.195	ad 2004 No 242
Division 3.6	
Subdivision 3.6.1	
r. 3.200	ad 2004 No 242 am F2021L01390

Endnotes

Endnote 4—Amendment history

Provision affected	How affected
Subdivision 3.6.2	
r. 3.205	ad 2004 No 242 am F2021L01390
r. 3.210	ad 2004 No 242 am F2021L01390
r. 3.215	ad 2004 No 242
r. 3.220	ad 2004 No 242
r. 3.225	ad 2004 No 242 am F2021L01390
r. 3.230	ad 2004 No 242 am F2021L01390
r. 3.235	ad 2004 No 242 am F2021L01390
r. 3.240	ad 2004 No 242 am F2021L01390
r. 3.245	ad 2004 No 242 am F2021L01390
r. 3.250	ad 2004 No 242 am F2021L01390
Division 3.7	
r. 3.305	ad 2004 No 242 ed C19 am F2021L01390
r. 3.310	ad 2004 No 242
r. 3.315	ad 2004 No 242 am F2016L01926
r. 3.320	ad 2004 No 242
r. 3.325	ad 2004 No 242
r. 3.330	ad 2004 No 242
r. 3.335	ad 2004 No 242
r. 3.340	ad 2004 No 242
r. 3.345	ad 2004 No 242
r. 3.350	ad 2004 No 242
Division 3.8	
r. 3.405	ad 2004 No 242
r. 3.410	ad 2004 No 242
Division 3.9	
Division 3.9	ad 2004 No 242
r. 3.505	ad 2004 No 242

Endnote 4—Amendment history

Provision affected	How affected
r. 3.510	ad 2004 No 242
r. 3.515	ad 2004 No 242
r. 3.520	ad 2004 No 242
r. 3A	ad 1997 No 320
Renumbered r. 3.550	2004 No 242
r 3.550	rs No 104, 2005 am No 143, 2010; F2019L00357
Part 3A	
Part 3A	ad No 179, 2013
r 3A.01	ad No 179, 2013
Part 4	
Part 4 heading.....	ad 2004 No 242
r. 4	
Renumbered r. 4.10	2004 No 242 rs No 67, 2014 rep F2021L01862
r. 5	
Renumbered as 4.15	2004 No 242
r. 4.15	am 2006 No 89 rs No 179, 2013
r 4.20	ad F2017L00771
Part 5	
Part 5	ad <u>F2021L01390</u>
Division 1	
r 5.05	ad <u>F2021L01390</u>
Part 5	
Part 5	ad F2021L01862
r 5.1	ad F2021L01862
Schedule 1	
Schedule heading.....	rs 2004 No 242
Part 1	
Part 1	ad 2004 No 242
c. 1.....	ad 2004 No 242 am 2006 No 89; 2012 No 180
c. 2.....	ad 2004 No 242
Part 2	
Part 2 heading.....	rs 2006 No 89
Part 2	ad No 242, 2004 am No 89, 2006; No 91, 2010; No 307, 2010; No 180, 2012; No 67, 2014; No 5, 2015; F2017L00919; F2018L00848; F2020L00906; <u>F2021L01390</u>

Endnotes

Endnote 4—Amendment history

Provision affected	How affected
Part 3	
Part 3	ad. 2006 No. 89
Schedules 2–5	
Heading and Note to	ad. 2004 No. 242
Schedules 2–5	rep No 179, 2013
Schedule 5	
Schedule 5	ad No 179, 2013
	am F2021L01862 (<u>Sch 1 item 16</u>)
Heading to Schedule 6	rs. 2004 No. 242
formerly Schedule	rep No 179, 2013
Schedule 6	rep No 179, 2013

Endnote 5—Editorial changes

In preparing this compilation for registration, the following kinds of editorial change(s) were made under the *Legislation Act 2003*.

Regulation 3.305**Kind of editorial change**

Reordering of definitions

Details of editorial change

This compilation was editorially changed to move the definition of *export-prohibited chemical* in regulation 3.305 to the correct alphabetical position.