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to: Legislative Services Section,
 Office of Legislative Drafting, Attorney-General's
 Department.

Statutory Rules 1995 No. 281

Agricultural and Veterinary Chemicals (Administration) Regulations

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under section 4 of the *Acts Interpretation Act 1901*, make the following Regulations under the *Agricultural and Veterinary Chemicals (Administration) Act 1992*.

Dated 21 February 1995.

BILL HAYDEN
 Governor-General

By His Excellency's Command,

BOB COLLINS
 Minister for Primary Industries and Energy

Citation

1. These Regulations may be cited as the *Agricultural and Veterinary Chemicals (Administration) Regulations*.

Commencement

2. These Regulations commence on the same day as the *Agricultural and Veterinary Chemicals Act 1994*.

Interpretation

3. In these Regulations, unless the contrary intention appears:

“**Act**” means the *Agricultural and Veterinary Chemicals (Administration) Act 1992*;

“**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*;

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

Annual returns—prescribed quantity of active constituents

4. For the purposes of subsection 69E (2) of the Act, the prescribed quantity is as follows:

- (a) in the case of active constituents for proposed or existing veterinary chemical products or included in veterinary chemical products—3kg;
- (b) in the case of active constituents for proposed or existing agricultural chemical products or included in agricultural chemical products—10kg.

Form of search warrant

5. For the purposes of subsection 69ED (2) of the Act (which deals with offence-related warrants), the form of warrant in the Schedule is prescribed.

SCHEDULE

Regulation 5

COMMONWEALTH OF AUSTRALIA

Agricultural and Veterinary Chemicals (Administration) Act 1992

SEARCH WARRANT UNDER SUBSECTION 69ED (2)

TO *(name and address of inspector)*, an inspector within the meaning of section 4 of the *Agricultural and Veterinary Chemicals (Administration) Act 1992* ("the Act"):

1. This warrant is issued on the basis that:
 - (a) I am satisfied, by information on oath, that there are reasonable grounds for suspecting that there is, or may be within the next 72 hours, at the premises described below, a particular thing that may be evidence of the commission of an offence against Part 7A of the Act (which deals with the importation, manufacture and exportation of chemicals); and
 - (b) I have been given, either orally or by affidavit, the further information (if any) that I required about the grounds on which the issue of this warrant has been sought.
2. The nature of the offence in relation to which this warrant is issued is *(state the nature of the suspected offence)*.
3. The purpose for which this warrant is issued is set out in clause 4.
4. This warrant authorises you, with any help, and using any force, that is necessary and reasonable, * at any time of the day or night / * during the following hours of the day or night *(specify the hours)*:
 - (a) to enter the premises at *(address)*; and
 - (b) to exercise the powers set out in paragraphs 69EC (1) (c), (d) and (e) of the Act in respect of the particular thing, namely *(specify the particular thing)*.

[NOTE: Paragraphs 69EC (1) (c), (d) and (e) of the Act empower an inspector to:

- “(c) search the premises for the thing; and
- (d) if the thing is found, take photographs (including video recordings) of the premises or thing, take samples of the thing, seize the thing or undertake more than one of those activities; and
- (e) give any directions for, or with respect to, the detention of a thing that has been seized under paragraph (d).”]

THIS WARRANT CEASES TO HAVE EFFECT ON *(specify a date not later than 7 days after the day of issue of the warrant).*

Issued by me, *(full name and designation of magistrate).*

On *(date)* .

(signature of magistrate)

* Omit whichever is inapplicable.

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on *28 February*, 1995.