

EXPLANATORY STATEMENT

Agricultural and Veterinary Chemicals Code (Listed Chemical Product – Joint Health Products for Dogs and Horses) Standard Amendment Instrument 2016

The *Agricultural and Veterinary Chemicals Code Act 1994* (Act) provides, within a Code set out in the Schedule to the Act (Agvet Code), a regulatory scheme for agricultural and veterinary chemicals.

Section 8T of the Agvet Code allows for the *Agricultural and Veterinary Chemicals Code Regulations 1995* (Regulations) to contain a schedule specifying chemical products or classes of chemical products that are listed chemical products under the Agvet Code. Regulation 8AR of the Regulations provides that the products specified in Schedule 3B of the Regulations are listed chemical products under the Agvet Code. Among a number of other products, products to improve the health of joints in dogs or horses that contain any one or more of the following as an active constituent are listed chemical products:

- chondroitin;
- glucosamine.

Subsection 8U(2) of the Agvet Code provides that the APVMA must, by legislative instrument, make a standard for each listed chemical product.

The *Agricultural and Veterinary Chemicals Code (Listed Chemical Product – Joint Health Products for Dogs and Horses) Standard 2014* (Standard), was made in accordance with section 8U of the Agvet Code. The Standard when made contained a reference in Part 1, section 7, paragraph 1(b) to the *Agricultural and Veterinary Chemicals Code Act (Excluded Stockfood Non-active Constituents) Order 2014* (sic). This Order was revoked on 5 March 2015 by the *Veterinary Chemical Products (Excluded Stockfood Non-active Constituents) Repeal Order 2015*.

This amending instrument changes the reference to the repealed Order to a reference to the current instrument, the *Agricultural and Veterinary Chemicals Code Ingredient Determination 2015*.

Regulatory impact

No Regulatory Impact Statement has been prepared for the instrument. The Office of Best Practice Regulations was consulted about the Standard when made and advised that no further analysis (in the form of a Regulatory Impact Statement) was required (OBPR ID: 17109). This instrument simply amends an incorrect reference.

Public consultation

No public consultation has been undertaken about this instrument as it is minor and machinery in nature.

NOTES ON ITEMS

Item 1 Name of Instrument

1. This item states that the full name of the instrument is the *Agricultural and Veterinary Chemicals Code (Listed Chemical Product – Joint Health Products for Dogs and Horses) Standard Amendment Instrument 2016*.

Item 2 Commencement

2. This item states that the instrument commences on the day after it is registered.

Item 3 Authority

3. This item provides that this instrument is made under the *Agricultural and Veterinary Chemicals Code Act 1994*.

Item 4 Amendment of Agricultural and Veterinary Chemicals Code (Listed Chemical Product – Joint Health Products for Dogs and Horses) Standard 2014

4. This item provides that the Schedule of the instrument amends the *Agricultural and Veterinary Chemicals Code (Listed Chemical Product – Joint Health Products for Dogs and Horses) Standard 2014*.

SCHEDULE 1 Amendments

Item 1

Item 1 amends Part 1, section 7, subsection 1(b) to replace a reference to *Agricultural and Veterinary Chemicals Code Act (Excluded Stockfood Non-active Constituents) Order 2014* with a reference to *Agricultural and Veterinary Chemicals Code Ingredient Determination 2015*.

STATEMENT OF COMPATIBILITY WITH HUMAN RIGHTS

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

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

Overview of the Legislative Instrument

The purpose of this Instrument is to replace a reference to an instrument that has been revoked to a reference to the current instrument.

Human rights implications.

The Instrument does not engage any of the applicable rights or freedoms.

Conclusion

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