



Agricultural and Veterinary Chemicals Code (Conditions of Approval or Registration) Order 2021

I, David Littleproud, Minister for Agriculture and Northern Australia, make the following order.

Dated 13 July 2021

David Littleproud
Minister for Agriculture and Northern Australia

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Part 1—Preliminary

1 Name

This instrument is the *Agricultural and Veterinary Chemicals Code (Conditions of Approval or Registration) Order 2021*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after the end of the period of 3 months beginning on the day this instrument is registered.	29 October 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

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

3 Authority

This instrument is made under the *Agricultural and Veterinary Chemicals Code Act 1994*.

Note: Section 7 of that Act permits the Minister to make orders with respect to most matters that may be dealt with by regulations under section 6 of that Act.

4 Definitions

In this instrument:

manufacturing law, in relation to a country, or part of a country, means a law that provides for the licensing (however described) of the manufacture of agricultural chemical products or active constituents for agricultural chemical products.

Part 2—Conditions of approval or registration

5 Conditions of approval of active constituents for agricultural chemical products

- (1) For the purposes of paragraph 23(1)(a) of the Code, this section prescribes conditions to which the approval of an active constituent for a proposed or existing agricultural chemical product is subject.
- (2) The active constituent must not be supplied if the manufacture of the active constituent contravenes, or fails to comply with, any manufacturing law of the country, or part of the country, in which it is manufactured.
- (3) The holder of the approval must, on written request by the APVMA and within 28 days after the request is given, provide the APVMA with written evidence that the manufacture of the active constituent does not contravene, or fail to comply with, any manufacturing law of the country, or part of the country, in which it is manufactured.

Note 1: The APVMA may also require persons to provide information and documents under the *Agricultural and Veterinary Chemicals Code Act 1994*, see sections 130 and 159 of the Code.

Note 2: The APVMA may suspend or cancel an approval of an active constituent for a proposed or existing chemical product for a contravention of a condition of the approval, see section 36 of the Code.

Note 3: A person may commit an offence or contravene a civil penalty provision if the person supplies an approved active constituent in contravention of the conditions of approval, see section 77 of the Code.

6 Conditions of registration of agricultural chemical products

- (1) For the purposes of paragraph 23(1)(a) of the Code, this section prescribes conditions to which the registration of an agricultural chemical product is subject.
- (2) The chemical product must not be supplied if the manufacture of the chemical product contravenes, or fails to comply with, any manufacturing law of the country, or part of the country, in which it is manufactured.
- (3) The holder of the registration must, on written request by the APVMA and within 28 days after the request is given, provide the APVMA with written evidence that the manufacture of the chemical product does not contravene, or fail to comply with, any manufacturing law of the country, or part of the country, in which it is manufactured.

Note 1: The APVMA may also require persons to provide information and documents under the *Agricultural and Veterinary Chemicals Code Act 1994*, see sections 130 and 159 of the Code.

Note 2: The APVMA may suspend or cancel the registration of a chemical product for a contravention of a condition of the registration, see section 36 of the Code.

Note 3: A person may commit an offence or contravene a civil penalty provision if the person supplies a registered chemical product in contravention of the conditions of registration, see section 79 of the Code.

Part 3—Application and transitional provisions

7 Application of this instrument

This instrument applies in relation to an active constituent for an agricultural chemical product, or an agricultural chemical product, that is supplied on or after the commencement of this instrument.