

# EXPOSURE DRAFT



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## **Agricultural and Veterinary Chemicals Legislation Amendment (Operational Efficiency) Regulations 2018**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 2018

Peter Cosgrove  
Governor-General

By His Excellency's Command

David Littleproud **DRAFT ONLY—NOT FOR SIGNATURE**  
Minister for Agriculture and Water Resources

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## 1 Name

This instrument is the *Agricultural and Veterinary Chemicals Legislation Amendment (Operational Efficiency) Regulations 2018*.

## 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. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	
2. Schedule 1, Part 1	The later of: (a) the start of the day after this instrument is registered; and (b) the commencement of Part 1 of Schedule 1 to the <i>Agricultural and Veterinary Chemicals Legislation Amendment (Operational Efficiency) Act 2018</i> .	
3. Schedule 1, Part 2	The later of: (a) the start of the day after this instrument is registered; and (b) the commencement of Part 5 of Schedule 1 to the <i>Agricultural and Veterinary Chemicals Legislation Amendment (Operational Efficiency) Act 2018</i> .	

Note: This table relates only to the provisions of this instrument as originally made.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 following:

- (a) the *Agricultural and Veterinary Chemicals (Administration) Act 1992*;  
(b) the *Agricultural and Veterinary Chemicals Code Act 1994*.

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## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### Part 1—Annual returns and record-keeping

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

##### 1 Regulation 4.10

Repeal the regulation.

##### 2 After Part 4

Insert:

### Part 5—Application, saving and transitional provisions

#### 5.1 Transitional matters relating to the *Agricultural and Veterinary Chemicals Legislation Amendment (Operational Efficiency) Regulations 2018*

##### *Savings—Exemptions from old annual return requirements*

- (1) Despite the repeal of regulation 4.10 by the *Agricultural and Veterinary Chemicals Legislation Amendment (Operational Efficiency) Regulations 2018* (the **amending regulations**), that regulation, as in force immediately before the commencement of this item, continues to apply:
  - (a) in respect of the matters mentioned in subitem 8(1) of Schedule 1 to the *Agricultural and Veterinary Chemicals Legislation Amendment (Operational Efficiency) Act 2018* (the **amending Act**); and
  - (b) in relation to the 2017-18 financial year or an earlier financial year.

##### *Savings—Infringement notices for contravening old annual return requirements*

- (2) Despite the repeal of table item 8 of the table in Schedule 5 by the amending regulations, that table item, as in force immediately before the commencement of this item, continues to apply on and after that commencement in respect of a contravention of subsection 69E(1) of the Act, as applied by subitem 8(1) of Schedule 1 to the amending Act.

##### 3 Schedule 5 (table item 8)

Repeal the item.

##### 4 Schedule 5 (after table item 12)

Insert:

12A      A contravention of subsection 35(1) of the Collection Act      15      125

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Schedule 1 Amendments

Part 1 Annual returns and record-keeping

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## 5 Schedule 5 (at the end of the table)

Add:

14	A contravention of subsection 37(1) of the Collection Act	15	125
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Amendments **Schedule 1**  
False and misleading information **Part 2**

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## Part 2—False and misleading information

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

#### **6 Schedule 5 (after table item 10)**

Insert:

10A	A contravention of subsection 69ER(3) of the Act	90	750
10B	A contravention of subsection 69ER(4) of the Act	18	150

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

#### **7 Schedule 5A (after table item 54)**

Insert:

54A	A contravention of subsection 146(3) of the Code	90	750
54B	A contravention of subsection 146(4) of the Code	18	150