



Imported Food Control Regulations 1993

Statutory Rules No. 100, 1993

made under the

Imported Food Control Act 1992

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About this compilation

This compilation

This is a compilation of the *Imported Food Control Regulations 1993* that shows the text of the law as amended and in force on 19 April 2017 (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If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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Part 1—Preliminary

1 Name of Regulations

These Regulations are the *Imported Food Control Regulations 1993*.

3 Interpretation

In these regulations, unless the contrary intention appears:

Act means the *Imported Food Control Act 1992*.

approved means approved by the Secretary.

batch means food of a particular kind made or packed in a distinct manner which may include one or more lots.

chargeable service has the same meaning as in section 36 of the Act.

compliance agreement has the meaning given by subsection 3(1) of the Act.

consignment means food of a particular kind that comprises 1 or more batches imported by the same owner at the same time and described by a single line in an import entry.

Departmental holiday, for the provision of a chargeable service, means a Monday, Tuesday, Wednesday, Thursday or Friday that is observed as a public holiday in the place where the service is provided.

import entry means a computer import entry or a documentary import entry within the meaning of section 71A of the *Customs Act 1901*.

in-office, in relation to the provision of a chargeable service, means the provision of the service at a location where services of an authorised officer are available on an ongoing basis.

inspection means inspection, or inspection and analysis, as the case requires.

lot means a quantity of food of a particular kind prepared or packed under essentially the same conditions (ordinarily from a particular preparation or package unit and during a particular time usually not exceeding 24 hours).

ordinary hours of duty means the period that begins at 6.30 am and ends at 6.30 pm on any weekday.

out-of-office, in relation to the provision of a chargeable service, means the provision of the service at a location where services of an authorised officer are not available on an ongoing basis.

package means a container of food that is not separated from the food by any intervening covering except lining material.

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particular source, in relation to food, includes the overseas producer, manufacturer, packer or supplier of the food.

risk food means food of a particular kind that is classified as risk food by an order made under regulation 8.

Scheme means the Food Inspection Scheme.

shipment means 1 or more consignments imported by the same owner at the same time described by 1 import entry.

spices means aromatic vegetable substances commonly used as condiments, without reduction or extraction of their natural oils.

weekday, for the provision of a chargeable service, means a Monday, Tuesday, Wednesday, Thursday or Friday that is not a Departmental holiday in the place where the service is provided.

working day, for the provision of a chargeable service, means a period of 7.5 hours for which an authorised officer provides the service during the ordinary hours of duty on a weekday.

Part 2—Food control

3 To what food does the Act not apply?

For paragraph 7(1)(aa) of the Act, the Act does not apply to food that:

- (a) is imported from New Zealand; and
- (b) was made or produced in New Zealand; and
- (c) is not risk food.

Note: For *risk food*, see regulation 9.

4 When is food taken to have been imported for private consumption?

- (1) For the purposes of paragraph 7(2)(a) of the Act, concentrated liquid food (however packed) that:
 - (a) is used in the preparation of other food; or
 - (b) is not usually consumed otherwise than as part of a prepared food;is taken to have been imported by a person for private consumption if it has a total volume of not more than 2 litres.
- (2) For the purposes of paragraph 7(2)(b) of the Act, moisture reduced food (however packed), other than liquid food, that:
 - (a) is used in the preparation of other food; or
 - (b) is not usually consumed otherwise than as part of a prepared food;is taken to have been imported by a person for private consumption if its total net weight is not more than 2 kilograms.
- (3) For the purposes of paragraph 7(2)(b) of the Act, spices (however packed), that:
 - (a) are used in the preparation of other food; or
 - (b) are not usually consumed otherwise than as part of a prepared food;are taken to have been imported by a person for private consumption if their total net weight is not more than 1 kilogram.

5 How is a food control certificate obtained?

- (1) A computer import entry for home consumption that relates to examinable food to any extent is taken to be an application for a food control certificate for the food for the purposes of subsection 11(1) of the Act.
- (2) A person must apply to the Secretary for a food control certificate for examinable food for which there is no computer import entry.
- (3) An application under subregulation (2) may be in accordance with a form provided for the purpose by the Secretary and must:
 - (a) be in writing addressed to the Secretary; and
 - (b) contain the following information about the importer and the importation of the food:

Schedule 1 Selection of samples

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- (i) the name of the vessel on which the food is imported;
 - (ii) details of the port of loading of the vessel;
 - (iii) the date on which the food is, or is to be, landed in Australia;
 - (iv) the name and address of the person importing the food, and of his or her agent in relation to the importation (including, in each case, telephone and facsimile details); and
- (c) contain the following information about the food:
- (i) its description;
 - (ii) its country of origin;
 - (iii) details of its manufacturer or packer;
 - (iv) its brand name;
 - (v) the number of packages that are to be imported in the consignment, and the weight of each package;
 - (vi) the total weight of the consignment;
 - (vii) details of any lot codes provided in relation to the consignment;
 - (viii) details of the place at which the consignment may be inspected; and
- (d) be signed by the importer or his or her agent.

Part 3—Food Inspection Scheme

6 What constitutes the Food Inspection Scheme

The regulations in this Part, together with Division 2 of Part 2 of the Act, constitute the Scheme.

7 What orders may the Minister make in relation to the Scheme?

Subject to section 17 of the Act, the Minister may:

- (a) make orders, not inconsistent with the Act or any regulations under the Act:
 - (i) identifying food of a particular kind as food of a kind that is required to be inspected, or inspected and analysed, under the Scheme; or
 - (ii) identifying risk food of a particular kind as food that must be covered by a recognised foreign government certificate; and
- (b) from time to time vary orders made under this regulation.

8 Classification of food by Minister

The Minister may make orders classifying food of a particular kind to which the Act applies as:

- (a) risk food; or
- (b) compliance agreement food; or
- (c) surveillance food.

9 Food that may be classified as risk food

Food of a particular kind may be classified as risk food if, on being consulted as required under section 17 of the Act, Food Standards Australia New Zealand advises the Minister that the food has the potential to pose a high or medium risk to public health.

10 What is meant by *compliance agreement food*?

- (1) Food to which a compliance agreement applies is a kind of food that may be classified as compliance agreement food.
- (2) The food is classified only to the extent to which the compliance agreement applies.

11 What is meant by *surveillance food*?

Food must be classified as surveillance food if it is not:

- (a) classified as risk food; or
- (b) classified as compliance agreement food; or

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- (c) the subject of a holding order.

12 How can food receive a different classification?

The Minister may make orders reclassifying food.

13 What food is subject to inspection?

All food to which the Act applies may be inspected under the Scheme.

14 At what rate must food be referred for inspection?

- (1) All food classified as risk food must be referred by an officer of Customs (within the meaning of the *Customs Act 1901*) for inspection under the Scheme.
- (2) Five per cent of consignments of food classified as surveillance food must be referred by an officer of Customs (within the meaning of the *Customs Act 1901*) for inspection under the Scheme.

15 What is the rate of inspection for risk food?

All food classified as risk food is subject to 1 of the following rates of inspection:

- (a) tightened—under which each consignment from a particular source is inspected;
- (b) normal—under which 25% of consignments from a particular source are selected randomly for inspection;
- (c) reduced—under which 5% of consignments from a particular source are selected randomly for inspection.

16 At what rate is risk food first inspected?

- (1) Food that is classified as risk food must be inspected at the tightened rate if:
 - (a) it has the potential to pose a high risk to human health; and
 - (b) its rate of inspection has not been lowered under regulation 17.
- (2) Food that is classified as risk food must be inspected at the normal rate if:
 - (a) it has the potential to pose a medium risk to human health; and
 - (b) its rate of inspection has not been raised or lowered under regulation 17.

17 When may the rate of inspection for risk food be altered?

- (1) The rate of inspection of food that is:
 - (a) of a particular kind; and
 - (b) classified as risk food; and
 - (c) imported from a particular source;may be raised or lowered in accordance with this regulation.

- (2) The rate of inspection of food may be lowered from the tightened rate to the normal rate when 5 consecutive batches of that food pass inspection.
- (3) The rate of inspection of food may be lowered from the normal rate to the reduced rate when:
- (a) 20 consecutive batches of that food under normal inspection are considered acceptable on original inspection; and
 - (b) there are reasonable grounds for believing that food of that kind from that source does not pose a risk to human health.
- (3A) The rate of inspection of food may be lowered from the normal rate or the tightened rate to the reduced rate when:
- (a) there are reasonable grounds for believing that food of that kind from that source:
 - (i) complies with the applicable standards; and
 - (ii) does not pose a risk to human health; and
 - (b) if the previous rate was the normal rate because it had been raised under subregulation (5), or the tightened rate because it had been raised under subregulation (4) or (6)—5 consecutive batches of that food pass inspection.
- Note: See regulation 17A for a circumstance in which there are reasonable grounds for the belief mentioned in paragraph (a).
- (4) The rate of inspection of food may be raised from the normal rate to the tightened rate when:
- (a) 1 lot of the food from which samples are taken is rejected on original inspection; or
 - (b) there are reasonable grounds for believing that food of that kind from that source does not comply with an applicable standard.
- (5) The rate of inspection of food may be raised from the reduced rate to the normal rate when:
- (a) 1 lot of the food is rejected on original inspection; or
 - (b) there are reasonable grounds for believing that food of that kind from that source does not comply with an applicable standard.
- (6) The rate of inspection of food may be raised from the reduced rate to the tightened rate when:
- (a) 1 or more lots is rejected on original inspection; or
 - (b) there are reasonable grounds for believing that food of that kind from that source:
 - (i) does not comply with an applicable standard; or
 - (ii) poses a serious risk to human health.

Regulation 17A

17A Systems recognition arrangements

Without limiting paragraph 17(3A)(a), there are taken to be reasonable grounds for the belief mentioned in that paragraph if that kind of food, from that source, is covered by a written arrangement that is:

- (a) in force between the Department and an instrumentality of a government of a foreign country; and
- (b) based on an assessment of the food safety systems of Australia and the foreign country that concluded:
 - (i) that Australia and the foreign country have equivalent food safety systems; and
 - (ii) that the Department and the instrumentality conduct equivalent monitoring of the food they regulate.

18 When is food taken to be failing food?

- (1) A particular lot of food from a batch is taken to be failing food if:
 - (a) 1 sample in the batch fails inspection; and
 - (b) the particular lot concerned has not passed inspection.
- (2) Particular food is taken to be failing food if:
 - (a) the food is a kind of risk food that is identified in an order made under regulation 7 as risk food of a kind that must be covered by a recognised foreign government certificate; and
 - (b) the food is not covered by such a certificate.

19 When, and at what rate, may food related to failing food be inspected?

- (1) The owner of a particular lot of food that:
 - (a) has not been inspected; and
 - (b) is taken to be failing food;may apply for a further Food Control Certificate for that lot.
- (2) If a particular lot of food:
 - (a) is taken to be failing food;
 - (b) has not been inspected; and
 - (c) is presented again by its importer for inspection within a reasonable period after it was taken to be failing food;the food may be sampled, inspected or analysed at a more intensive rate than that prescribed for food classified as risk food.

20 When, and at what rate, failing food may be presented again for inspection

- (1) A lot of failing food that has been inspected must not be inspected again unless it is treated in accordance with a permission to treat failing food given under paragraph 20(2)(a) of the Act.
 - (2) Food that:
-

- (a) fails inspection under the Scheme; and
 - (b) is treated in accordance with a permission to treat failing food given under paragraph 20(2)(a) of the Act;
- may be sampled, inspected or analysed at a more intensive rate than that prescribed for food classified as risk food.

21 What surveillance food is to be inspected?

- (1) All food classified as surveillance food that is referred for inspection under the Scheme must be inspected.
- (2) If food coming to the attention of an authorised officer acting in the course of his or her duties:
 - (a) is examinable food to which subparagraph (d)(i) of the definition of *examinable food* applies; and
 - (b) is not referred for inspection under the Scheme;the authorised officer may refer that food for inspection as if it were classified as risk food that potentially poses a high risk to human health.
- (3) Food referred for inspection under subregulation (2) must be the subject of notice to an owner setting out the reasons why the food must be inspected.

22 What sampling procedures are followed in inspection of food?

- (1) Food that is referred for inspection under the Scheme may be inspected by inspecting randomly selected samples of the food.
- (2) The rate at which samples must be taken for inspection from food of each classification referred to in regulation 8 is as set out in Schedule 1.
- (3) Subregulation (1) does not apply to compliance agreement food.

23 How is food that is subject of a holding order treated?

Food that is the subject of a holding order is taken, for the purposes of the Scheme, to be food classified as risk food until the holding order is revoked.

24 What is an imported food inspection advice?

An imported food inspection advice may be in accordance with an approved form and must:

- (a) be in writing addressed to the person importing the food or his or her agent; and
- (b) contain the following information:
 - (i) the name of the person who inspected the food; and
 - (ii) details (if any) identifying the laboratory where the food was analysed; and

Regulation 25

- (iii) a description of the failing food, including its country of origin, its lot or code number (if any), its brand and the number and kind of packages in the lot; and
 - (iv) a statement indicating the required means of disposal of the food; and
 - (v) the reasons for the failure of the food to pass inspection; and
- (c) contain a declaration to be completed by the importer, or his or her agent:
- (i) setting out his or her intentions in relation to disposal of the food; and
 - (ii) stating that he or she agrees to pay costs of inspection and supervision where applicable.

25 How is food subject to inspection to be marked?

- (1) Batches of food held for inspection must be marked by an authorised officer with the words:

‘HOLD

Imported Foods’.

- (2) The markings must be clearly visible.
- (3) A person must not interfere with the markings on a batch of food held for inspection.

Penalty: 10 penalty units.

- (4) For the purposes of subregulation (1), the erection of signs or tape, bearing the words:

‘HOLD

Imported Foods’,

and delineating the area in which batches of food that are to be inspected are held, constitutes marking those batches of food.

26 How is food subject to inspection to be held?

Subject to regulation 27, when a sample of a consignment of food classified as risk food, or food that is the subject of a holding order, is selected for inspection, the rest of the consignment must be held:

- (a) at the place nominated in the application for a food control certificate under subparagraph 5(3)(c)(viii) in relation to the food; or
- (b) if, upon application by the person who applied for the food control certificate, an authorised officer approves the food being held at another place—that other place;

until the results of the inspection are known.

27 Are there any exceptions to the rules relating to the holding of risk food?

- (1) Food:
-

- (a) that is part of a consignment of food classified as risk food, being a consignment that is selected for inspection; and
- (b) that is not itself part of a sample selected to be inspected; and
- (c) that would otherwise be required to be held under regulation 26 until after the results of inspection or analysis of samples from the consignment; and
- (d) that is so perishable that it cannot be held in its imported condition until the results of the inspection are finalised without perishing or becoming unusable;

may be released by an authorised officer before the results of the inspection are determined subject to conditions intended to minimise or overcome the risk to human health posed by the food.

- (2) Without limiting the generality of subregulation (1), conditions under that subregulation may include a condition that a number of shipments must be held for inspection before any is released.

28 Who is to analyse food under the Scheme?

Analysis of food under the Scheme must be performed by a person appointed as an analyst under subsection 34(1) of the Act.

29 How is food to be analysed under the Scheme?

Food required to be analysed under the Scheme may be subjected to microbiological, chemical or physical analysis, or any other kind of analysis, necessary to determine whether:

- (a) it poses a risk to human health; or
- (b) it complies with the Food Standards Code.

30 What are the powers of authorised officers?

An authorised officer may:

- (a) require a person involved in the importation of particular food to provide enough of the food for inspection to enable a true random sample to be obtained for inspection; and
- (b) require a person involved in the importation of particular food to provide details of lot or batch codes and quantities of the food to enable a random sample to be obtained for inspection; and
- (c) take sufficient food to give a representative sample from the food being imported, whether that amount exceeds the amount actually required to be referred for inspection or not; and
- (d) take samples free of any charge; and
- (e) take samples free of any liability for damage necessarily caused in the taking of the sample; and
- (f) ask an analyst to analyse samples of food taken for inspection, whether or not requesting that specific tests, or tests for specific contaminants or matter, be carried out on the food.

Regulation 31

31 Effect of recognised foreign government certificate or recognised quality assurance certificate on rate of inspection of food

The rate of inspection of food may be varied if:

- (a) the owner of the food produces to an authorised officer a recognised foreign government certificate or a recognised quality assurance certificate in relation to the food; and
- (b) there is no reason to doubt the authenticity of the certificate.

32 Verification of reliability of recognised foreign government certificates and recognised quality assurance certificates

The reliability of a recognised foreign government certificate, or a recognised quality assurance certificate may be verified by:

- (a) drawing consignments for sampling at a rate that is not less than 5% of the total consignments certified by:
 - (i) in relation to a recognised foreign government certificate—an instrumentality of the foreign government under subsection 18(1) of the Act; or
 - (ii) in relation to a recognised quality assurance certificate—exported by an overseas processing operation approved under subsection 19(1) of the Act; and
- (b) auditing the system operated by the foreign government instrumentality or the approved overseas processing operation concerned; and
- (c) conducting documentation checks by requiring the foreign government instrumentality concerned to verify selected certificates collected upon arrival in Australia.

Part 4—Fees**33 Fees for chargeable services**

- (1) For subsection 36(1) of the Act, the fee that a person is liable to pay to the Commonwealth in respect of the provision of a chargeable service referred to in column 1 of an item in the following table is the amount set out in, or worked out in accordance with, column 2 of the item.

| Fees | | |
|-------------|---|---|
| Item | Column 1 Chargeable service | Column 2 Amount |
| 1 | In-office assessment, issue of approval or other relevant documentation, inspection, treatment, audit, analysis, training, or other chargeable service in relation to food to which the Act applies, provided during ordinary hours of duty | For each authorised officer providing the chargeable service—\$30 for each quarter hour or part of a quarter hour |
| 2 | In-office chargeable service mentioned in item 1 provided on a weekday outside ordinary hours of duty | For each authorised officer providing the chargeable service: <ul style="list-style-type: none"> (a) if the service is provided immediately before or immediately after an in-office chargeable service provided by the authorised officer during ordinary hours of duty—\$45 for each quarter hour or part of a quarter hour; or (b) in any other case: <ul style="list-style-type: none"> (i) for any period up to 30 minutes—\$90; and (ii) for each quarter hour, or part of a quarter hour, after the first 30 minutes—\$45 |
| 3 | In-office chargeable service mentioned in item 1 provided on a Saturday, Sunday or a Departmental holiday | For each authorised officer providing the chargeable service: <ul style="list-style-type: none"> (a) for any period up to 30 minutes—\$100; and (b) for each quarter hour, or part of a quarter hour, after the first 30 minutes—\$50 |
| 4 | Out-of-office assessment, issue of approval or other relevant documentation, inspection, treatment, audit, analysis, training, or other chargeable service in relation to food to which the Act applies, provided during ordinary hours of duty | For each authorised officer providing the chargeable service: <ul style="list-style-type: none"> (a) for less than a working day—\$50 for each quarter hour or part of a quarter hour; or (b) for: <ul style="list-style-type: none"> (i) each working day—\$1 000; and (ii) each additional quarter hour, or |

Schedule 1 Selection of samples

Part 4 Fees

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Regulation 34

| Fees | | |
|------|---|---|
| Item | Column 1 Chargeable service | Column 2 Amount |
| | | part of a quarter hour, on that day—\$50 |
| 5 | Out-of-office chargeable service mentioned in item 4 provided on a weekday outside ordinary hours of duty | For each authorised officer providing the chargeable service: (a) if the service is provided immediately before or immediately after an out-of-office chargeable service provided by the authorised officer during ordinary hours of duty—\$65 for each quarter hour or part of a quarter hour; or (b) in any other case: (i) for any period up to 30 minutes—\$130; and (ii) for each quarter hour, or part of a quarter hour, after the first 30 minutes—\$65 |
| 6 | Out-of-office chargeable service mentioned in item 4 provided on a Saturday, Sunday or a Departmental holiday | For each authorised officer providing the chargeable service: (a) for any period up to 30 minutes—\$140; and (b) for each quarter hour, or part of a quarter hour, after the first 30 minutes—\$70 |
| 7 | Chargeable service provided by a person by arrangement with the Commonwealth | A fee equivalent to the cost incurred by the Commonwealth in arranging and paying for the person to provide the chargeable service |

- (2) If a person requests a chargeable service to be provided at a particular time, and the provision of the service at that time would mean that the person would be liable to pay a fee under item 2, 3, 5 or 6 of the table in subregulation (1), an authorised officer must tell the person about the fee before the service is provided.

34 When must a fee be paid for analysis of food?

For the purposes of subsection 36(4) of the Act, the person for whom an authorised officer arranges and pays for an analysis of food to be carried out must reimburse the Commonwealth the amount that was paid within 30 days after the day the demand for payment of the amount is made.

35 Waiver of fees

- (1) The Secretary may waive a fee for a chargeable service if the Secretary considers it appropriate to do so in all the circumstances.
- (2) The Secretary may do so on his or her own initiative or on written application by a person.

36 What are prescribed chargeable services?

For paragraph (e) of the definition of *chargeable service* in subsection 36(11) of the Act, the following services are prescribed:

- (a) the making of an import entry;
- (b) assessment of information for inclusion in a food control certificate;
- (c) assessment of whether an importer is able to comply with the Act, these Regulations and the conditions in the importer's proposed compliance agreement, including carrying out audits;
- (d) training of a person in relation to matters covered by a compliance agreement or another arrangement with the Commonwealth;
- (e) assessment of whether an importer is complying with the Act, these Regulations and the conditions in the importer's compliance agreement, including carrying out audits.

Note: The provision of a prescribed service for food to which the Act applies is a *chargeable service*: see subs 36(11) of the Act.

Schedule 1—Selection of samples

(regulation 22)

1. If details of lots are provided for a consignment or batch, the number of lots to be selected for sampling is:
 - (a) if the food is classified as surveillance food—in accordance with Table 1; and
 - (b) if the food is classified as risk food and the rate of inspection of the food is tightened or normal—in accordance with Table 1; and
 - (c) if the food is classified as risk food and the rate of inspection of the food is reduced—in accordance with Table 2.

Table 1 Surveillance food or risk food at tightened or normal rate of inspection

| No. of lots in batch | No. of lots to be sampled |
|----------------------|---------------------------|
| 2 - 8 | 2 |
| 9 - 15 | 3 |
| 16 - 25 | 5 |
| 26 - 50 | 8 |

Table 2 Risk food at reduced rate of inspection

| No. of lots in batch | No. of lots to be sampled |
|----------------------|---------------------------|
| 2 - 8 | 2 |
| 9 - 15 | 2 |
| 16 - 25 | 2 |
| 26 - 50 | 3 |

2. If details of lots are not provided for a consignment or batch, the number of packages (however described) of food to be selected for sampling is determined in accordance with Table 3.

Table 3 Number of sample units where no lots are specified

| No. of packages in batch or consignment | No. of sample units to draw |
|---|-----------------------------|
| 4800 or less | 6 |
| 4801 - 24000 | 13 |
| 24001 - 48000 | 21 |
| 48001 - 84000 | 29 |
| 84001 - 144000 | 48 |
| 144001 - 240000 | 84 |

240000 +

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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 |
|------------------------|--------------------------------------|--|--|
| 1993 No. 100 | 3 June 1993 | 15 June 1993 | |
| 1995 No. 172 | 30 June 1995 | 1 July 1995 | — |
| 1995 No. 269 | 12 Sept 1995 | 12 Sept 1995 | — |
| 1996 No. 194 | 30 Aug 1996 | 1 Sept 1996 | — |
| 1997 No. 289 | 8 Oct 1997 | 8 Oct 1997 | — |
| 1997 No. 321 | 17 Nov 1997 | 17 Nov 1997 | — |
| 1998 No. 69 | 24 Apr 1998 | 5 May 1998 | — |
| 1999 No. 280 | 1 Dec 1999 | 1 Dec 1999 | — |
| 2002 No. 242 | 24 Oct 2002 | 24 Oct 2002 | — |
| 2003 No. 325 | 23 Dec 2003 | 12 Jan 2004 | — |
| 2005 No. 120 | 20 June 2005 (F2005L01503) | 1 July 2005 | — |
| 2009 No. 235 | 21 Sept 2009 (F2009L03524) | 22 Sept 2009 | r 4 |
| 2009 No. 348 | 15 Dec 2009 (F2009L04449) | 16 Dec 2009 | — |
| 25, 2015 | 27 Mar 2015 (F2015L00353) | 1 Apr 2015 (s 2) | — |
| 90, 2015 | 19 June 2015 (F2015L00854) | Sch 2 (items 121, 122): 1 July 2015 (s 2(1) item 2) | — |
| 193, 2015 | 30 Nov 2015 (F2015L01871) | 1 Dec 2015 (s 2(1) item 1) | — |

| Name | Registration | Commencement | Application, saving and transitional provisions |
|--|---------------------------|-----------------------------|--|
| Imported Food Control Amendment (Food Inspection) Regulations 2017 | 18 Apr 2017 (F2017L00443) | 19 Apr 2017 (s 2(1) item 1) | — |

Endnote 4—Amendment history

| Provision affected | How affected |
|---------------------------|--|
| Part 1 | |
| r 1 | rs 1999 No. 280 |
| r 2 | rep LA s 48D |
| r 3 | am No 242, 2002; No 325, 2003; No 120, 2005; No 348, 2009; No 25, 2015; No 90, 2015; No 193, 2015; F2017L00443 |
| Part 2 | |
| r 3A | ad 1997 No. 321 |
| Part 3 | |
| r 7 | am No 25, 2015 |
| r 8 | am 2009 No 348; No 25, 2015 |
| r 9 | am No 321, 1997 rs No 348, 2009 am No 25, 2015 rs F2017L00443 |
| r 10 | am 1997 No. 321 rs 2009 No. 348 |
| r 11 | rs 2009 No. 348 |
| r 14 | am 2009 No 348; No 25, 2015; No 90, 2015 |
| r 17 | am F2017L00443 |
| r 17A | ad F2017L00443 |
| r 18 | am No 25, 2015 |
| r 20 | am No 25, 2015 |
| r 21 | am 2009 No. 348 |
| r 22 | am 2009 No. 348 |
| r 31 | am No 25, 2015 |
| r 32 | am No 25, 2015 |
| Part 4 | |
| r 33 | rs 1995 No. 269 am 2002 No. 242; 2005 No. 120 rs No 193, 2015 |
| r 34 | am No 193, 2015 |
| r 35 | rs No 193, 2015 |
| r 36 | ad 1995 No. 269 rs 1997 No. 289; 1999 No. 280 am 2009 No. 348; No 193, 2015 |
| Part 5 | ad No 25, 2015 rep 2 Apr 2015 (r 37(2)) ad No 193, 2015 |

Endnotes

Endnote 4—Amendment history

| Provision affected | How affected |
|---------------------------|--|
| r 37 | rep 1 July 2016 (r 38) ad No 25, 2015 rep 2 Apr 2015 (r 37(2)) ad No 193, 2015 |
| r 38 | rep 1 July 2016 (r 38) ad No 193, 2015 rep 1 July 2016 (r 38) |
| Schedules heading | rep No 193, 2015 |
| Schedule 1 | |
| Schedule 1 | am 2009 No. 348 |
| Schedule 2 | am 1995 No. 172 rs 1995 No. 269 am 1996 No. 194; 1997 No. 289; 1998 No. 69; 1999 No. 280; 2002 No. 242; 2003 No. 325 rs 2005 No. 120 am 2009 Nos. 235 and 348; No 25, 2015 rep No 193, 2015 |
