

Agricultural and Veterinary Chemicals (New South Wales) Regulation 2010

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Agricultural and Veterinary Chemicals (New South Wales) Act 1994*.

Minister for Primary Industries

Explanatory note

The object of this Regulation is to remake, with minor amendments, the provisions of the *Agricultural and Veterinary Chemicals (New South Wales) Regulation 2005*, which is repealed by this Regulation.

This Regulation makes provision with respect to the following:

- (a) prescribing provisions of the *Stock Medicines Act 1989* as eligible laws for the purposes of the definition of "**permit**" in the Agvet Code (being the national code relating to the registration, labelling and supply of agricultural and veterinary chemicals which applies as a law of New South Wales because of the *Agricultural and Veterinary Chemicals (New South Wales) Act 1994*),
- (b) providing for the interpretation of references to permits in those provisions of the *Stock Medicines Act 1989*,
- (c) repeals, savings and formal matters.

This Regulation is made under the *Agricultural and Veterinary Chemicals (New South Wales) Act 1994*, including sections 32 (the general regulation-making power) and 33.

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters arising under legislation that is substantially uniform or complementary with legislation of the Commonwealth or another State or Territory.

1 Name of Regulation

This Regulation is the *Agricultural and Veterinary Chemicals (New South Wales) Regulation 2010*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

This Regulation replaces the *Agricultural and Veterinary Chemicals (New South Wales) Regulation 2005* which is repealed by this Regulation.

3 Definition

- (1) In this Regulation: "**the Act**" means the *Agricultural and Veterinary Chemicals (New South Wales) Act 1994*.
- (2) Notes included in this Regulation do not form part of this Regulation.

4 Eligible laws for purposes of Agvet Code

For the purposes of section 33 of the Act, sections 39A and 39B of the *Stock Medicines Act 1989* are declared to be eligible laws for the purposes of the definition of "**permit**" in section 109 of the Agvet Code of New South Wales.

5 Permits for stock medicines

(1) A reference to a permit in a provision of the *Stock Medicines Act 1989* referred to in clause 4 includes a reference to a permit within the meaning of the Agvet Code of New South Wales.

(2) Anything authorised under section 33 of the *Stock Medicines Act 1989* is taken, for the purposes of any provision of that Act referred to in clause 4, to be something authorised by a permit within the meaning of the Agvet Code of New South Wales.

6 Repeal and savings

(1) The *Agricultural and Veterinary Chemicals (New South Wales) Regulation 2005* is repealed.

(2) Any act, matter or thing that, immediately before the repeal of the *Agricultural and Veterinary Chemicals (New South Wales) Regulation 2005*, had effect under that Regulation continues to have effect under this Regulation.

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
ClI	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	Subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments *Agricultural and Veterinary Chemicals (New South Wales) Regulation 2010 (170)*. LW 7.5.2010. Date of commencement, on publication on LW, cl 2.