



New South Wales

Agricultural and Veterinary Chemicals (New South Wales) Regulation 2024

under the

Agricultural and Veterinary Chemicals (New South Wales) Act 1994

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*.

TARA MORIARTY, MLC
Minister for Agriculture

Explanatory note

The object of this regulation is to repeal and remake, with minor changes, the *Agricultural and Veterinary Chemicals (New South Wales) Regulation 2015*, which would otherwise be repealed on 1 September 2024 by the *Subordinate Legislation Act 1989*, section 10(2).

This regulation provides for—

- (a) prescribing provisions of the *Stock Medicines Act 1989* as eligible laws for 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*, and
- (b) the interpretation of references to permits in those provisions of the *Stock Medicines Act 1989*.

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 the *Subordinate Legislation Act 1989*, Schedule 3, namely—

- (a) matters of a machinery nature, and
- (b) matters arising under legislation that is substantially uniform or complementary with legislation of the Commonwealth or another State or Territory.

Contents

| | Page |
|--|------|
| 1 Name of regulation | 3 |
| 2 Commencement | 3 |
| 3 Definition | 3 |
| 4 Eligible laws for purposes of Agvet Code—the Act, s 33 | 3 |
| 5 Permits for stock medicines | 3 |
| 6 Repeal and savings | 3 |

Agricultural and Veterinary Chemicals (New South Wales) Regulation 2024

under the

Agricultural and Veterinary Chemicals (New South Wales) Act 1994

1 Name of regulation

This regulation is the *Agricultural and Veterinary Chemicals (New South Wales) Regulation 2024*.

2 Commencement

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

Note— This regulation repeals and replaces the *Agricultural and Veterinary Chemicals (New South Wales) Regulation 2015*, which would otherwise be repealed on 1 September 2024 by the *Subordinate Legislation Act 1989*, section 10(2).

3 Definition

In this regulation—

the Act means the *Agricultural and Veterinary Chemicals (New South Wales) Act 1994*.

Note— The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this regulation.

4 Eligible laws for purposes of Agvet Code—the Act, s 33

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

5 Permits for stock medicines

- (1) A reference to a permit in an eligible law is taken to include a reference to a permit within the meaning of the Agvet Code of New South Wales.
- (2) Anything authorised under any of the following provisions is taken, for the purposes of an eligible law, to be something authorised by a permit within the meaning of the Agvet Code of New South Wales—
 - (a) the *Stock Medicines Act 1989*, section 33,
 - (b) the *Biosecurity Act 2015*, section 334.
- (3) In this section—

eligible law means a provision of the *Stock Medicines Act 1989* declared to be an eligible law under section 4.

6 Repeal and savings

- (1) The *Agricultural and Veterinary Chemicals (New South Wales) Regulation 2015* is repealed.

- (2) An act, matter or thing that, immediately before the repeal of the *Agricultural and Veterinary Chemicals (New South Wales) Regulation 2015*, had effect under that regulation continues to have effect under this regulation.