Agricultural and Veterinary Chemicals Bill 1988

Date Introduced: 28 April 1988
House: House of Representatives
Presented by: The Hon. John Kerin, M.P., Minister for Primary Industries and Energy

Digest of Bill

Purpose
To establish a national system for evaluating agricultural and veterinary chemicals.

Background
Up to now there has been no specific Commonwealth legislation for the assessment and clearance of new agricultural and veterinary chemicals, although under the Constitution there are clearly some relevant Commonwealth powers, for example, over exports and imports. Many specialist chemicals have to be imported into Australia, but there are also some export opportunities.

The present non-statutory scheme of clearance is carried out by Commonwealth and State representatives in the Technical Committee for Agricultural Chemicals and the Technical Committee for Veterinary Chemicals. But the States do not always accept the recommendations of these committees, and the chemicals are frequently re-assessed at State level, an inefficient and time-consuming procedure. A national clearance system involving the Australian Agricultural and Veterinary Chemicals Council set up by this Bill and new agreements between the Commonwealth and individual States is expected to unify the assessment, classification and labelling of agricultural and veterinary chemicals throughout Australia. National certification of such chemicals is also expected to assist their export.

Main Provisions
Clauses 8 and 9 establish the Australian Agricultural and Veterinary Chemicals Council and set down its functions in relation to the national clearance of specified chemicals.

Clause 11 empowers the Minister to give directions to the Council after consulting with relevant State Ministers.

Clauses 12 to 22 deal with the clearance procedures to be administered by the Council. These include application for use of a new chemical, application for new use of an existing chemical, information required for...
assessment, criteria for clearance, reconsideration of clearance and
tonification of new information affecting the original application.
Clauses 23 to 31 cover the membership of Council, assisting committees,
disclosure of interest, meetings, resolutions and remuneration and
allowances.

Clause 33 sets up the position of Chemicals Coordinator within the
Department of Primary Industries and Energy. This person is proposed to
act as Chief Executive Officer of the Council.

Clause 34 provides for the Council's staffing and consultant needs.

Clause 36 sets a penalty of $10,000 or imprisonment for 5 years, or both (a
natural person) and $50,000 (a body corporate) for false and misleading
information contained in an application for chemical clearance.

Clause 41 allows for review of Council decisions by the Administrative
Appeals Tribunal on behalf of an applicant or holder of a certificate of
clearance.

Clause 47 requires the Council to report to the Minister annually.

Clause 48 limits the life of the legislation to five years.

For further information, if required, contact the Science, Technology and
Environment Group.

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