



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

**Statutory Rules No. 28, 1995**

made under the

*Agricultural and Veterinary Chemicals (Administration) Act 1992*

## **Compilation No. 22**

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## About this compilation

### This compilation

This is a compilation of the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995* that shows the text of the law as amended and in force on 14 October 2024 (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 Register ([www.legislation.gov.au](http://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 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 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If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.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

### 1.1 Name of Regulations

These Regulations are the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995*.

### 1.3 Interpretation

(1) In these Regulations:

*Act* means the *Agricultural and Veterinary Chemicals (Administration) Act 1992*.

*active constituent* has the same meaning as in the Agvet Code of the participating Territories.

*agricultural chemical product* has the same meaning as in the Agvet Code of the participating Territories.

*Agvet Code of the participating Territories* has the same meaning as in subsection 5(1) of the *Agricultural and Veterinary Chemicals Code Act 1994*.

*authorised officer* has the meaning given by regulation 1.4.

*CAS number* or *Chemical Abstracts Service number* means the registry number:

- (a) assigned to the chemical by the Chemical Abstracts Service, Columbus, Ohio, United States of America; and
- (b) published by the Service in the journal *Chemical Abstracts*.

*chemical product* has the same meaning as in the Agvet Code of the participating Territories.

*Collector* has the meaning given by subsection 8(1) of the *Customs Act 1901*.

*controlled chemical* has the meaning given by regulation 1.3A.

*generic information* has the meaning given by regulation 1.5.

*import decision* means a response, made under paragraph 2 of Article 10 of the Rotterdam Convention, providing a response in accordance with the requirements of paragraph 4 of that Article that consists of a final decision or an interim decision (within the respective meanings given by that paragraph):

- (a) consenting to import with or without specified conditions; or
- (b) not consenting to import.

*IUPAC name* means a name assigned to a chemical by the International Union of Pure and Applied Chemistry, set out in International Standard ISO 1750—1981: *Pesticides and Agrochemicals—Common Names*, published in Geneva by the International Standards Organisation in 1981.

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**mercury** means elemental mercury (Hg(0), CAS Number 7439-97-6), and includes mixtures of mercury (including alloys of mercury) with a mercury concentration of at least 95% by weight, but does not include non-Minamata mercury.

**mercury-added products** means the products listed in Part 1 of Annex A to the Minamata Convention that contain mercury, but does not include the following:

- (a) products essential for civil protection and military uses;
- (b) products for research, calibration of instrumentation, or for use as a reference standard;
- (c) if no feasible mercury-free alternative for a replacement is available—the following:
  - (i) switches and relays;
  - (ii) cold cathode fluorescent lamps and external electrode fluorescent lamps for electronic displays;
  - (iii) measuring devices;
- (d) products used in traditional or religious practices;
- (e) vaccines containing thiomersal as preservatives.

**Minamata Convention** means the Minamata Convention on Mercury done at Minamata on 10 October 2013, as in force for Australia at the commencement of this definition.

Note: The Convention could in 2021 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

**multiple entry import permit** has the meaning given by regulation 3.310.

**multiple exit export permit** has the meaning given by regulation 3.310.

**multiple permit** means a multiple entry import permit or multiple exit export permit.

**non-Minamata mercury** means any of the following:

- (a) research mercury;
- (b) naturally occurring trace quantities of mercury present in:
  - (i) products such as non-mercury metals, ores or mineral products (including coal); or
  - (ii) products derived from the products mentioned in subparagraph (i);
- (c) unintentional trace quantities of mercury in chemical products.

**non-party**, in relation to a Convention, means a country that has not consented to be bound by the Convention or for which the Convention is not in force.

**prescribed chemical** means:

- (a) an active constituent or chemical product that has been prescribed by these Regulations for the purposes of section 69CA or 69CB of the Act; or
- (b) a chemical product containing an active constituent referred to in paragraph (a).

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**research mercury** means mercury to be used for laboratory-scale research or as a reference standard.

**Rotterdam Convention** means the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.

Note: In 2012, the text of the Convention was available at [www.pic.int](http://www.pic.int).

**Secretariat** means:

- (a) in relation to the Rotterdam Convention, the secretariat established under Article 19 of that Convention; and
- (b) in relation to the Stockholm Convention, the secretariat established under Article 20 of that Convention.

**Stockholm Convention** means the Stockholm Convention on Persistent Organic Pollutants (POPs).

Note: In 2012, the text of the Convention was available at [www.pops.int](http://www.pops.int).

**veterinary chemical product** has the same meaning as in the Agvet Code of the participating Territories.

- (2) Unless the contrary intention appears, a term that is defined in an international agreement or arrangement and that is used in these Regulations has the same meaning in these Regulations when used in relation to that agreement or arrangement.
- (3) A reference in these Regulations to an **active constituent** is a reference to an active constituent for a proposed or existing chemical product.

### 1.3A Meaning of *controlled chemical*

- (1) Subject to subregulation (2), in these Regulations:

**controlled chemical** means:

- (a) an active constituent or chemical product listed in Part 2 of Schedule 1; or
  - (b) a chemical product containing an active constituent referred to in paragraph (a); or
  - (c) the chemical product listed as an item in Part 3 of Schedule 1;
  - (d) mercury that is to be used as an active constituent in a proposed or existing chemical product; or
  - (e) a chemical product that is mercury; or
  - (f) a chemical product that is a mercury-added product.
- (2) To avoid doubt, if the heading of an item in Part 2 of Schedule 1 includes the words ‘and its compounds’ or other words describing all compounds, or all compounds of a particular kind (such as, for example, ‘and its salts and esters’) of the relevant chemical, all compounds, or all such compounds, of the chemical are also controlled chemicals.

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### 1.4 Meaning of *authorised officer*

An officer of the Department is an *authorised officer* for a provision of these Regulations if the person is authorised in writing by the Secretary under the provision in which the expression occurs.

### 1.5 Meaning of *generic information about a person*

(1) In these Regulations:

*generic information* about a person means the following information:

- (a) the person's name;
- (b) the person's ABN;
- (c) the address of the person's principal place of business;
- (d) the address of the person's registered office, if different from the address of the person's principal place of business;
- (e) if the person is not an individual, the name of an individual who is to be the contact person;
- (f) the telephone and facsimile numbers for, and e-mail address of, the person and contact person.

(2) If a person has given generic information about himself, herself or itself to the Department, and the information changes, the person must give the new information to the Department within 30 days.

## Part 1A—Annual operational plan and annual report

### 1A.1 Information for inclusion in annual report

The APVMA must include in its annual report a list of:

- (a) the standards made under section 6E of the Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994* during the period to which the annual report relates; and
- (b) the standards made under section 6E that were varied by the APVMA during the period to which the annual report relates.

### 1A.3 Performance indicators for inclusion in annual report

For the purposes of paragraph 61(b) of the Act, the following performance indicators are prescribed:

- (a) the number of reconsiderations commenced by the APVMA under section 31 of the Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994* (the **Agvet Code Act**) during the period to which the annual report relates;
- (b) the number of reconsiderations concluded by the APVMA under Division 4 of Part 2 of the Schedule to the Agvet Code Act during that period;
- (c) brief details of the progress of reconsiderations that were scheduled to progress in that period;
- (ca) a summary of any action taken by the APVMA under section 99 of the Schedule to the Agvet Code Act during that period;
- (d) the number of applications mentioned in each item of Part 2 of Schedule 6 of the *Agricultural and Veterinary Chemicals Code Regulations 1995* that were:
  - (i) made under the Schedule to the Agvet Code Act during that period; and
  - (ii) not determined within the period required for the application by regulations made under section 165 of that Schedule;
- (e) the number of reports (known as adverse experience reports) received by the APVMA during that period;
- (f) the number of adverse experience reports mentioned in paragraph (e) that the APVMA determined were related to each of the following:
  - (i) human health;
  - (ii) environment;
  - (iii) animal health;
  - (iv) crop health;
  - (v) efficacy for agricultural chemical products or veterinary chemical products;

### Regulation 1A.3

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- (g) a summary of any action taken by the APVMA during that period in relation to adverse experience reports.

Note: Adverse experience reports are received under the Adverse Experience Reporting Program (AERP) which is a post-registration quality assurance program established by the APVMA.

## **Part 2—Providing information about certain active constituents and chemical products**

### **2.05 Prescribed international agreements (Act s 69CA(1))**

Each of the following is a prescribed international agreement for the purposes of subsection 69CA(1) of the Act:

- (a) the Rotterdam Convention;
- (b) the Stockholm Convention.

### **2.10 Prescribed chemicals (Act s 69CA(2))**

A chemical is a prescribed active constituent or prescribed chemical product for the purposes of subsection 69CA(2) of the Act if:

- (a) there is an item in Schedule 1 for the chemical; and
- (b) the item describes the chemical as a prescribed active constituent or a prescribed chemical product for the purposes of that subsection.

**Note:** For each constituent or product, the relevant item identifies the relevant international agreement or arrangement (see the Act, subsection 69CA(3)).

### **2.15 Prescribed chemicals (Act s 69CB(1))**

A chemical is a prescribed active constituent or prescribed chemical product for the purposes of subsection 69CB(1) of the Act if:

- (a) there is an item in Schedule 1 for the chemical; and
- (b) the item describes the chemical as a prescribed active constituent or prescribed chemical product for the purposes of that subsection.

### **2.20 Prescribed information—import (Act ss 69CA(2)(a) and 69CB(2)(a))**

The following information about the import into Australia of a prescribed chemical is prescribed for the purposes of paragraphs 69CA(2)(a) and 69CB(2)(a) of the Act:

- (a) generic information about the importer;
- (b) the technical name and common name of the chemical;
- (c) the name of any chemical product that contains the chemical;
- (d) the name of the exporting country or countries;
- (e) the chemical's intended use;
- (f) the total quantity of the chemical imported in any calendar year or part of any calendar year, specifying the quantity imported from each named exporting country;
- (g) any additional information specified in the relevant item in Schedule 1.

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### 2.25 Prescribed information—manufacture (Act ss 69CA(2)(b) and 69CB(2)(b))

The following information about the manufacture in Australia of a prescribed chemical is prescribed for the purposes of paragraphs 69CA(2)(b) and 69CB(2)(b) of the Act:

- (a) generic information about the manufacturer;
- (b) the technical name and common name of the chemical;
- (c) the address of the place of manufacture;
- (d) the quantity manufactured in any calendar year or part of any calendar year;
- (e) the chemical's intended use;
- (f) any additional information specified in the relevant item in Schedule 1.

### 2.30 Prescribed information—use (Act ss 69CA(2)(b) or 69CB(2)(b))

Note: This regulation is reserved for information that may be prescribed for the purposes of paragraph 69CA(2)(b) or 69CB(2)(b) of the Act.

### 2.35 Prescribed information—other dealings (Act ss 69CA(2)(c) or 69CB(2)(c))

Note: This regulation is reserved for information that may be prescribed for the purposes of paragraph 69CA(2)(c) or 69CB(2)(c) of the Act.

### 2.40 Prescribed information—export (Act ss 69CA(2)(d) and 69CB(2)(d))

The following information about the export from Australia of a prescribed chemical is prescribed for the purposes of paragraphs 69CA(2)(d) and 69CB(2)(d) of the Act:

- (a) generic information about the exporter;
- (b) the technical name and common name of the chemical;
- (c) the name of importing country or countries;
- (d) the total quantity of the prescribed chemical exported in any calendar year or part of any calendar year, specifying the quantity exported to each named importing country;
- (e) any additional information specified in the relevant item in Schedule 1.

### 2.45 Prescribed period for giving prescribed information (Act ss 69CA(5) and 69CB(5))

- (1) Subject to subregulation (2), for the purposes of subsections 69CA(5) and 69CB(5) of the Act, the period within which relevant prescribed information in respect of a prescribed chemical must be provided:
  - (a) starts on the date when a notice setting out:
    - (i) the obligation to provide information to the Department; and
    - (ii) the address where the information must be sent;is published in the *Gazette*; and
  - (b) ends 30 days after that date.

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- (2) For the purposes of subsections 69CA(5) and 69CB(5) of the Act, the following prescribed information must be given to the Department by an importer, exporter or manufacturer on or before 28 February following the calendar year to which it relates:
- (a) the total quantity of the prescribed chemical imported in a calendar year, specifying the quantity imported from each named exporting country;
  - (b) the total quantity of the prescribed chemical exported in a calendar year, specifying the quantity exported to each named importing country;
  - (c) the total quantity of the prescribed chemical manufactured in a calendar year;
  - (d) generic information about the importer, exporter or manufacturer.

## **Part 3—Prohibition on import, manufacture etc of certain active constituents and chemical products**

### **Division 3.1—General**

#### **3.05 Prescribed international agreements (Act, s 69C)**

Each of the following is a prescribed international agreement for the purposes of section 69C of the Act:

- (aa) the Minamata Convention;
- (a) the Rotterdam Convention;
- (b) the Stockholm Convention.

#### **3.10 Effect of grant of permissions or multiple permits**

The grant of a permission or multiple permit under this Part does not excuse the holder from compliance with other requirements in the Act, in these Regulations and in other Commonwealth, State or Territory legislation relating to the controlled chemical to which the permission or permit relates.

#### **3.15 Notice to be given if additional information required**

- (1) An authorised officer or the Minister may, by written notice, require an applicant to give additional information in relation to the applicant's application.
- (2) The notice must include a statement to the effect that:
  - (a) the application will not be considered further until the applicant gives to the authorised officer or Minister the information; and
  - (b) the application will be taken to have been withdrawn if the applicant does not give the information within 28 days after the day on which the notice is received by the applicant or within such further period as the authorised officer or Minister allows in writing.
- (3) If an applicant does not give the additional information within the required period, the application is taken to have been withdrawn.
- (4) In this regulation:

***applicant*** means:

- (a) an applicant for a permission or multiple permit under this Part; or
- (b) an applicant for reconsideration under regulation 3.510.

#### **3.20 Matters that may be considered when making decision**

In making a decision whether to grant an application for a permission or multiple permit under this Part, the authorised officer may take into consideration:

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- (a) whether the applicant has previously been granted a permission or permit of that kind; and
- (b) whether the applicant complied with any conditions or restrictions specified in the permission or permit; and
- (c) whether the applicant has failed to comply with any of the following:
  - (i) the Act;
  - (ii) these Regulations;
  - (iii) the *Agricultural and Veterinary Chemicals Act 1994*;
  - (iv) the *Agricultural and Veterinary Chemicals Code Act 1994*;
  - (v) any Act relating to the collection of a levy on agricultural and veterinary chemical products;
  - (vi) the *Industrial Chemicals (Notification and Assessment) Act 1989*;
  - (vii) regulations under any Act mentioned or referred to in subparagraphs (iii) to (vi).

## Division 3.2—Import

### Subdivision 3.2.1—Absolute prohibition

#### 3.45 Prohibited importation

*Importation of controlled chemicals other than mercury-added products*

- (1) The importation into Australia of a controlled chemical is prohibited if the relevant item in Schedule 1 states that its importation is prohibited in all cases.

*Importation of controlled chemicals that are mercury-added products*

- (1A) The importation into Australia of a controlled chemical that is a mercury-added product is prohibited in all cases.

*Prescribed condition*

- (2) For the purposes of subsection 69C(1) of the Act, the condition that a person must not import a chemical in contravention of subregulation (1) or (1A) is prescribed.

### Subdivision 3.2.2—Prohibition subject to conditions

#### 3.50 Chemicals to which this Subdivision applies

*Controlled chemicals other than mercury*

- (1) This Subdivision applies to a controlled chemical if the relevant item in Schedule 1 states that its importation is prohibited except with written permission.

*Controlled chemical that is mercury*

- (1A) Subject to subregulation (1B), this Subdivision also applies to a controlled chemical that is mercury.
- (1B) This Subdivision does not apply to mercury that is imported from a Party to the Minamata Convention.

*Import-prohibited chemicals*

- (2) In this Subdivision, a controlled chemical to which this Subdivision applies is called an **import-prohibited chemical**.

#### 3.55 Prohibition

- (1) The importation into Australia of an import-prohibited chemical is prohibited unless:

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- (a) an authorised officer or the Minister has given permission in writing to import the chemical; and
- (b) the permission is produced to a Collector; and
- (c) for a chemical listed in Schedule 1—any condition or restriction specified for the chemical in the relevant item in Schedule 1 is satisfied.

Note 1: The permission to import required under this regulation must be produced to a Collector for the purposes of complying with regulation 5I of the *Customs (Prohibited Imports) Regulations 1956* in relation to the importation of chemicals under those Regulations that are active constituents or chemical products.

Note 2: A multiple entry import permit is a permission for purposes of this regulation (see subregulation 3.310(2)).

- (2) For the purposes of subsection 69C(1) of the Act, the following conditions or restrictions are prescribed for each such chemical:
- (a) a person must not import the chemical:
    - (i) without the written permission of an authorised officer or the Minister; or
    - (ii) contrary to a condition or restriction specified in the permission;
  - (b) a person who imports the chemical must not fail to produce the permission if asked to do so by a Collector;
  - (c) for a chemical other than mercury—any condition or restriction specified for the chemical in the relevant item in Schedule 1.

Note: A person who imports such a chemical in contravention of a prescribed condition or restriction may be punished by a fine of up to 300 penalty units (see subsection 69C(5) of the Act).

- (3) This regulation applies despite:
- (a) the APVMA's written consent to import referred to in subsection 69B(1B) of the Act; and
  - (b) any approval to import under any other legislation.

### 3.60 Applications for permission to import import-prohibited chemicals

- (1) A person may apply to the Department for permission to import an import-prohibited chemical.
- (2) An application must be in the approved form and must include the following information:
  - (a) generic information about the applicant;
  - (b) the technical name, common name and CAS number (if known) of the chemical;
  - (c) the quantity to be imported;
  - (d) the name of the exporting country;
  - (e) the intended use in Australia.

Note 1: The applicant may be required to give additional information (see regulation 3.15).

Note 2: An authorised officer must give written notice of his or her decision on the application (see regulation 3.505).

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### 3.65 When permission may be granted

#### *Permission to import an import-prohibited chemical other than mercury*

- (1) An authorised officer may grant an application for permission to import an import-prohibited chemical specified in an item in Schedule 1 if the officer is satisfied that:
- (a) in the case of a chemical whose importation is stated in an item in Schedule 1 to be prohibited except with written permission under paragraph 3.65(1)(a)—the chemical is being imported for the purpose of environmentally sound disposal in accordance with paragraph (1)(d) of Article 6 of the Stockholm Convention; or
  - (b) in any other case—the chemical is being imported for a use or purpose that is permitted under the relevant Convention.

Note: In deciding whether to grant the application, the officer may take into consideration the matters mentioned in regulation 3.20.

#### *Permission to import an import-prohibited chemical that is mercury*

- (1A) An authorised officer may grant an application for permission to import an import-prohibited chemical that is mercury from a non-party (the **exporting party**) to the Minamata Convention only if the officer is satisfied that:
- (a) either:
    - (i) Australia has provided the exporting party with written consent to the import; or
    - (ii) a general notification of consent is in force for Australia in accordance with paragraph 7 of Article 3 of the Minamata Convention; and
  - (b) the exporting party has provided written certification that the mercury is neither sourced from primary mercury mining nor excess mercury from the decommissioning of chlor-alkali facilities.

#### *Refusal to grant application*

- (2) If the officer is not satisfied as to the matters mentioned in subregulation (1) or (1A), the officer must refuse to grant the application.
- (3) To avoid doubt, an authorised officer may refuse to grant an application despite the fact that the applicant has the APVMA's written consent, referred to in subsection 69B(1B) of the Act, to import the import-prohibited chemical.

## **Division 3.3—Manufacture**

### **Subdivision 3.3.1—Absolute prohibition**

#### **3.100 Prohibited manufacture**

*Manufacture of controlled chemicals other than mercury-added products*

- (1) The manufacture in Australia of a controlled chemical is prohibited if the relevant item in Schedule 1 states that its manufacture is prohibited in all cases.

*Manufacture of controlled chemicals that are mercury-added products*

- (1A) The manufacture in Australia of a controlled chemical that is a mercury-added product is prohibited in all cases.

*Prescribed condition*

- (2) For the purposes of subsection 69C(1) of the Act, the condition that a person must not manufacture a chemical in contravention of subregulation (1) or (1A) is prescribed.

### **Subdivision 3.3.2—Prohibition subject to conditions**

#### **3.105 Chemicals to which this Subdivision applies**

- (1) This Subdivision applies to a controlled chemical if the relevant item in Schedule 1 states that its manufacture is:
  - (a) prohibited except with written permission; or
  - (b) prohibited except if specified conditions are met.
- (2) In this Subdivision, a controlled chemical to which this Subdivision applies is called a ***manufacture-prohibited chemical***.

#### **3.110 Prohibition**

- (1) The manufacture in Australia of a manufacture-prohibited chemical is prohibited unless:
  - (a) an authorised officer or the Minister has given permission in writing to manufacture the chemical (if such permission is required); and
  - (b) any condition or restriction specified in the relevant item in Schedule 1 is satisfied.
- (2) For the purposes of subsection 69C(1) of the Act, the following conditions or restrictions are prescribed for each such chemical:
  - (a) a person must not manufacture the chemical:
    - (i) without the written permission of an authorised officer or the Minister (if such permission is required); or

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- (ii) contrary to a condition or restriction specified in the permission;
- (b) a person who manufactures the chemical must not fail to produce any required permission if asked to do so by:
  - (i) an authorised officer; or
  - (ii) an officer of another Agency, or an officer or employee of a State or Territory government, authorised in writing by the Secretary for the purposes of this paragraph;
- (c) any condition or restriction specified in the relevant item in Schedule 1.

**Note:** A person who manufactures such a chemical in contravention of a prescribed condition or restriction may be punished by a fine of up to 300 penalty units (see subsection 69C(5) of the Act).

- (3) This regulation applies despite any approval to manufacture under any other legislation.

### **3.115 Applications for permission to manufacture manufacture-prohibited chemicals**

- (1) A person may apply to the Department for permission to manufacture a manufacture-prohibited chemical.
- (2) An application must be in the approved form and must include the following information:
  - (a) generic information about the applicant;
  - (b) the technical name, common name and CAS number (if known) of the chemical;
  - (c) the quantity to be manufactured.

**Note 1:** The applicant may be required to give additional information (see regulation 3.15).

**Note 2:** An authorised officer must give written notice of his or her decision on the application (see regulation 3.505).

### **3.120 When permission may be granted**

- (1) An authorised officer may grant an application for permission to manufacture a manufacture-prohibited chemical if:
  - (a) the manufacture of the chemical is stated in an item in Schedule 1 to be prohibited except with written permission under subregulation 3.120(1); and
  - (b) the officer is satisfied that there is in effect for Australia a production-specific exemption for the chemical under Article 4 of the Stockholm Convention.
- (2) An authorised officer may grant an application for permission to manufacture a manufacture-prohibited chemical if:
  - (a) the manufacture of the chemical is stated in an item in Schedule 1 to be prohibited except with written permission under subregulation 3.120(2); and

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- (b) the officer is satisfied that, in accordance with paragraph 9 of Article 10 of the Rotterdam Convention, the chemical to be manufactured is to be exported and not used in Australia.
- (3) An authorised officer may grant an application for permission to manufacture a manufacture-prohibited chemical if:
  - (a) neither subregulation (1) nor (2) applies; and
  - (b) the chemical is to be manufactured for a use or purpose that is permitted under the relevant Convention.

Note: In deciding whether to grant the application, the officer may take into consideration the matters mentioned in regulation 3.20.

- (4) If the officer is not satisfied as to the matters mentioned in subregulation (1), (2) or (3), the officer must refuse to grant the application.

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**Division 3.4—Use**

**3.145 Absolute prohibition**

- (1) The use in Australia of a controlled chemical is prohibited if the relevant item in Schedule 1 states that its use is prohibited in all cases.
- (2) For the purposes of subsection 69C(1) of the Act, the condition that a person must not use a chemical in contravention of subregulation (1) is prescribed.

**3.150 Prohibition subject to conditions**

- (1) This regulation applies to a controlled chemical if:
  - (a) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Stockholm Convention; and
  - (b) that item states that use is prohibited unless paragraphs 3.150(2)(a) to (d) are complied with.
- (2) The use in Australia of a controlled chemical to which this regulation applies is prohibited unless:
  - (a) the chemical is an approved active constituent or a registered chemical product; and
  - (b) the use is in accordance with the instructions for its use that the APVMA has approved; and
  - (c) the use is in accordance with a use-specific exemption that is in effect for Australia under Article 4 of the Stockholm Convention; and
  - (d) the use is permitted under the law of the State or Territory in which the chemical is to be used.

## **Division 3.5—Dealing with chemicals**

### **Subdivision 3.5.1—Absolute prohibition**

#### **3.175 Prohibited dealing**

- (1) Any dealing (other than importation, manufacture, use or exportation) in Australia of a controlled chemical is prohibited if the relevant item in Schedule 1 states that dealing in the chemical is prohibited in all cases.
- (2) For the purposes of subsection 69C(1) of the Act, the condition that a person must not deal in a chemical in contravention of subregulation (1) is prescribed.

### **Subdivision 3.5.2—Prohibition subject to conditions**

#### **3.180 Chemicals to which this Subdivision applies**

- (1) This Subdivision applies to a controlled chemical if the relevant item in Schedule 1 states that Subdivision 3.5.2 applies to it.
- (2) In this Subdivision, a controlled chemical to which this Subdivision applies is called a *dealing-prohibited chemical*.

#### **3.185 Prohibition**

- (1) Any dealing (other than importation, manufacture, use or exportation) of a dealing-prohibited chemical in Australia is prohibited unless an authorised officer or the Minister has given permission in writing to deal with the chemical in the relevant way.
- (2) For the purposes of subsection 69C(1) of the Act, the following conditions or restrictions are prescribed for each such chemical:
  - (a) a person must not deal with the chemical:
    - (i) without the written permission of an authorised officer or the Minister; or
    - (ii) contrary to a condition or restriction specified in the permission;
  - (b) a person who deals with the chemical must not fail to produce the permission if asked to do so by:
    - (i) an authorised officer; or
    - (ii) an officer of another Agency, or an officer or employee of a State or Territory government, authorised in writing by the Secretary for the purposes of this paragraph;
  - (c) any condition or restriction specified in the relevant item in Schedule 1.

**Note:** A person who deals with such a chemical in contravention of a prescribed condition or restriction may be punished by a fine of up to 300 penalty units (see subsection 69C(5) of the Act).

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- (3) This regulation applies despite any approval to deal with the chemical under any other legislation.

#### **3.190 Applications for permission to deal with dealing-prohibited chemicals**

- (1) A person may apply to the Department for permission to deal with a dealing-prohibited chemical.
- (2) An application to deal with a dealing-prohibited chemical must be in the approved form and must include the following information:
- (a) generic information about the applicant;
  - (b) the technical name, common name and CAS number (if known) of the chemical;
  - (c) information that the applicant considers supports the application.

Note 1: The applicant may be required to give additional information (see regulation 3.15).

Note 2: An authorised officer must give written notice of his or her decision on the application (see regulation 3.505).

#### **3.195 When permission may be granted**

- (1) An authorised officer may grant an application for permission to deal with a dealing-prohibited chemical if the officer is satisfied that the dealing is in accordance with Australia's obligations under the relevant international agreement or arrangement.
- Note: In deciding whether to grant the application, the officer may take into consideration the matters mentioned in regulation 3.20.
- (2) If the officer is not satisfied as to the matter mentioned in subregulation (1), the officer must refuse to grant the application.

## **Division 3.6—Export**

### **Subdivision 3.6.1—Absolute prohibition**

#### **3.200 Prohibited export**

*Export of controlled chemicals other than mercury-added products*

- (1) The export from Australia of a controlled chemical is prohibited if the relevant item in Schedule 1 states that its export is prohibited in all cases.

*Export of controlled chemicals that are mercury-added products*

- (1A) The export from Australia of a controlled chemical that is a mercury-added product is prohibited in all cases.

*Prescribed condition*

- (2) For the purposes of subsection 69C(1) of the Act, the condition that a person must not export a chemical in contravention of subregulation (1) or (1A) is prescribed.

### **Subdivision 3.6.2—Prohibition subject to conditions**

#### **3.205 Chemicals to which this Subdivision applies**

*Controlled chemicals other than mercury*

- (1) This Subdivision applies to a controlled chemical if the relevant item in Schedule 1 states that its export is prohibited except with written permission.

*Mercury and research mercury*

- (1A) This Subdivision also applies to:
- (a) a controlled chemical that is mercury; and
  - (b) a chemical product that is research mercury.

*Export-prohibited chemicals*

- (2) In this Subdivision:
- (a) a controlled chemical to which this Subdivision applies is called an **export-prohibited chemical**; and
  - (b) research mercury is also called an **export-prohibited chemical**.

#### **3.210 Prohibition**

- (1) The export from Australia of an export-prohibited chemical is prohibited unless:
- (a) an authorised officer or the Minister has given permission in writing to export the chemical; and

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- (b) the permission is produced to a Collector; and
- (c) for a chemical that is listed in Schedule 1—any condition or restriction specified for the chemical in the relevant item in Schedule 1 is satisfied.

Note 1: The permission to export required under this regulation must be produced to a Collector for the purposes of complying with regulation 4A of the *Customs (Prohibited Exports) Regulations 1958* in relation to the exportation of chemicals under those Regulations that are active constituents or chemical products.

Note 2: A multiple exit export permit is a permission for the purposes of this regulation (see subregulation 3.310(3)).

- (2) For the purposes of subsection 69C(1) of the Act, the following conditions or restrictions are prescribed for each such chemical:
    - (a) a person must not export the chemical:
      - (i) without the written permission of an authorised officer or the Minister; or
      - (ii) contrary to a condition or restriction specified in the permission;
    - (b) a person who exports the chemical must not fail to produce the permission if asked to do so by a Collector;
    - (c) for a chemical other than mercury—any condition or restriction specified for the chemical in the relevant item in Schedule 1.
- Note: A person who exports such a chemical in contravention of a prescribed condition or restriction may be punished by a fine of up to 300 penalty units (see subsection 69C(5) of the Act).
- (3) This regulation applies despite:
    - (a) the APVMA's certificate setting out its findings (if any) in relation to the export of a chemical product under section 69D of the Act; and
    - (b) any approval to export under any other legislation.

### 3.215 Applications for permission to export export-prohibited chemicals

- (1) A person may apply to the Department for permission to export an export-prohibited chemical.
- (2) An application must be in the approved form and must include the following information:
  - (a) generic information about the applicant;
  - (b) the technical name, common name and CAS number (if known) of the chemical;
  - (c) the quantity to be exported;
  - (d) the name of the importing country;
  - (e) the name of any transit country (if known);
  - (f) the intended use in the importing country.

Note 1: The applicant may be required to give additional information (see regulation 3.15).

Note 2: An authorised officer must give written notice of his or her decision on the application (see regulation 3.505).

### **3.220 Additional information required for certain exports**

- (1) This regulation applies to an export-prohibited chemical if the relevant item in Schedule 1 states that the chemical is subject to a notification of final regulatory action by Australia under Article 5 of the Rotterdam Convention.
- (2) An application for permission to export a chemical to which this regulation applies must, in addition to the information required under regulation 3.215, include the following information:
  - (a) expected date of export;
  - (b) category (pesticide or industrial use) under which the chemical is being exported;
  - (c) the name and address of the importer;
  - (d) precautionary measures to reduce exposure to, and emission of, the chemical;
  - (e) in the case of a mixture or preparation, the concentration of the prescribed active constituent or constituents.

*Note* The above information forms part of the export notification required under Article 12 of the Rotterdam Convention.

### **3.225 When permission must be granted**

- (1) An authorised officer must grant an application for permission to export an export-prohibited chemical if:
  - (a) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; and
  - (b) the export is to a non-party to that Convention.
- (2) An authorised officer must grant an application for permission to export research mercury if the export is to a non-party to the Rotterdam Convention.

### **3.230 When permission may be granted**

#### *Export-prohibited chemicals specified in Schedule 1—Stockholm Convention*

- (1) An authorised officer may grant an application for permission to export an export-prohibited chemical whose export is stated in an item in Schedule 1 to be prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c) if the officer is satisfied that the export is:
  - (a) for the purpose of environmentally sound disposal in accordance with paragraph (1)(d) of Article 6 of the Stockholm Convention; or
  - (b) to a party that is permitted to use the chemical under Annex A or B of the Stockholm Convention; or
  - (c) to a State not Party to the Stockholm Convention (within the meaning of paragraph 2 of Article 3 of that Convention) that has provided an annual certification to Australia in accordance with that paragraph.

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- Note 1: The export of an active constituent or chemical product for the purpose of environmentally sound disposal must also comply with the *Hazardous Waste (Regulation of Exports and Imports) Act 1989* and any regulations made under that Act.
- Note 2: Under paragraph 2(b)(iii) of Article 3 of the Stockholm Convention, the annual certification of a non-party must:
- (a) specify the intended use of the chemical; and
  - (b) include a statement that, with respect to that chemical, the importing State is committed to:
    - (i) protect human health and the environment by taking the necessary measures to minimize or prevent releases;
    - (ii) comply with the provisions of paragraph 1 of Article 6; and
    - (iii) comply, where appropriate, with the provisions of paragraph 2 of Part II of Annex B; and
  - (c) include any appropriate supporting documentation, such as legislation, regulatory instruments, or administrative or policy guidelines.
- Note 3: Paragraph 2(d) of Article 3 of the Stockholm Convention states:  
‘For the purposes of this paragraph, the term “State not Party to this Convention” shall include with respect to a particular chemical, a State or regional economic integration organization that has not agreed to be bound by the Convention with respect to that chemical.’

*Export-prohibited chemicals specified in Schedule 1—Rotterdam Convention*

- (2) An authorised officer may grant an application for permission to export an export-prohibited chemical if:
- (a) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; and
  - (b) the export is to a party to that Convention; and
  - (c) the officer is satisfied that the export complies with the requirements of that Convention.

*Export of export-prohibited chemical that is mercury to a Party to the Minamata Convention*

- (2A) An authorised officer may grant an application for permission to export an export-prohibited chemical that is mercury to a Party (the **importing Party**) to the Minamata Convention if the authorised officer is satisfied that:
- (a) the importing Party has provided its written consent to the export; and
  - (b) the mercury is to be exported:
    - (i) for a use allowed to the importing Party under the Minamata Convention; or
    - (ii) for environmentally sound interim storage as set out in Article 10 of the Minamata Convention.

*Export of export-prohibited chemical that is mercury to a non-party to the Minamata Convention*

- (2B) An authorised officer may grant an application for permission to export an export-prohibited chemical that is mercury to a non-party (the **importing party**) to the Minamata Convention if the authorised officer is satisfied that the importing party has provided:

- (a) its written consent to the export; and
- (b) its written certification demonstrating that:
  - (i) it has measures in place to ensure the protection of human health and the environment; and
  - (ii) it has measures in place to ensure compliance with Articles 10 and 11 of the Minamata Convention; and
  - (iii) the mercury will be used only for a use allowed under the Minamata Convention to a Party to the Minamata Convention or for environmentally sound interim storage as set out in Article 10 of the Minamata Convention.

*Export of export-prohibited chemical that is research mercury*

- (2C) An authorised officer may grant an application for permission to export an export-prohibited chemical that is research mercury if:
- (a) the export is to a Party to the Rotterdam Convention; and
  - (b) the authorised officer is satisfied that the export complies with the requirements of that Convention.

*Export of other export-prohibited chemicals*

- (3) An authorised officer may grant an application for permission to export an export-prohibited chemical if:
- (a) none of subregulations (1) to (2C) apply; and
  - (b) the chemical is being exported for a use or purpose in the importing country that is permitted under the relevant Convention.

Note: In deciding whether to grant the application, the officer may take into consideration the matters mentioned in regulation 3.20.

*Refusal to grant application*

- (4) To avoid doubt, an authorised officer may refuse to grant an application despite the fact that the APVMA has given a certificate setting out its findings (if any) in relation to the export of the chemical product under section 69D of the Act.

### **3.235 Required conditions**

- (1) This regulation applies to the export of an export-prohibited chemical if:
  - (a) either:
    - (i) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; or
    - (ii) the chemical is research mercury; and
  - (b) the export is to a party to that Convention.
- (2) It is a condition of a permission for the export that the exporter will:
  - (a) include the Harmonized System customs code for the chemical (if assigned) on shipping documentation; and

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- (b) ensure that the labelling of the chemical complies with relevant international standards (including standards requiring information regarding risks and hazards to human health and the environment); and
- (c) if the chemical is to be used for occupational purposes, give to the importer a safety data sheet that:
  - (i) is in accordance with an internationally recognised format; and
  - (ii) sets out up-to-date information; and
  - (iii) if practicable, is in one of the official languages of the country to which the chemical is to be exported; and
- (d) give to the Department, on or before 28 February following each calendar year, a statement of the total quantity of the chemical exported in the calendar year, naming each importing country and specifying how much of the chemical was exported to each importing country.

**3.240 Deciding application for permission to export when import decision available**

- (1) This regulation applies to the export of an export-prohibited chemical if:
  - (a) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; or
  - (b) the chemical is research mercury.
- (2) In making a decision whether to grant an application for permission to export the chemical to a party to the Convention, an authorised officer must take into consideration:
  - (a) any import decision notified to the Secretariat by the party; and
  - (b) if the chemical is described in the relevant item in Schedule 1 as a severely hazardous pesticide formulation, any applicable condition or restriction specified in that item; and
  - (c) whether the applicant has provided any additional information required under regulation 3.220.

**Note:** Under Article 10 of the Convention, the Secretariat must, every 6 months, inform all parties of the import responses it has received. It does so by way of a six-monthly information circular.

**3.245 Deciding application for permission to export when import decision not known**

- (1) This regulation applies to the export of an export-prohibited chemical if:
  - (a) either:
    - (i) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; or
    - (ii) the chemical is research mercury; and
  - (b) the export is to a party to that Convention; and
  - (c) the party's import decision is not known.

- (2) An authorised officer must not grant an application for permission to export the chemical, unless he or she is satisfied that the export will not be in breach of Australia's obligations under Article 11 of the Rotterdam Convention.

Note: The import decision of a party may not be known because:

- (a) the party failed to transmit to the Secretariat its decision; or
- (b) the party transmitted an import response stating that a final import decision is under consideration or requesting more information or assistance in making its decision (see paragraph 4 (b) of Article 10 of the Rotterdam Convention).

### **3.250 When permission must be refused**

- (1) An authorised officer must refuse to grant an application mentioned in any of subregulations 3.230(1) to (3) for permission to export an export-prohibited chemical if the officer is not satisfied as to the matters mentioned in the relevant subregulation in relation to the application.
- (2) An authorised officer must refuse an application for permission to export an export-prohibited chemical if:
- (a) either:
    - (i) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; or
    - (ii) the chemical is research mercury; and
  - (b) the export is to a party to that Convention; and
  - (c) any of the following applies:
    - (i) the officer is not satisfied that the export complies with the Rotterdam Convention;
    - (ii) the party has notified to the Secretariat an import decision not to consent to the import;
    - (iii) the party has notified to the Secretariat an import decision to consent to the import only subject to specified conditions and the authorised officer is not satisfied that those conditions have been met or will be met.

Note: A list of the parties to the Rotterdam Convention is available at <http://www.pic.int>.

- (3) An authorised officer must refuse to grant an application for permission to export an export-prohibited chemical if:
- (a) neither subregulation (1) nor (2) applies; and
  - (b) the chemical is being exported for a use or purpose in the importing country that is not permitted under the relevant Convention.

## Division 3.7—Multiple entry import and multiple exit export permits

### 3.305 Definitions

In this Division:

**export-prohibited chemical** means a controlled chemical (other than mercury), and includes research mercury.

**import-prohibited chemical** means a controlled chemical (other than mercury) to which Subdivision 3.2.2 applies.

### 3.310 Purpose

- (1) The purpose of this Division is to allow persons who from time to time import import-prohibited chemicals, or export export-prohibited chemicals, to apply for a permission to import (**multiple entry import permit**) or export (**multiple exit export permit**) those chemicals over a period of time, instead of having to apply for a permission for each import or export.
- (2) A multiple entry import permit is a permission for the purposes of regulation 3.55.
- (3) A multiple exit export permit is a permission for the purposes of regulation 3.210.

### 3.315 Fit and proper person

- (1) For the purposes of regulation 3.340, an authorised officer must have regard to the following matters in determining whether a person is a fit and proper person:
  - (a) any conviction of the applicant for an offence against the Act or these Regulations;
  - (b) if the applicant is an individual:
    - (i) any conviction of the applicant for an offence under a law of the Commonwealth, of a State or of a Territory that is punishable by imprisonment for a period of one year or longer; and
    - (ii) whether the applicant is bankrupt;
  - (c) if the applicant is a corporation:
    - (i) any conviction of the applicant for an offence under a law of the Commonwealth, of a State or of a Territory that is punishable by a fine of 50 penalty units or more, being an offence committed at a time when a person who is a director, officer or shareholder of the company was a director, officer or shareholder of the company; and
    - (ii) whether the applicant is a Chapter 5 body corporate (within the meaning of the *Corporations Act 2001*);
  - (d) whether the applicant has previously held a multiple permit or a permission under this Part;

- (e) whether the applicant complied with any conditions or restrictions specified in the permit or permission.
- (2) To avoid doubt, the matters mentioned in subregulation (1) are in addition to:
  - (a) any matters that an authorised officer is required to take into consideration under a provision of this Division; and
  - (b) any other matters that are relevant.

### **3.320 Multiple entry import permits**

Note: Regulation 3.320 is reserved.

### **3.325 When multiple entry import permits may be granted**

Note: Regulation 3.325 is reserved.

### **3.330 Multiple exit export permits**

- (1) This regulation applies if:
  - (a) the relevant item in Schedule 1 identifies the relevant international agreement or arrangement as the Rotterdam Convention; and
  - (b) either:
    - (i) the export is to a non-party to that Convention; or
    - (ii) the chemical to be exported is a severely hazardous pesticide formulation that is of a form different from, or is of a concentration lower than, the relevant formulation given in Schedule 1.
- (2) A person may apply to the Department for a multiple exit export permit.
- (3) An application must be in the approved form and must include generic information about the applicant and the following information in respect of each export-prohibited chemical to be exported under the permit:
  - (a) the technical name, common name and CAS number (if known) of each chemical;
  - (b) the non-parties to which exports are to be made (if applicable);
  - (c) the formulation to be exported (if applicable);
  - (d) the quantity of chemical to be exported under the permit or, if that quantity is not known, an estimate of the quantity to be exported.

### **3.335 When multiple exit export permits may be granted—general**

- (1) An authorised officer may grant an application for a multiple exit export permit if the officer is satisfied that the exports to be made under the permit comply with the requirements of the Rotterdam Convention.

Note: In deciding whether to grant the application, the officer may take into consideration the matters mentioned in regulation 3.20.

- (2) An authorised officer must refuse to grant an application if:

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- (a) the officer is not satisfied as to the matter mentioned in subregulation (1); or
- (b) the applicant has at any time failed to comply with any condition or restriction specified in a permission or permit.

### **3.340 Grant of multiple exit export permits in special circumstances**

Despite any thing else in this Division, an authorised officer may grant a multiple exit export permit to a person if the authorised officer is satisfied that:

- (a) the relevant items in Schedule 1 for the export-prohibited chemicals to be exported under the permit identify the relevant international agreement or arrangement as the Rotterdam Convention; and
- (b) the person has, over an aggregate period of at least 1 year, exported export-prohibited chemicals; and
- (c) the person has complied with the requirements of the Act and these Regulations in relation to those exports; and
- (d) the person is a fit and proper person.

**Note:** In deciding whether to grant the permit, the officer may take into consideration the matters mentioned in regulation 3.20.

### **3.345 Annual reports**

- (1) The holder of a multiple permit must give to the Department an annual report about imports or exports made under the permit.
- (2) The report:
  - (a) must state the name of the holder, the identification number and date of issue, of the permit; and
  - (b) must include the following information in respect of the chemicals imported or exported under the permit:
    - (i) the technical name and common name of the chemical;
    - (ii) the name of the exporting or importing countries;
    - (iii) the date of each import or export;
    - (iv) the name of any transit country (if known);
    - (v) any additional information required as a condition or restriction specified on the permit;
    - (vi) the quantity of each kind of chemical imported from or exported to each named exporting or importing country; and
  - (c) must be signed by the holder of the permit; and
  - (d) must be given on or before 28 February of each year.

### **3.350 Period of validity and renewal of permit**

- (1) A multiple permit is valid until the end of 31 March next occurring after the permit is granted.

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- (2) An application for renewal of a permit may be made in writing by the holder of the permit not more than 60 days before the day on which the permit ceases to be valid under subregulation (1).
- (3) An authorised officer may grant an application for renewal if the authorised officer is satisfied that:
  - (a) the holder has not imported or exported a chemical in contravention of the permit; and
  - (b) the holder has complied with any conditions or restrictions specified in the permit; and
  - (c) the holder continues to be a fit and proper person (if applicable); and
  - (d) the holder has complied with the annual reporting requirements under regulation 3.345.

## **Division 3.8—Conditions or restrictions of permissions or multiple permits**

### **3.405 Conditions**

A permission or multiple permit granted under this Part may specify conditions or restrictions to be complied with by the holder and may, in respect of any such condition or restriction, specify a time (being a time before or after the act permitted) at or before which the holder must comply with the condition or restriction.

### **3.410 Revocation etc of permission or multiple permits**

- (1) An authorised officer may revoke, vary or suspend a permission or multiple permit granted under this Part.
- (2) The authorised officer must give to the holder of a permission or permit written notice of the revocation, variation or suspension of the permission or permit within 10 days after doing so.
- (3) The notice must include:
  - (a) a brief statement of the reasons for the revocation, variation or suspension; and
  - (b) a statement that the applicant may apply to the Minister for reconsideration of the decision.
- (4) A failure to comply with subregulation (2) or (3) does not affect the validity of the revocation, variation or suspension.

## **Division 3.9—Review of decisions**

### **3.505 Notice of authorised officer’s decision**

- (1) An authorised officer must give, to an applicant for a permission or multiple permit under this Part, written notice of the officer’s decision on the application within 10 days after making the decision.
- (2) A notice of a decision to refuse to grant a permission or permit must include:
  - (a) a brief statement of the reasons for the refusal; and
  - (b) a statement that the applicant may apply to the Minister for reconsideration of the decision.
- (3) A failure to comply with subregulation (1) or (2) in relation to a decision does not affect the validity of the decision.

### **3.510 Reconsideration of decisions by Minister**

- (1) An application for reconsideration of the following decisions may be made to the Minister by the applicant for, or the holder of, a permission or multiple permit:
  - (a) an authorised officer’s decision to refuse to grant a permission or permit;
  - (b) an authorised officer’s decision to revoke, vary or suspend a permission or permit.
- (2) The application must be made in writing within 15 days after the applicant receives notice of the decision.
- (3) The Minister may:
  - (a) grant or refuse to grant a permission or permit; or
  - (b) vary or affirm a decision to revoke, vary or suspend a permission or permit; or
  - (c) set aside, and substitute his or her decision for, a decision to revoke, vary or suspend a permission or permit.

### **3.515 Notice of Minister’s decision**

- (1) The Minister must give, to a person who applies for reconsideration of a decision, written notice of the Minister’s decision on the person’s application within 10 days after making the decision.
- (2) The notice must include a statement that the person may apply to the Administrative Review Tribunal for a review of the decision.
- (3) A failure to comply with subregulation (1) or (2) in relation to a decision does not affect the validity of the decision.

## Regulation 3.520

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### 3.520 Review of decisions by Administrative Review Tribunal

An application may be made to the Administrative Review Tribunal for a review of the Minister's decision on an application for reconsideration under this Division.

### 3.550 Export of chemical products—fees for certificates

- (1) Subject to subregulation (2), the following fees are prescribed for subsection 69D(1) of the Act:
  - (a) \$125 as the standard fee for a certificate;
  - (b) if the certificate requires technical or scientific assessment to be undertaken by the APVMA, a further \$105 for the assessment.
- (2) No fee is payable for a certificate (the *subsequent certificate*) if an applicant applies for the subsequent certificate on the same day when the applicant applied for another certificate (the *original certificate*), and the original and subsequent certificates are:
  - (a) the same in all respects; or
  - (b) the same in all respects except for one or more of the following:
    - (i) the addressee of the certificate;
    - (ii) the country to which the chemical product is to be exported;
    - (iii) the authority of the country to which the chemical product is to be exported.
- (3) For the purposes of subsection 69D(1) of the Act, a fee is prescribed if the applicant requires the APVMA to request the performance, in relation to a certificate (whether original or subsequent), of a consular act for which a fee (the *consular fee*):
  - (a) is imposed under the *Consular Fees Act 1955*; and
  - (b) is payable by the APVMA.
- (4) The amount of the fee prescribed under subregulation (3) is an amount equal to the amount of the consular fee.

## Part 3A—Infringement notices

### 3A.01 Infringement notices

- (1) For the definition of *prescribed civil penalty provision* in section 4 of the Act, each civil penalty provision mentioned in Schedule 5 is prescribed.
- (2) For subsection 69EKA(3) of the Act:
  - (a) the amount (in penalty units) mentioned for an individual in an item of Schedule 5 is the amount that applies for an alleged contravention by the individual of the provision mentioned in the item in the circumstances (if any) mentioned in the item; and
  - (b) the amount (in penalty units) mentioned for a corporation in an item of Schedule 5 is the amount that applies for an alleged contravention by the corporation of the provision mentioned in the item in the circumstances (if any) mentioned in the item.

## Part 4—Miscellaneous

### 4.15 Method of securing samples

- (1) This regulation applies to an inspector who exercises:
  - (a) the monitoring power mentioned in paragraph 69EAC(1)(g) of the Act to take and keep samples of any thing on any premises; or
  - (b) the investigation power mentioned in paragraph 69EBA(1)(g) of the Act to take a sample and keep samples of any thing on any premises.
- (2) The inspector must ensure that:
  - (a) the sample is contained and sealed in an appropriate vessel or package; and
  - (b) the vessel or package is so marked as to clearly identify the sample; and
  - (c) the vessel or package cannot be opened, or the identification of the sample removed, without breaking the seal; and
  - (d) the sample is stored and transported in such a way that the composition of the sample is not altered.

### 4.20 Reconsideration participation review

- (1) The Minister must ensure that a review (a ***reconsideration participation review***) is conducted in relation to strategies to encourage participation by industry in reconsiderations under Division 4 of Part 2 of the Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994*.

#### *Terms of reference*

- (2) The terms of reference for the reconsideration participation review must include terms that require the following:
  - (a) the identification of any problems with the chemical industry and user industries participating in reconsiderations under that Division, including:
    - (i) any obstacles or disincentives to the provision of information to support ongoing registration of chemical products under that Division; and
    - (ii) compensation for providers of information;
  - (b) the identification of options for addressing any identified problems and for collaboratively generating information, including the following options:
    - (i) the task force approach adopted by the United States Environmental Protection Agency;
    - (ii) other relevant approaches used in comparable markets outside Australia;
    - (iii) other options to reduce the need for the generation and provision of information;
  - (c) an analysis of the costs and benefits of identified options for addressing problems, including an analysis of the impacts of the options on:

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Regulation 4.20

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- (i) different sectors of the chemical industry and user industries; and
- (ii) the availability, and safe use, of chemical products;
- (d) the making of recommendations, relating to matters within the APVMA's functions and powers, for preferred options to address any identified problems.

*Persons conducting review*

- (3) At least one of the persons conducting the review must not be otherwise appointed, employed or engaged in an ongoing capacity by the Commonwealth.

*Use of external expertise*

- (4) The persons conducting the review may draw on external expertise where necessary for the review.

*Public consultation*

- (5) The review must involve the publication of a public consultation document in relation to the review that includes a request for submissions in relation to the review from members of the public.
- (6) Submissions received in relation to the review must be:
  - (a) considered by the persons conducting the review; and
  - (b) made public, unless the person making the submission has requested that the submission, or a part of the submission, be kept confidential.

*Time for completion of review*

- (7) The review must be completed, and a written report of the review given to the Minister, no later than 30 June 2019.

*Review report and response*

- (8) The Minister must ensure that the report of the review is published on the Department's website within 6 weeks of receiving the report.
- (9) The Minister must ensure that the Minister's response to the report of the review is published on the Department's website within 3 months of receiving the report.

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

### **Division 1—Amendments made by the Minamata Convention on Mercury (Consequential Amendments) Regulations 2021**

#### **5.05 Amendments made by the *Minamata Convention on Mercury (Consequential Amendments) Regulations 2021***

##### *Application of amendments*

- (1) The amendments of these Regulations made by the *Minamata Convention on Mercury (Consequential Amendments) Regulations 2021* apply in relation to the following:
- (a) the importation into, export from, or manufacture in, Australia of mercury or mercury-added products on or after the commencement of that instrument (whether any application for permission to do so was made before, on or after that commencement);
  - (b) the export of research mercury from Australia on or after the commencement of that instrument (whether the application for permission to export was made before, on or after that commencement).

##### *Pending applications for permissions to export mercury*

- (2) If:
- (a) an application was made before the commencement of the *Minamata Convention on Mercury (Consequential Amendments) Regulations 2021* under regulation 3.215 of these Regulations for a permission to export mercury (within the meaning of these Regulations as amended by that instrument); and
  - (b) as at immediately before the commencement of that instrument, no decision on the application had been made;
- the application is taken, at the commencement of that instrument, never to have been made.

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

### **5.1 Saving provisions relating to the *Agricultural and Veterinary Chemicals Legislation Amendment (Improvements) Regulations 2021***

- (1) Despite the repeal of regulation 4.10 by the *Agricultural and Veterinary Chemicals Legislation Amendment (Improvements) Regulations 2021*, that regulation, as in force immediately before the commencement of this regulation, continues to apply on and after that commencement for the purposes of the continued application of section 69E of the Act as mentioned in subitem 35(1) of Schedule 1 to the *Agricultural and Veterinary Chemicals Legislation Amendment (Australian Pesticides and Veterinary Medicines Authority Board and Other Improvements) Act 2021*.
- (2) Despite the repeal of item 8 of the table in Schedule 5 by the *Agricultural and Veterinary Chemicals Legislation Amendment (Improvements) Regulations 2021*, that item, as in force immediately before the commencement of this regulation, continues to apply on and after that commencement in relation to a contravention of subsection 69E(1) of the Act that occurs before, on or after that commencement.

## Schedule 1—Chemicals

(regulation 1.3, definition of *controlled chemical*)

### Part 1—Reading this Schedule

#### 1 Description of chemicals

- (1) Each chemical dealt with in Part 2 or 3 of this Schedule is described in a separate item in the form of a small table, as follows:
  - (a) in Part 2, which covers chemicals defined in terms of a single active constituent (whether or not at a concentration above a specified concentration):
    - (i) the heading is the common name of the active constituent; and
    - (ii) the first row gives the active constituent's IUPAC name; and
    - (iii) the second row gives its CAS number; and
    - (iv) if the chemical is a prescribed active constituent or prescribed chemical product for the purposes of subsection 69CA(2) of the Act, the third row states that fact; and
    - (v) the fourth row identifies, for subsection 69CA(3) of the Act, the relevant international agreement or arrangement; and
    - (vi) the fifth row sets out any conditions or restrictions applicable to the chemical;
  - (b) in Part 3, which covers chemical products defined in terms of 2 or more active constituents (whether or not at concentrations above specified concentrations, and whether or not in a particular form):
    - (i) the heading is or includes the common names of the active constituents in the chemical product, and may specify the concentration of 1 or more of them and a particular form; and
    - (ii) the first row gives the names of each chemical (including their IUPAC names and CAS numbers) and their concentration in the chemical product, and, if the item applies only to a particular form of the chemical product, that form; and
    - (iii) the second row identifies, for subsection 69CA(3) of the Act, the relevant international agreement or arrangement; and
    - (iv) the third row sets out any conditions or restrictions applicable to the chemical product.
- Note: The international agreement or arrangement so identified is also the agreement or arrangement under which the import, manufacture etc of the formulation may be prohibited (absolutely or subject to prescribed conditions or restrictions) under Part 3.
- (2) There may be 1 or more additional rows in a particular item giving or requiring additional information, and any information so given, or any such requirement, is part of the item.

## **2 References to controlled chemical in Regulations as applied to this Schedule**

To avoid doubt, a reference in these Regulations to a relevant item in this Schedule for a controlled chemical includes (consistently with the definition of controlled chemical) a chemical product that contains the active constituent dealt with in the item.

## Part 2—Chemical products defined in terms of a single active constituent

### 1 2-(Acetoxymercuric)ethanol

<b>IUPAC name</b>	
<b>CAS number</b>	4665-55-8
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

### 2 2,4,5-T and its salts and esters

<b>IUPAC name</b>	(2,4,5-trichlorophenoxy)acetic acid
<b>CAS number</b>	93-76-5
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

Note: The CAS number refers to 2,4,5-T only.

### 2A Alachlor

<b>IUPAC name</b>	2-chloro-2', 6'-diethyl-N-methoxymethylacetanilide
<b>CAS number</b>	15972-60-8
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

### 2AA Aldicarb

<b>IUPAC name</b>	2-methyl-2-(methylthio)propionaldehyde-O-methylcarbamoyl-oxime
<b>CAS number</b>	116-06-3
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention

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<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>3 Aldrin (HHDN)</b>	
<b>IUPAC name</b>	(1R,4S,4aS,5S,8R,8aR)-1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-1,4:5,8-dimethano-naphthalene
<b>CAS number</b>	309-00-2
<b>Prescribed active constituent/chemical product</b>	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
<b>Relevant international agreement or arrangement</b>	Stockholm Convention
<b>Conditions or restrictions</b>	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)
<b>3AA Azinphos-methyl</b>	
<b>IUPAC name</b>	S-(3,4-dihydro-4-oxobenzo[d]-[1,2,3]-triazin-3-ylmethyl)-O,O-dimethyl phosphorodithioate
<b>CAS number</b>	86-50-0
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>3A Binapacryl</b>	
<b>IUPAC name</b>	2-sec-butyl-4,6-dinitrophenyl 3-methylcrotonate
<b>CAS number</b>	485-31-4
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**Schedule 1 Chemicals****Part 2 Chemical products defined in terms of a single active constituent****4 Captafol**

<b>IUPAC name</b>	<i>N</i> -(1,1,2,2-tetrachloroethylthio)cyclohex-4-ene-1,2-dicarboximide; or 3a,4,7,7a-tetrahydro- <i>N</i> -(1,1,2,2-tetrachloroethanesulphenyl)phthalimide
<b>CAS number</b>	2425-06-1
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**4A Carbofuran**

<b>IUPAC name</b>	2,3-dihydro-2,2-dimethylbenzofuran-7-yl methylcarbamate
<b>CAS number</b>	1563-66-2
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**5 Chlordane**

<b>IUPAC name</b>	1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7, 7a-hexahydro-4, 7-methanoindene
<b>CAS number</b>	57-74-9
<b>Prescribed active constituent/chemical product</b>	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
<b>Relevant international agreement or arrangement</b>	Stockholm Convention
<b>Conditions or restrictions</b>	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)

**6 Chlordimeform**

<b>IUPAC name</b>	<i>N</i> <sup>2</sup> -(4-chloro- <i>o</i> -tolyl)- <i>N</i> <sup>1</sup> , <i>N</i> <sup>1</sup> -dimethylformamidine
<b>CAS number</b>	6164-98-3
<b>Prescribed active constituent/chemical product</b>	No

<b>product</b>	
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>7 Chlorobenzilate</b>	
<b>IUPAC name</b>	Ethyl 4,4'-dichlorobenzilate
<b>CAS number</b>	510-15-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>8 Cyano(methylmercuric)guanidine</b>	
<b>IUPAC name</b>	1-cyano-3-(methylmercurio)guanidine
<b>CAS number</b>	502-39-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>9 DDT (pp'-DDT)</b>	
<b>IUPAC name</b>	1,1,1-trichloro-2,2-bis (4-chlorophenyl) ethane
<b>CAS number</b>	50-29-3
<b>Prescribed active constituent/chemical product</b>	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
<b>Relevant international agreement or arrangement</b>	Stockholm Convention
<b>Conditions or restrictions</b>	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)
<b>10 Dieldrin (HEOD)</b>	
<b>IUPAC name</b>	(1R,4S,4aS,5R,6R,7S,8S,8aR)-1,2,3,4,10,10-hexachloro-1,4,4a,5,6,7,8,8a-octahydro-6,7-epoxy-1,4:5, 8-dimethano-naphthalene
<b>CAS number</b>	60-57-1
<b>Prescribed active</b>	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act

## Part 2 Chemical products defined in terms of a single active constituent

### 10A Dinitro-ortho-cresol (DNOC) and its salts

Note: The CAS number refers to DNOC only.

**Note:** The CAS number refers to Dinoseb only.

<b>IUPAC name</b>	(1,4,5,6,7,7-hexachloro-8,9,10-trinorborn-5-en-2,3-ylenebismethylene) sulfite
<b>CAS number</b>	115-29-7
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

### 13 Endrin

<b>IUPAC name</b>	(1R,4S,4aS,5S,6S,7R,8R,8aR)-1,2,3,4,10,10-hexachloro-1,4,4a,5,6,7,8,8a octahydro-6,7-epoxy-1, 4:5,8-dimethano-naphthalene
<b>CAS number</b>	72-20-8
<b>Prescribed active constituent/chemical product</b>	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
<b>Relevant international agreement or arrangement</b>	Stockholm Convention
<b>Conditions or restrictions</b>	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)

### 14 Ethylene dibromide (EDB)

<b>IUPAC name</b>	1,2-dibromoethane
<b>CAS number</b>	106-93-4
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

#### 14A Ethylene dichloride

<b>IUPAC name</b>	1,2-dichloroethane
<b>CAS number</b>	107-06-2
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

#### 14B Ethylene oxide

<b>IUPAC name</b>	Oxirane
<b>CAS number</b>	75-21-8
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**15 Fluoroacetamide**

<b>IUPAC name</b>	2-fluoroacetamide
<b>CAS number</b>	640-19-7
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**16 HCH (mixed isomers) (BHC) (HCH) (except gamma isomer)**

<b>IUPAC name</b>	1,2,3,4,5,6-hexachlorocyclohexane
<b>CAS number</b>	608-73-1
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**17 Heptachlor**

<b>IUPAC name</b>	1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-4,7-methanoindene
<b>CAS number</b>	76-44-8
<b>Prescribed active constituent/chemical product</b>	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
<b>Relevant international agreement or arrangement</b>	Stockholm Convention
<b>Conditions or restrictions</b>	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)

**18 Hexachlorobenzene (HCB)**

<b>IUPAC name</b>	Hexachlorobenzene
<b>CAS number</b>	118-74-1
<b>Prescribed active constituent/chemical product</b>	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
<b>Relevant international agreement or arrangement</b>	Stockholm Convention
<b>Conditions or restrictions</b>	Import prohibited except with written permission under paragraph 3.65(1)(a)

	Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)
<b>19 Hydroxymercuri-o-nitrophenol</b>	
<b>IUPAC name</b>	
<b>CAS number</b>	17140-73-7
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>20 Lindane (<math>\gamma</math>-BHC, <math>\gamma</math>-HCH)</b>	
<b>IUPAC name</b>	1 $\alpha$ , 2 $\alpha$ , 3 $\beta$ , 4 $\alpha$ , 5 $\alpha$ , 6 $\beta$ )-hexachlorocyclohexane
<b>CAS number</b>	58-89-9
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>21 Mercuric acetate</b>	
<b>IUPAC name</b>	
<b>CAS number</b>	1600-27-7
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>22 Mercuric chloride</b>	
<b>IUPAC name</b>	Mercury (II) chloride; mercury dichloride
<b>CAS number</b>	7487-94-7
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**23 Mercuric oxide**

<b>IUPAC name</b>	Mercury (II) oxide; mercury oxide
<b>CAS number</b>	21908-53-2
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**24 Mercurous chloride**

<b>IUPAC name</b>	Mercury (I) chloride; dimercury dichloride
<b>CAS number</b>	7546-30-7
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**26 Mercury naphthenate**

<b>IUPAC name</b>	
<b>CAS number</b>	1336-96-5
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**27 Mercury oleate**

<b>IUPAC name</b>	
<b>CAS number</b>	1191-80-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**28      Mercury pentanedione**

<b>IUPAC name</b>	
<b>CAS number</b>	14024-55-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**29      Mercury phenate**

<b>IUPAC name</b>	
<b>CAS number</b>	588-66-9
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**30      Methamidophos**

<b>IUPAC name</b>	
<b>CAS number</b>	O,S-dimethyl phosphoramidothioate 10265-92-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**31      Methazole**

<b>IUPAC name</b>	2-(3,4-dichlorophenyl)-4-methyl-1,2,4-oxadiazolidine-3,5-dione
<b>CAS number</b>	20354-26-1
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**32      Methylmercury 2,3-dihydroxypropyl mercaptide**

<b>IUPAC name</b>	

**Schedule 1** Chemicals**Part 2** Chemical products defined in terms of a single active constituent

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<b>CAS number</b>	2597-95-7
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**33 Methylmercury 8-quinolinolate**

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<b>IUPAC name</b>	
<b>CAS number</b>	86-85-1
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**34 Methylmercury acetate**

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<b>IUPAC name</b>	
<b>CAS number</b>	108-07-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**35 Methylmercury benzoate**

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<b>IUPAC name</b>	Methylmercury(II) benzoate; methylmercury(2+) benzoate; methylmercuric benzoate
<b>CAS number</b>	3626-13-9
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

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### 36 Methylmercury hydroxide

<b>IUPAC name</b>	
<b>CAS number</b>	1184-57-2
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

### 37 Methylmercury nitrite

<b>IUPAC name</b>	
<b>CAS number</b>	2591-97-9
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

### 38 Methylmercury propionate

<b>IUPAC name</b>	
<b>CAS number</b>	5903-10-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

### 39 Mirex

<b>IUPAC name</b>	(1,1a,2,2,3,3a,4,5,5,5a,5b,6-dodecachlorooctahydro-1,3,4-metheno-1 <i>H</i> -cyclobuta[ <i>cd</i> ]pentalene) dodecachloropentacyclo[5.3.0.0 <sup>2,6</sup> .0 <sup>3,9</sup> .0 <sup>4,8</sup> ]decane or perchloropentacyclo-[5.3.0.0 <sup>2,6</sup> .0 <sup>3,9</sup> .0 <sup>4,8</sup> ]decane
<b>CAS number</b>	2385-85-5
<b>Prescribed active constituent/chemical product</b>	Prescribed active constituent for the purposes of subsection 69CA(2) of the Act
<b>Relevant international agreement or arrangement</b>	Stockholm Convention
<b>Conditions or restrictions</b>	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases

**Schedule 1** Chemicals**Part 2** Chemical products defined in terms of a single active constituent

Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)	
<b>40</b>	<b>Monocrotophos</b>
<b>IUPAC name</b>	Dimethyl (E)-1-methyl-2 (methylcarbamoyl)vinyl phosphate; 3-dimethoxyphosphinoyloxy-N-methylisocrotonamide
<b>CAS number</b>	6923-22-4
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>41</b>	<b>N-(phenylmercuric) urea</b>
<b>IUPAC name</b>	(phenylmercurio)urea
<b>CAS number</b>	2279-64-3
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>42</b>	<b>Parathion (ethyl)</b>
<b>IUPAC name</b>	O,O-diethyl O-4-nitrophenyl phosphorothioate
<b>CAS number</b>	56-38-2
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**43 Parathion-methyl**

<b>IUPAC name</b>	<i>O,O</i> -dimethyl <i>O</i> -4-nitrophenyl phosphorothioate
<b>CAS number</b>	298-00-0
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission Severely hazardous pesticide formulation under Annex III of the Rotterdam Convention—formulation in the form of: (a) emulsifiable concentrate with 19.5%, 40%, 50% and 60% active constituent; or (b) dust containing 1.5%, 2% and 3% active constituent

**44 Pentachlorophenol and its salts and esters**

<b>IUPAC name</b>	Pentachlorophenol
<b>CAS number</b>	87-86-5
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

Note: The CAS number refers to Pentachlorophenol only.

**45 Phenylethylmercuric salicylate**

<b>IUPAC name</b>	
<b>CAS number</b>	54-64-8
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

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**46 Phenylmercuric acetate**

<b>IUPAC name</b>	Phenylmercury(II) acetate; phenylmercury(2+) acetate; phenylmercuric acetate
<b>CAS number</b>	62-38-4
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**47 Phenylmercuric ammonium acetate**

<b>IUPAC name</b>	
<b>CAS number</b>	53404-67-4
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**48 Phenylmercuric ammonium propionate**

<b>IUPAC name</b>	
<b>CAS number</b>	53404-68-5
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**49      Phenylmercuric borate**

<b>IUPAC name</b>	
<b>CAS number</b>	102-98-7
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**50      Phenylmercuric carbonate**

<b>IUPAC name</b>	
<b>CAS number</b>	53404-69-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**51      Phenylmercuric chloride**

<b>IUPAC name</b>	Phenylmercury(II) chloride; phenylmercury(2+) chloride; phenylmercuric chloride
<b>CAS number</b>	100-56-1
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

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**52 Phenylmercuric dimethyldithiocarbamate**

<b>IUPAC name</b>	Phenylmercury dimethyldithiocarbamate
<b>CAS number</b>	32407-99-1
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**53 Phenylmercuric formamide**

<b>IUPAC name</b>	
<b>CAS number</b>	22894-47-9
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**54 Phenylmercuric hydroxide**

<b>IUPAC name</b>	
<b>CAS number</b>	100-57-2
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**55      Phenylmercuric lactate**

<b>IUPAC name</b>	
<b>CAS number</b>	122-64-5
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**56      Phenylmercuric monoethanol ammonium acetate**

<b>IUPAC name</b>	
<b>CAS number</b>	5822-97-9
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**57      Phenylmercuric monoethanol ammonium lactate**

<b>IUPAC name</b>	
<b>CAS number</b>	53404-70-9
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

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**58 Phenylmercuric naphthenate**

<b>IUPAC name</b>	
<b>CAS number</b>	31632-68-5
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**59 Phenylmercuric nitrate**

<b>IUPAC name</b>	
Phenylmercury(II) nitrate; phenylmercury(2+) nitrate; phenylmercuric nitrate	
<b>CAS number</b>	55-68-5
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**60 Phenylmercuric oleate**

<b>IUPAC name</b>	
<b>CAS number</b>	104-68-9
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**61 Phenylmercuric propionate**

<b>IUPAC name</b>	
<b>CAS number</b>	103-27-5
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**62 Phenylmercuric salicylate**

<b>IUPAC name</b>	Phenylmercury(II) salicylate; phenylmercury(2+) salicylate; phenylmercuric salicylate
<b>CAS number</b>	28086-13-7
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**63 Phenylmercuric thiocyanate**

<b>IUPAC name</b>	
<b>CAS number</b>	16751-55-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**64 Phenylmercuric threthanol ammonium lactate**

<b>IUPAC name</b>	
<b>CAS number</b>	23319-66-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**65 Phenylmercuric-2-ethylhexonate**

<b>IUPAC name</b>	
<b>CAS number</b>	13302-00-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**66 Phenylmercuric-8-quinolinate**

<b>IUPAC name</b>	Phenylmercury(II) quinolin-8-olate; phenylmercury(2+) quinolin-8-olate; phenylmercuric quinolin-8-olate
<b>CAS number</b>	26114-17-0
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**67      Phenyl mercury lauryl mercaptide**

<b>IUPAC name</b>	
<b>CAS number</b>	—
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**67A    Phorate**

<b>IUPAC name</b>	Diethoxy-(ethylsulfanylmethylsulfanyl)-sulfanylidene- $\lambda^5$ -phosphane
<b>CAS number</b>	298-02-2
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**68      Phosphamidon**

<b>IUPAC name</b>	2-chloro-2-diethylcarbamoyl-1-methylvinyl dimethyl phosphate
<b>CAS number</b>	13171-21-6 23783-98-4 297-99-4
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission Severely hazardous pesticide formulation under Annex III of the Rotterdam Convention—formulation in the form of soluble liquid that exceeds 1 000 grams of the active constituent per litre

**69 Toxaphene (camphechlor)**

<b>IUPAC name</b>	Reaction mixture of chlorinated camphenes containing 67–69% chlorine
<b>CAS number</b>	8001-35-2
<b>Prescribed active constituent/chemical product</b>	Prescribed active constituent for the purposes of subsection 69CA (2) of the Act
<b>Relevant international agreement or arrangement</b>	Stockholm Convention
<b>Conditions or restrictions</b>	Import prohibited except with written permission under paragraph 3.65(1)(a) Manufacture prohibited in all cases Use prohibited in all cases Export prohibited except with written permission under paragraph 3.230(1)(a), (b) or (c)

**70 Tribufos**

<b>IUPAC name</b>	S,S,S-tributyl phosphorotrithioate
<b>CAS number</b>	78-48-8
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**71 Tributyltin compounds**

<b>IUPAC name</b>	Includes 'tributylstannane' or 'tributylstannyl'
<b>CAS number</b>	
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

Note: Tributyltin compounds are a class of chemicals. The structure of each chemical includes the tributyltin group, which on its own has a formula written as  $C_{12}H_{27}Sn$  or  $(C_4H_9)_3Sn$ . Items 72 to 78 are specific examples of this class.

**72 Tributyltin benzoate**

<b>IUPAC name</b>	(Benzyloxy) tributyl stannane
<b>CAS number</b>	4342-36-3
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention

<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>73 Tributyltin chloride</b>	
<b>IUPAC name</b>	Tributyl-chloro stannane
<b>CAS number</b>	1461-22-9
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>74 Tributyltin fluoride</b>	
<b>IUPAC name</b>	Tributyl-fluoro stannane
<b>CAS number</b>	1983-10-4
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>75 Tributyltin linoleate</b>	
<b>IUPAC name</b>	Tributyl-(1-oxo-9,12-octadecadienyl)oxy-stannane
<b>CAS number</b>	24124-25-2
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission
<b>76 Tributyltin methacrylate</b>	
<b>IUPAC name</b>	Tributyl-(2-methyl-1-oxo-2-propyl)oxystannane
<b>CAS number</b>	2155-70-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**77 Tributyltin naphthenate**

<b>IUPAC name</b>	Tributyl-mono(naphthenoyloxy)stannane
<b>CAS number</b>	85409-17-2
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**78 Tributyltin oxide**

<b>IUPAC name</b>	Hexabutyl-distannoxane
<b>CAS number</b>	56-35-9
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

**79 Trichlorfon**

<b>IUPAC name</b>	dimethyl (RS)-2,2,2-trichloro-1-hydroxyethylphosphonate
<b>CAS number</b>	52-68-6
<b>Prescribed active constituent/chemical product</b>	No
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission

## Part 3—Chemical products defined in terms of 2 or more active constituents

### 1 Benomyl/carbofuran/thiram dustable powder

<b>Chemical product</b>	Dustable powder that contains: (a) benomyl (IUPAC name methyl 1-[(butylamino)carbonyl]-1H-benzimidazol-2-ylcarbamate, CAS number 17804-35-2) at or above 7%; and (b) carbofuran (IUPAC name 2,3-dihydro-2,2-dimethylbenzofuran-7-yl methylcarbamate, CAS number 1563-66-2) at or above 10%; and (c) thiram (IUPAC name tetramethylthiuram disulfide, CAS number 137-26-8) at or above 15%
<b>Relevant international agreement or arrangement</b>	Rotterdam Convention
<b>Conditions or restrictions</b>	Export prohibited except with written permission Severely hazardous pesticide formulation under Annex III of the Rotterdam Convention

## Schedules 2 to 4

Note: Schedules 2 to 4 are reserved for future use.

## Schedule 5—Infringement notices

Note: See regulation 3A.01.

<b>Penalty amounts for infringement notices</b>			
<b>Item</b>	<b>Civil penalty provision</b>	<b>Amount for individual (penalty units)</b>	<b>Amount for corporation (penalty units)</b>
<b>Civil penalty provisions of the Act</b>			
1	A contravention of subparagraph 69B(1)(a)(i) of the Act involving: (a) at least 10 kg of an active constituent for a veterinary chemical product; or (b) at least 100 kg of an active constituent for an agricultural chemical product	90	750
2	A contravention of subparagraph 69B(1)(a)(i) of the Act involving: (a) at least 1 kg, but less than 10 kg, of an active constituent for a veterinary chemical product; or (b) at least 10 kg, but less than 100 kg, of an active constituent for an agricultural chemical product	45	375
3	A contravention of subparagraph 69B(1)(a)(i) of the Act involving: (a) less than 1 kg of an active constituent for a veterinary chemical product; or (b) less than 10 kg of an active constituent for an agricultural chemical product	9	75
4	A contravention of subparagraph 69B(1)(a)(ii) involving at least 500 containers	90	750
5	A contravention of subparagraph 69B(1)(a)(ii) involving at least 50 containers but fewer than 500 containers	45	375
6	A contravention of subparagraph 69B(1)(a)(ii) involving fewer than 50 containers	9	75
7	A contravention of subsection 69CD(1)	15	125
9	A contravention of subsection 69EA(1)	15	125
10	A contravention of subsection 69EA(1A)	15	125
10A	A contravention of subsection 69ER(3) of the Act	90	750
10B	A contravention of subsection 69ER(4) of the Act	18	150
<b>Civil penalty provisions of the Collection Act</b>			
11	A contravention of section 15 of the Collection Act	15	125
12	A contravention of section 20 of the Collection Act	15	125
12A	A contravention of subsection 35(1) of the Collection Act	15	125
13	A contravention of section 36 of the Collection Act	15	125

Schedule 5 Infringement notices

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Penalty amounts for infringement notices			
Item	Civil penalty provision	Amount for individual (penalty units)	Amount for corporation (penalty units)
14	A contravention of subsection 37(1) of the Collection Act	15	125

## 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 how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

## Endnotes

### Endnote 2—Abbreviation key

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#### 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

## Endnote 3—Legislation history

## Endnote 3—Legislation history

Number and year	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
1995 No. 28	28 Feb 1995	15 Mar 1995 (r 2)	
1997 No. 320	17 Nov 1997	17 Nov 1997 (r 2)	—
2004 No. 242	12 Aug 2004	18 Aug 2004 (r 2)	—
2005 No. 104	8 June 2005 (F2005L01411)	1 July 2005 (r 2)	—
2006 No. 89	10 May 2006 (F2006L01437)	12 June 2006 (r 2)	—
2010 No. 91	31 May 2010 (F2010L01377)	1 June 2010 (r 2)	—
2010 No. 143	29 June 2010 (F2010L01802)	1 July 2010 (r 2)	—
2010 No. 307	13 Dec 2010 (F2010L03201)	14 Dec 2010 (r 2)	—
2012 No. 180	3 Aug 2012 (F2012L01647)	4 Aug 2012 (r 2)	—
179, 2013	29 June 2013 (F2013L01458)	Sch 1 (items 6–10): 1 July 2014 (s 2)	—
67, 2014	13 June 2014 (F2014L00714)	Sch 1 (items 6–10): 1 July 2014 (s 2 item 2)	—
5, 2015	3 Mar 2015 (F2015L00247)	Sch 2: 4 Mar 2015 (s 2 item 3)	—
219, 2015	16 Dec 2015 (F2015L02042)	Sch 1 (items 1–3): 17 Dec 2015 (s 2(1) item 2)	—
Name	Registration	Commencement	Application, saving and transitional provisions
Corporations and Other Legislation Amendment (Insolvency Law Reform) Regulation 2016	13 Dec 2016 (F2016L01926)	Sch 1 (item 1): 1 Mar 2017 (s 2(1) item 2)	—
Agricultural and Veterinary Chemicals Legislation Amendment (Reconsideration Participation Review) Regulations 2017	28 June 2017 (F2017L00771)	Sch 1 (item 1): 29 June 2017 (s 2(1) item 1)	—

## Endnotes

### Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Agricultural and Veterinary Chemicals (Administration) Amendment (Methamidophos) Regulations 2017	13 July 2017 (F2017L00919)	14 July 2017 (s 2(1) item 1)	—
Agricultural and Veterinary Chemicals (Administration) Amendment (Carbofuran and Trichlorfon) Regulations 2018	22 June 2018 (F2018L00848)	23 June 2018 (s 2(1) item 1)	—
Agricultural and Veterinary Chemicals Legislation Amendment (Timeshift Applications and Other Measures) Regulations 2019	22 Mar 2019 (F2019L00357)	Sch 1 (item 51): 23 Mar 2019 (s 2(1) item 1)	—
Agricultural and Veterinary Chemicals (Administration) Amendment (Phorate) Regulations 2020	13 July 2020 (F2020L00906)	14 July 2020 (s 2(1) item 1)	—
Minamata Convention on Mercury (Consequential Amendments) Regulations 2021	5 Oct 2021 (F2021L01390)	Sch 1 (items 1–42): 7 Mar 2022 (s 2(1) item 1)	—
Agricultural and Veterinary Chemicals Legislation Amendment (Improvements) Regulations 2021	20 Dec 2021 (F2021L01862)	Sch 1 (items 11–15): 21 Dec 2021 (s 2(1) item 5) Sch 1 (item 16): 7 Mar 2022 (s 2(1) item 6) Sch 1 (items 20, 21): 1 Jan 2022 (s 2(1) item 8)	—
Administrative Review Tribunal Legislation Consequential Amendments (2024 Measures No. 1) Regulations 2024	11 Oct 2024 (F2024L01299)	Sch 1 (items 1–3): 14 Oct 2024 (s 2(1) item 1)	—

## Endnote 4—Amendment history

## Endnote 4—Amendment history

Provision affected	How affected
<b>Part 1</b>	
Part 1 heading .....	ad 2004 No 242
r. 1 .....	rs 2004 No 242
r. 2	
Renumbered as r. 1.2 .....	2004 No 242
r 1.2 .....	rep LA s 48D
r. 3	
Renumbered as r 1.3 .....	2004 No 242
r 1.3 .....	am 2006 No 89; 2012 No 180; F2021L01390
r 1.3A .....	ad 2006 No 89
	am F2021L01390
r. 1.4 .....	ad 2004 No 242
r. 1.5 .....	ad 2004 No 242
<b>Part 1A</b>	
Part 1A .....	ad No 179, 2013
r 1A.1 .....	ad No 179, 2013
	am No 219, 2015
r 1A.2 .....	ad No 179, 2013
	rep F2021L01862
r 1A.3 .....	ad No 179, 2013
	am No 67, 2014; No 219, 2015; F2021L01862
<b>Part 2</b>	
Part 2 .....	ad 2004 No 242
r. 2.05 .....	ad 2004 No 242
r. 2.10 .....	ad 2004 No 242
r. 2.15 .....	ad 2004 No 242
r. 2.20 .....	ad 2004 No 242
r. 2.25 .....	ad 2004 No 242
r. 2.30 .....	ad 2004 No 242
r. 2.35 .....	ad 2004 No 242
r. 2.40 .....	ad 2004 No 242
r. 2.45 .....	ad 2004 No 242
<b>Part 3</b>	
Part 3 .....	ad 2004 No 242
<b>Division 3.1</b>	
r 3.05 .....	ad 2004 No 242
	am F2021L01390

## Endnotes

### Endnote 4—Amendment history

Provision affected	How affected
r. 3.10.....	ad 2004 No 242
r. 3.15.....	ad 2004 No 242
r. 3.20.....	ad 2004 No 242
<b>Division 3.2</b>	
<b>Subdivision 3.2.1</b>	
r 3.45.....	ad 2004 No 242 am F2021L01390
<b>Subdivision 3.2.2</b>	
r 3.50.....	ad 2004 No 242 am F2021L01390
r 3.55.....	ad 2004 No 242 am F2021L01390
r. 3.60.....	ad 2004 No 242
r 3.65.....	ad 2004 No 242 am F2021L01390
<b>Division 3.3</b>	
<b>Subdivision 3.3.1</b>	
r 3.100.....	ad 2004 No 242 am F2021L01390
<b>Subdivision 3.3.2</b>	
r. 3.105.....	ad 2004 No 242
r. 3.110.....	ad 2004 No 242
r. 3.115.....	ad 2004 No 242
r. 3.120.....	ad 2004 No 242
<b>Division 3.4</b>	
r. 3.145.....	ad 2004 No 242
r. 3.150.....	ad 2004 No 242
<b>Division 3.5</b>	
<b>Subdivision 3.5.1</b>	
r. 3.175.....	ad 2004 No 242
<b>Subdivision 3.5.2</b>	
r. 3.180.....	ad 2004 No 242
r. 3.185.....	ad 2004 No 242
r. 3.190.....	ad 2004 No 242
r. 3.195.....	ad 2004 No 242
<b>Division 3.6</b>	
<b>Subdivision 3.6.1</b>	
r 3.200.....	ad 2004 No 242 am F2021L01390

## Endnote 4—Amendment history

Provision affected	How affected
<b>Subdivision 3.6.2</b>	
r 3.205 .....	ad 2004 No 242 am F2021L01390
r 3.210 .....	ad 2004 No 242 am F2021L01390
r. 3.215 .....	ad 2004 No 242
r. 3.220 .....	ad 2004 No 242
r 3.225 .....	ad 2004 No 242 am F2021L01390
r 3.230 .....	ad 2004 No 242 am F2021L01390
r 3.235 .....	ad 2004 No 242 am F2021L01390
r 3.240 .....	ad 2004 No 242 am F2021L01390
r 3.245 .....	ad 2004 No 242 am F2021L01390
r 3.250 .....	ad 2004 No 242 am F2021L01390
<b>Division 3.7</b>	
r 3.305 .....	ad 2004 No 242 ed C19 am F2021L01390
r. 3.310 .....	ad 2004 No 242
r. 3.315 .....	ad 2004 No 242 am F2016L01926
r. 3.320 .....	ad 2004 No 242
r. 3.325 .....	ad 2004 No 242
r. 3.330 .....	ad 2004 No 242
r. 3.335 .....	ad 2004 No 242
r. 3.340 .....	ad 2004 No 242
r. 3.345 .....	ad 2004 No 242
r. 3.350 .....	ad 2004 No 242
<b>Division 3.8</b>	
r. 3.405 .....	ad 2004 No 242
r. 3.410 .....	ad 2004 No 242
<b>Division 3.9</b>	
Division 3.9 .....	ad 2004 No 242
r. 3.505 .....	ad 2004 No 242

## Endnotes

### Endnote 4—Amendment history

Provision affected	How affected
r. 3.510.....	ad 2004 No 242
r 3.515.....	ad No 242, 2004 am F2024L01299
r 3.520.....	ad No 242, 2004 am F2024L01299
r. 3A.....	ad 1997 No 320
Renumbered r. 3.550 .....	2004 No 242
r 3.550.....	rs No 104, 2005 am No 143, 2010; F2019L00357
<b>Part 3A</b>	
Part 3A.....	ad No 179, 2013
r 3A.01 .....	ad No 179, 2013
<b>Part 4</b>	
Part 4 heading .....	ad 2004 No 242
r. 4	
Renumbered r. 4.10 .....	2004 No 242 rs No 67, 2014 rep F2021L01862
r. 5	
Renumbered as 4.15 .....	2004 No 242
r. 4.15.....	am 2006 No 89 rs No 179, 2013
r 4.20.....	ad F2017L00771
<b>Part 5</b>	
Part 5.....	ad F2021L01390
<b>Division 1</b>	
r 5.05.....	ad F2021L01390
Part 5 (second occurring).....	ad F2021L01862 renum ed C21
<b>Part 5A</b>	
Part 5A (previously Part 5 (second occurring))	
r 5.1.....	ad F2021L01862
<b>Schedule 1</b>	
Schedule heading .....	rs 2004 No 242
<b>Part 1</b>	
Part 1.....	ad 2004 No 242
c. 1 .....	ad 2004 No 242 am 2006 No 89; 2012 No 180

## Endnote 4—Amendment history

Provision affected	How affected
c. 2 .....	ad 2004 No 242
<b>Part 2</b>	
Part 2 heading .....	rs 2006 No 89
Part 2 .....	ad No 242, 2004 am No 89, 2006; No 91, 2010; No 307, 2010; No 180, 2012; No 67, 2014; No 5, 2015; F2017L00919; F2018L00848; F2020L00906; F2021L01390
<b>Part 3</b>	
Part 3 .....	ad. 2006 No. 89
<b>Schedules 2–5</b>	
Heading and Note to .....	ad. 2004 No. 242
Schedules 2–5	rep No 179, 2013
<b>Schedule 5</b>	
Schedule 5 .....	ad No 179, 2013 am F2021L01862
Heading to Schedule 6 .....	rs. 2004 No. 242
formerly Schedule	rep No 179, 2013
Schedule 6 .....	rep No 179, 2013