

Agricultural Compounds and Veterinary Medicines Amendment Act 2000

Public Act 2000 No 50
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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Agricultural Compounds and Veterinary Medicines Amendment Act 2000.
- (2) In this Act, the Agricultural Compounds and Veterinary Medicines Act 1997 is called “the principal Act”.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 New sections 6 and 7 substituted

The principal Act is amended by repealing sections 6 and 7, and substituting the following sections:

“6 Agricultural compound clearance

“(1) In this section and section 7, **goods** means any of the following that is capable of being used as an agricultural compound:

“(a) an agricultural compound:

“(b) a substance:

“(c) a mixture of substances:

“(d) a biological compound.

“(2) An inspector may give a clearance for entry into New Zealand for any goods if the circumstances described in subsection (3) exist.

“(3) The circumstances are—

“(a) that—

“(i) the goods are goods that the importer has declared, under section 7, that the importer will not sell or use as an agricultural compound; or

“(ii) the goods are a registered trade name product, and the product complies with the conditions imposed on its registration under section 23 or its provisional registration under section 27; or

“(iii) the goods are an agricultural compound and are exempt from registration as a trade name product by regulations made under section 75; or

“(iv) the goods are an agricultural compound that complies with Part 8; and

“(b) that there are no discrepancies that suggest that it may be unwise to rely on the documentation accompanying the goods, either—

“(i) in the documentation itself; or

“(ii) between the documentation and the goods.

“(4) A clearance for entry into New Zealand given under this section does not affect the provisions of any other Act.

“7 Declaration

The importer of any goods may, for the purposes of section 6(3)(a)(i), make a statutory declaration declaring that the importer will not sell or use the goods as an agricultural compound.”

4 Decision on application for provisional registration

(1) Section 27 of the principal Act is amended by repealing subsection (2), and substituting the following subsection:

“(2) The Director-General must provisionally register the trade name product if—

“(a) the provisional registration will enable the product’s use—

“(i) for the purpose of obtaining further information on it in order to determine whether it should be registered under section 21; or

“(ii) in research that does not have as a purpose the registration of the product in New Zealand; and

“(b) in the Director-General’s opinion, the risks of using the product can be adequately managed by imposing conditions on the provisional registration that—

“(i) ensure that neither the product nor any animals, plants, or primary produce to which it has been applied or exposed are sold, released, or used in any way for purposes other than those for which the provisional registration is granted; and

“(ii) ensure that the product and any animals, plants, or primary produce to which it has been applied or exposed are disposed of in a way that minimises the risks from it.”

(2) Section 27(5) of the principal Act is amended by omitting the expression “subsection 2(a) and (b)”, and substituting the words “the provisional registration”.

5 Offences

Section 55(2)(a) of the principal Act is amended by omitting the words “an inspector or authorised person”, and substituting the words “the Director-General or an inspector or an authorised person”.

6 Appointment of inspectors

Section 60(2) of the principal Act is amended by omitting the word “certificate”, and substituting the word “instrument”.

7 Appointment of authorised persons

- (1) Section 61(1) of the principal Act is amended by omitting the word “certificates”, and substituting the word “instruments”.
- (2) Section 61(2) of the principal Act is amended by omitting the word “certificate”, and substituting the word “instrument”.

8 Appointment of accredited persons

Section 62(2) of the principal Act is amended by omitting the words “certificate of appointment”, and substituting the words “instrument of accreditation”.

Legislative history

9 November 2000

Divided from the Statutes Amendment Bill (No 7) as reported from the Justice and Electoral Committee (Bill 334-A2), third reading
