



Victoria Government Gazette

No. S 495 Tuesday 23 October 2018
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Agricultural and Veterinary Chemicals (Control of Use) Act 1992

EXEMPTION ORDER UNDER SECTION 5

Order in Council

The Governor in Council under section 5 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** makes the following Order:

1. Objective

The objective of this Order is to –

- (a) exempt a class of persons from specified provisions of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**.

2. Authorising provision

This Order is made under section 5 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**.

3. Commencement

This Order comes into effect on 23 November 2018.

4. Definitions

In this Order –

‘authorised officer’ means any person appointed as an authorised officer under section 53 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**.

5. Exemptions

An authorised officer is exempt from the requirement in section 53(3)(a) of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** to produce his or her identity card for inspection before exercising his or her power under section 54(1)(a), 54(1)(b), 54(1)(c), 54(1)(f), 54(1)(ga), 54(1)(h), 54(1)(i), 54(1)(ia) and 54(1)(j) in the following specified circumstances:

- a) where an authorised officer enters any land or premises (other than residential premises), and the owner or occupier of the land or premises, or any other person, is not present, on the condition that the authorised officer –
 - on leaving the land or premises, affixes or places a notice on the land or at the premises (as relevant), in a conspicuous manner, setting out –
 - A. the time of entry; and
 - B. the purpose of entry; and
 - C. a description of all things done while on the land; and
 - D. the time of departure; and
 - E. contact details of the authorised officer; and
 - F. a copy of this Order.

Dated 23 October 2018

Responsible Minister:

HON JAALA PULFORD MP
Minister for Agriculture

ANDREW ROBINSON
Clerk of the Executive Council

SPECIAL

Agricultural and Veterinary Chemicals (Control of Use) Act 1992**ORDER PROHIBITING THE USE OF CHEMICAL PRODUCTS FOR WHICH
REGISTRATION IS SUSPENDED OR CANCELLED IN CERTAIN CIRCUMSTANCES****Order in Council**

The Governor in Council under section 25A(2) of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** makes the following Order:

1. Objective

The objective of this Order is to prohibit the use of a chemical product if its registration is suspended or cancelled under specified sections of the Agvet Code of Victoria in certain circumstances.

2. Authorising provision

This Order is made under section 25A(2) of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**.

3. Commencement

This Order comes into effect on the date it is published in the Government Gazette.

4. Prohibition

A person must not use a chemical product if the registration of the chemical product is suspended or cancelled under section 34AA, 35A or 41 of the Agvet Code of Victoria unless –

- a) the use of the chemical product is in accordance with a permit issued, or deemed to be issued, under the Agvet Code of Victoria; or
- b) the use of the chemical product is by, or in accordance with the instructions of, a veterinary practitioner in the course of the practice of the veterinary practitioner's profession.

Note: *Agvet Code of Victoria* and *chemical product* are defined in the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**. As this Order is made under that Act, terms used in this Order have the same meaning as in that Act, in accordance with section 23 of the **Interpretation of Legislation Act 1984**.

Dated 23 October 2018

Responsible Minister:

HON JAALA PULFORD MP

Minister for Agriculture

ANDREW ROBINSON
Clerk of the Executive Council

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