



# Agricultural Compounds and Veterinary Medicines (Transitional Provisions) Regulations 2002

Silvia Cartwright, Governor-General

## Order in Council

At Wellington this 27th day of May 2002

Present:

Her Excellency the Governor-General in Council

Pursuant to section 88 of the Agricultural Compounds and Veterinary Medicines Act 1997, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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## Regulations

### 1 Title

These regulations are the Agricultural Compounds and Veterinary Medicines (Transitional Provisions) Regulations 2002.

### 2 Commencement

These regulations come into force on 1 July 2002.

### 3 Interpretation

In these regulations, **1997 Act** means the Agricultural Compounds and Veterinary Medicines Act 1997.

### 4 Certain animal remedies to be treated as registered under 1997 Act until close of 1 July 2004

- (1) An animal remedy licensed under the Animal Remedies Act 1967 or under section 93 of the 1997 Act—
  - (a) is no longer licensed under either of those Acts; and
  - (b) is to be treated as having been registered as a trade name product—
    - (i) under section 21 of the 1997 Act if it was fully licensed; or
    - (ii) under section 27 of the 1997 Act if it was provisionally licensed.
- (2) The person who held a licence referred to in subclause (1) is to be treated as the registrant of the trade name product.
- (3) An animal remedy to which subclause (1) applies is to cease to be treated as a registered trade name product on the earlier of—
  - (a) the expiry date of the licence referred to subclause (1); or
  - (b) the close of 1 July 2004.
- (4) This regulation does not apply to an agricultural compound that is exempt from registration under the Agricultural Compounds and Veterinary Medicines Regulations 2001.

**5 Certain pesticides to be treated as registered under 1997 Act until close of 1 July 2004**

- (1) A pesticide that is an agricultural compound and that is registered under the Pesticides Act 1979 in the manner described in section 112(1)(a) or (d) of the 1997 Act—
  - (a) is no longer subject to sections 112 to 122 of the 1997 Act; and
  - (b) is to be treated as having been registered as a trade name product under section 21 of the 1997 Act.
- (2) The proprietor of the pesticide is to be treated as the registrant of the trade name product.
- (3) A pesticide to which subclause (1) applies is to cease to be treated as a registered trade name product on the close of 1 July 2004.
- (4) This regulation does not apply to an agricultural compound that is exempt from registration under the Agricultural Compounds and Veterinary Medicines Regulations 2001.
- (5) This regulation does not apply to an experimental use permit issued under section 25 of the Pesticides Act 1979.

**6 Condition or requirement imposed by or under Animal Remedies Act 1967 or Pesticides Act 1979 continues subject to 1997 Act**

- (1) This regulation applies to a condition or requirement imposed by or under the Animal Remedies Act 1967 or the Pesticides Act 1979 in relation to an animal remedy or pesticide that is to be treated, under regulation 4 or regulation 5, as having been registered as a trade name product.
- (2) A condition or requirement is to be treated as if it were a condition imposed under section 23 of the 1997 Act on the importation, manufacture, sale, or use of the animal remedy or pesticide.
- (3) However, a condition or requirement does not apply to the extent that it is inconsistent with the 1997 Act.

**7 Certain information relating to animal remedies and pesticides continues to be protected**

The protection accorded to information by section 109 or section 121 of the 1997 Act continues in respect of an animal

remedy or a pesticide that is to be treated, under regulation 4 or regulation 5, as having been registered as a trade name product.

## 8 Application of Hazardous Substances and New Organisms Act 1996

These regulations do not affect the application of the Hazardous Substances and New Organisms Act 1996 to an animal remedy or pesticide that is to be treated, under regulation 4 or regulation 5, as having been registered as a trade name product.

Diane Wilderspin,  
Acting for Clerk of the Executive Council.

### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 1 July 2002, set out transitional provisions under the Agricultural Compounds and Veterinary Medicines Act 1997 (the **1997 Act**).

Under the 1997 Act, certain animal remedies and pesticides continue to be governed by the provisions of the Animal Remedies Act 1967 and the Pesticides Act 1979. These regulations end this transitional regime and provide that animal remedies, and pesticides that are agricultural compounds, are to be treated as if they were registered as trade name products under the 1997 Act.

For most animal remedies and pesticides, this deemed registration will continue until the close of 1 July 2004.

The conditions and requirements that the animal remedies and pesticides were subject to under the Animal Remedies Act 1967 and the Pesticides Act 1979 are to be treated as conditions imposed under the 1997 Act, except to the extent that they are inconsistent with the 1997 Act. The regulations do not affect the application of the Hazardous Substances and New Organisms Act 1996.

Certain confidential information relating to animal remedies and pesticides that is protected by transitional provisions in the 1997 Act continues to be protected.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

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These regulations are administered in the Ministry of Agriculture and Forestry.

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