



CHAPTER 2

ORGANISATION

OVERVIEW

The APVMA is the independent Australian Government statutory authority responsible for the assessment and registration of pesticides and veterinary medicines and for their regulation up to and including the point of retail sale.

The APVMA administers and manages the National Registration Scheme for Agricultural and Veterinary Chemicals, which sets out the regulatory framework for managing pesticides and veterinary medicines in Australia. The APVMA administers the scheme's legislation in partnership with state and territory governments and with the active involvement of other Australian Government agencies.

The role of the APVMA is to independently evaluate the safety and performance of pesticides and veterinary medicines intended for sale, ensuring that the health and safety of people, animals and crops, the environment and trade are protected. All registered products must be shown to work and be safe for people and the environment. Registered products must also not unduly jeopardise Australia's trade with other nations.

The APVMA constantly monitors the market for compliance to prevent unregistered products being sold. In addition, registered chemical products are also reviewed to ensure that they continue to meet high contemporary standards.

The states and territories are responsible for regulating and managing the use of pesticides and veterinary medicines once they are sold.

Responsible Minister

The APVMA is in the portfolio of the Minister for Agriculture, Fisheries and Forestry, the Hon. Tony Burke MP, who has had direct responsibility for the authority since November 2007 (Figure 1).



Governing legislation

The APVMA operates according to its governing legislation, the *Agricultural and Veterinary Chemicals (Administration) Act 1992* (the Administration Act), and the *Agricultural and Veterinary Chemicals Code* (the Agvet Code), which is scheduled to the *Agricultural and Veterinary Chemicals Code Act 1994*.

The Administration Act sets out the APVMA's role as an independent statutory authority to undertake the responsibilities conferred on it by the states and territories under the National Registration Scheme. The Agvet Code lists operational provisions for approving active constituents, registering chemical products, and approving labels.

Stakeholders

The APVMA consults with a range of stakeholders as part of its regulatory role, including:

- APVMA staff
- the community
- the chemicals industry
- Australian, state and territory governments
- farmers and farm workers
- other users of pesticides and veterinary medicines
- other national and international regulators.

Funding arrangements

The APVMA manages its operations in accordance with the Australian Government's cost recovery policy. Almost all of the APVMA's operational income is collected from registrants of pesticides and veterinary medicines.

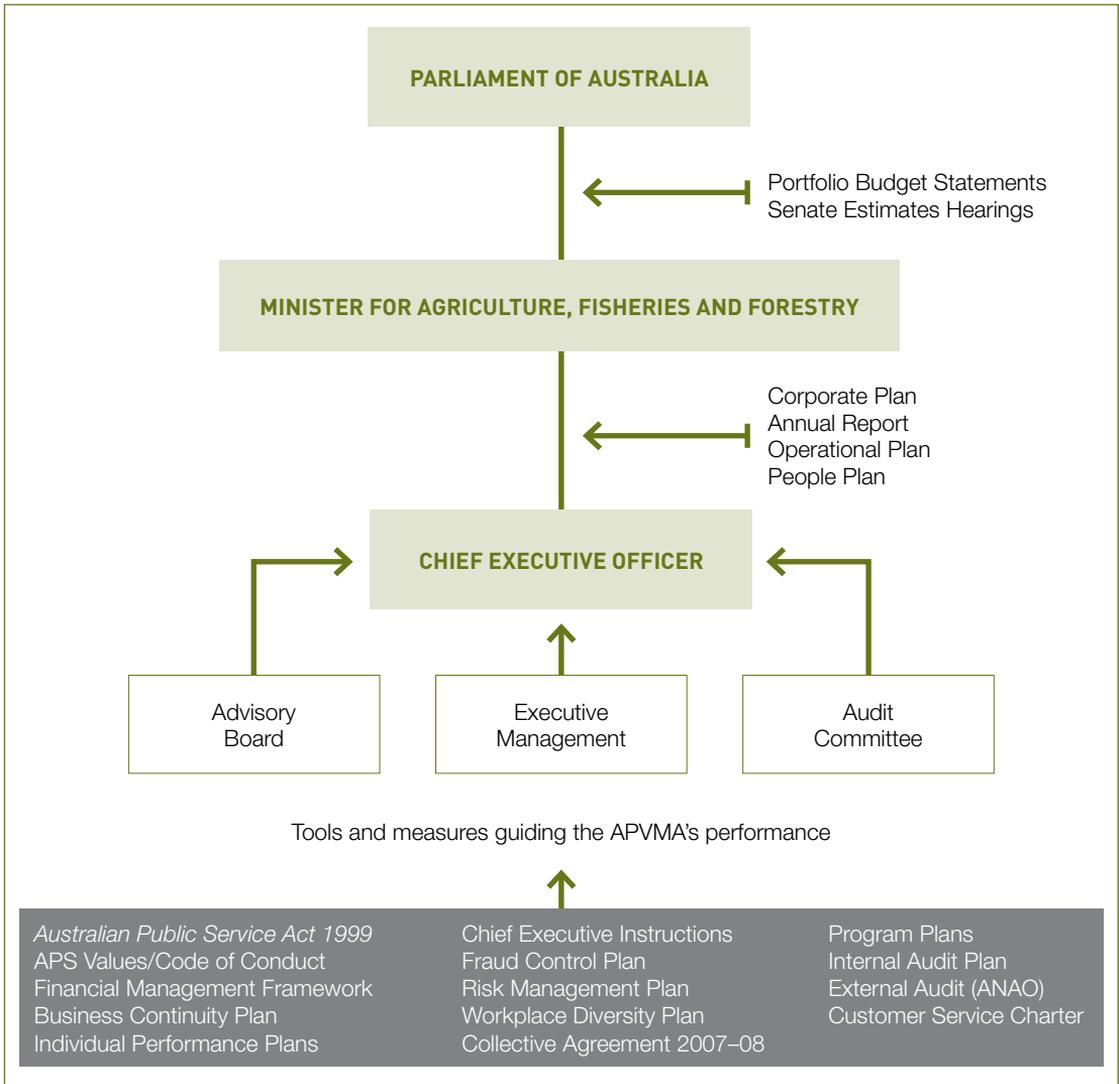
In 2008–09, industry contributions were 96 per cent of total revenue, which is an increase from 94 per cent in 2007–08. Registrants pay fees to register and renew the registration of products. Registrants also pay an annual levy based on the sales (and other disposals) of their registered products.

The APVMA is currently reviewing its cost recovery arrangements. The APVMA has considered all comments received, and it is now preparing a final cost recovery impact statement for the Minister's agreement. The final statement will set out the fee structure for the next five years, or until the next review if that is necessary before 2013.

The APVMA's income for 2008–09 was \$24.83 million, an increase of \$2.37 million (10.55 per cent) from 2007–08. The increase in revenue is primarily due to higher levy revenue.



Figure 1: APVMA within the Australian Government



The APVMA's executive management and structure

The executive management team is the senior committee in the APVMA. It uses the collective skills and experience of the executive and APVMA staff to develop and consider strategic initiatives and address operational issues that are of importance to the APVMA.

The APVMA's executive management team oversees the agency's business and compliance performance by overseeing development of key corporate plans and strategies, monitoring and reviewing organisational performance and risk, and ensuring that the APVMA meets its regulatory requirements.

The APVMA's executive management team consists of the CEO and the five program managers (Figure 2). Principal Scientists provide support on complex scientific issues and in maintaining scientific standards. The executive management team and principal scientists and their areas of responsibility as at 30 June 2009 are described below.

Dr Eva Bennet-Jenkins BSc (Hons) PhD GAICD

Chief Executive Officer (CEO)

The CEO consults with the APVMA Advisory Board and main stakeholders to set the organisation's vision, objectives and strategies to meet its legislative responsibilities. The CEO's principal responsibilities are to approve the preparation of strategic, financial and operational plans and budgets; monitor financial and operational performance; and oversee program performance to ensure that the APVMA meets its objectives.

A large part of the CEO's time involves communicating with stakeholders, including state, territory and Australian government agencies, community groups, farming organisations, the chemical industry and key international agencies.

The CEO takes a leadership role for the agency, particularly in ensuring that a quality service is provided to stakeholders.

Mrs Kathleen Barden BSc LLM

Acting General Counsel

The General Counsel is responsible for ensuring that the APVMA fulfils its legislative objectives, that the APVMA operates accountably, and that it can respond effectively to legal challenge. The General Counsel oversees the development of the APVMA's governing legislation and is responsible for ensuring that the APVMA's decisions are lawful and that the organisation complies with its legislative responsibilities.

Dr Raj Bhula BSc (Hons) PhD (Chemistry)

Program Manager, Pesticides Program

The Program Manager, Pesticides has overall responsibility for managing the APVMA's activities related to evaluation, registration and review of pesticides. The program includes the chemistry section, pesticide residues section and Adverse Experience Reporting Programs (AERP).



Key responsibilities include providing timely services and managing issues related to assessing applications to register or permit the use of pesticides. Additionally, the position is responsible for the ongoing review of existing products to determine whether they continue to meet contemporary standards and for continuous improvement to enhance the efficiency and effectiveness of the registration and review processes.

Mrs Joanne Mitchell BBus CPA

Program Manager, Corporate Services

The Program Manager, Corporate Services provides strategic advice to the CEO on finance and administration, human resources, information services and information technology.

Key responsibilities include providing timely and accurate financial data, and preparing financial plans, budgets and strategies that maximise the organisation's ability to deliver quality services with the funds available.

The position is also responsible for the library, records management, archive system, e-commerce and the development of strategic plans.

Mr Neville Matthew Grad Cert Pol Studies, Grad Cert PSL

Program Manager, Regulatory Strategy and Compliance

The Program Manager, Regulatory Strategy and Compliance is responsible for ensuring manufacturers and suppliers of pesticides and veterinary medicines comply with the Australian registration requirements set out in the Agvet Code. This responsibility extends to, and includes, the point of retail sale. State and territory laws apply thereafter.

The Program Manager, Regulatory Strategy and Compliance is also responsible for negotiating and managing the scientific and compliance service provision arrangements with various Australian and state government agencies. The occupant of this position is also responsible for the APVMA's public affairs function.

Mr James Suter BA (Hons) LLB

Acting Program Manager, Veterinary Medicines

The Program Manager, Veterinary Medicines has responsibility for the APVMA's activities related to evaluation, registration and review of veterinary medicines.

The position has responsibility for providing leadership and strategic advice to the CEO in relation to veterinary medicines and broader organisational issues as part of the APVMA executive team.

Key responsibilities include providing timely services and managing issues related to assessing applications to register or permit the use of veterinary medicines. Additionally, the position is responsible for the ongoing review of existing products to determine whether they continue to meet contemporary standards. The position is also responsible for continuous improvement to enhance the efficiency and effectiveness of the registration and review processes. Further responsibilities are the manufacturing licensing program for veterinary medicines, the application management and enquiries section, and residues.

Dr David Loschke BSc PhD*Principal Scientist, Agricultural Chemicals*

The Principal Scientist, Agricultural Chemicals is responsible for maintaining and improving the quality of science from the Pesticides Program and for leading the APVMA's provision of scientific advice on pesticides.

Dr Phil Reeves BVSc PhD FACVSc*Principal Scientist, Residues and Veterinary Medicines*

The Principal Scientist, Residues and Veterinary Medicines is responsible for maintaining and improving the quality of science for the Veterinary Residues team, the Veterinary Medicines Program, and for leading the APVMA's provision of scientific advice on veterinary medicines, animal health, and residues.

The APVMA Advisory Board

An Advisory Board supports the CEO by providing advice and making recommendations to the CEO. The Advisory Board does not have decision-making power, but it assists by informing the CEO and providing an expert consultative mechanism. The CEO is responsible for the governance and management of the APVMA, including the performance of its functions and the exercise of its powers. Arrangements for the Advisory Board's appointment, function and procedure, as well as its interaction with the CEO, are prescribed by legislation.

The Advisory Board consists of up to nine part-time members. Advisory Board members are appointed by the Minister for their experience in specific fields defined in the legislation. These fields include the regulation of chemical products at state and territory level, the agricultural chemical industry, the veterinary medicine industry, primary production, environmental toxicology, protection of consumer interests, public health and occupational health and safety. The Minister also has the discretion to appoint an additional board member who has experience in a field relevant to the APVMA's functions.

The APVMA Advisory Board provides input into the APVMA's focus and strategic direction.

The CEO is required to hold as many meetings with the Advisory Board as are necessary for the efficient performance of the APVMA's functions. The Advisory Board may also meet of its own accord as is necessary for the efficient performance of its functions. In 2008–09, the Advisory Board met on four occasions—with the CEO and of its own accord. (For details, see Appendix A.)

The experience of the Advisory Board complements the role and responsibilities of the APVMA and includes representation from each key stakeholder sector. The Hon. Sussan Ley MP, Parliamentary Secretary to the then Minister for Agriculture, Fisheries and Forestry, appointed the inaugural APVMA Advisory Board on 1 August 2007 for a term of up to three years. The current members are as follows:

Mr Mark Allison is a former Chairman of CropLife Australia and a former Director of the APVMA. He was appointed as a member of the Advisory Board because of his experience in the agricultural chemical industry. Mr Allison chairs the APVMA Advisory Board.



Mr Simon Robinson is the former Chairman and President of the Animal Health Alliance. He was appointed as a member of the Advisory Board because of his broad experience in the veterinary medicine industry.

Mr Wayne Cornish is a farmer, Chairman of ChemCert Australia and the South Australian Farmers Federation and former Chairman of the National Farmers' Federation Farm Chemicals Sub committee and drumMUSTER. Mr Cornish was appointed as a member of the Advisory Board because of his broad expertise and experience in primary production.

Ms Jenni Mack is the Chair of CHOICE (Australian Consumers' Association), and she is the former Chairperson of the APVMA's Community Consultative Committee. She was appointed as the member of the Advisory Board because of her extensive experience in protecting the interests of consumers.

Professor Michael Moore is Director of the National Research Centre for Environmental Toxicology, and he has broad experience in environmental and health issues. He was appointed as the member of the Advisory Board because of his experience in occupational environmental toxicology, including his knowledge of chemicals on ecosystems.

Mr Claude Gauchat is the Managing Director of direct2 Pty Ltd and a former Executive Director of Avcare Ltd. He has extensive experience in all aspects of agricultural and veterinary medicine regulation. He was appointed as one of two members of the Advisory Board with experience in the regulation of chemical products under the law of a state or territory.

Mr Roger Toffolon is the Manager of the Biological and Chemical Risk Management Unit within the NSW Department of Primary Industries. He is an expert in the regulation of farm chemicals. He was appointed as one of two members of the Advisory Board with experience in the regulation of chemical products under the law of a state or territory.

Dr Richard Russell is the Managing Director of RAR Investments Pty Ltd. He was appointed as the member of the Advisory Board because of his experience in public health and occupational health and safety.

Figure 2: Organisation structure as at 30 June 2009

