

- “(aa) a decision under section 11A that the application does not comply with subsection 11(1);
- (ab) a decision under section 11A to defer consideration of an application for approval of an active constituent for a proposed or existing chemical product, for registration of a chemical product or for approval of a label for containers for a chemical product, or to treat such an application as having been withdrawn;
- (ac) a decision under section 11A to reject an application for approval of an active constituent for a proposed or existing chemical product, for registration of a chemical product or for approval of a label for containers for a chemical product;
- (ad) a decision under subparagraph 11A(3)(a)(iii) refusing to extend a period;
  - (a) a decision under Division 2 of Part 2 to refuse an application for approval of an active constituent for a proposed or existing chemical product, for registration of a chemical product or for approval of a label for containers for a chemical product;
  - (b) a decision under Division 2 of Part 2 to approve an active constituent for a proposed or existing chemical product, to register a chemical product, or to approve a label for containers for a chemical product, subject to particular conditions;
- (ba) a decision under section 28A that the application does not comply with subsection 28(1);
- (bb) a decision under section 28A:
  - (i) to defer consideration of an application to vary the relevant particulars, or the conditions, of an approval or registration; or
  - (ii) to treat such an application as having been withdrawn; or
  - (iii) to reject such an application;
- (bc) a decision under section 28A refusing to extend a period;
  - (c) a decision under Division 3 of Part 2 to refuse an application to vary the relevant particulars of the approval of an active constituent for a proposed or existing chemical product, the relevant particulars of the registration of a chemical product or the relevant particulars of the approval of a label for containers for a chemical product;
  - (d) a decision under Division 3 of Part 2 to refuse an application to vary the conditions of the approval of an active constituent for a proposed or existing chemical product, the registration of a chemical product, or the approval of a label for containers for a chemical product;
  - (e) a decision under Division 4 of Part 2 to vary the conditions of the approval of an active constituent for a proposed or existing chemical product, the registration of a chemical product, or the approval of a label for containers for a chemical product;
- (ea) a decision (the *information decision*) under subsection 34D(3) that the APVMA is satisfied that it is in the public interest to use information that section 34C would otherwise prohibit the APVMA from using for making a decision (the *substantive decision*):
  - (a) under section 14 or 29 about an application; or
  - (b) under section 34 about a reconsideration of an approval or registration;
- (f) a decision under Division 5 of Part 2 to suspend or cancel the approval of an active constituent for a proposed or existing chemical product, the

registration of a chemical product or the approval of a label for containers for a chemical product;

- (fa) a decision under Division 4 of Part 2A to refuse an application for listed registration of a chemical product;
  - (fb) a decision under Division 4 of Part 2A to grant listed registration of a chemical product subject to particular conditions;
  - (fc) a decision under Division 5 of Part 2A to refuse an application to vary the relevant particulars of the listed registration of a chemical product;
  - (fd) a decision under Division 5 of Part 2A to refuse an application to vary the conditions of the listed registration of a chemical product;
  - (fe) a decision under Division 5 of Part 2A to vary the conditions of the listed registration of a chemical product;
  - (ff) a decision under Division 7 of Part 2A to suspend or cancel the listed registration of a chemical product;
  - (g) a decision under subsection 48(3) or 56ZL(3) refusing to accept a late application;
  - (h) a decision to use protected information under paragraph 59(2)(d);
  - (i) a decision under subsection 74(2), 75(2), 76(2) or 78(2) extending, or refusing to extend, a period;
  - (ia) a decision under subsection 81(3) shortening, or extending or refusing to extend, a period;
    - (j) a decision under section 99 to require the analysis of a substance or mixture of substances;
  - (k) a decision to issue a recall notice;
  - (l) a decision under Part 7 to refuse an application for a permit;
  - (m) a decision under Part 7 to issue a permit subject to particular conditions or for a particular period only;
  - (n) a decision under Part 7 to refuse to extend a permit;
  - (o) a decision under section 118 to suspend a permit;
  - (p) a decision under section 119 to cancel a permit;
  - (q) a decision under Part 8 to refuse an application for a licence;
  - (r) a decision under Part 8 to issue a licence subject to particular conditions referred to in subsection 126(1);
  - (s) a decision under subsection 126(2) to impose a new condition on a licence or varying an existing condition;
  - (t) a decision under section 127 to suspend or cancel a licence;
  - (u) a decision under subsection 159(3) to treat an application as having been withdrawn or to suspend further consideration of an application;
  - (v) a decision to disclose information to an authority or organisation under paragraph 162(3)(d) without the consent of the interested person concerned;
  - (w) a decision to disclose information under section 163;
  - (x) a decision under subsection 164(8) to refuse to waive or remit the whole or a part of a fee.
- (2) For the purposes of this section, if an application made to the APVMA is not determined within the period within which the APVMA has to determine the application, the APVMA is taken to have made a decision at the end of that period to refuse the application.

- (2A) Despite paragraph (1)(ea), an application may not be made to the Administrative Appeals Tribunal for review of the information decision if the APVMA stated in the notice of that decision given under section 34E that the APVMA believed it was necessary to make the substantive decision before the end of 28 days after giving the notice, to prevent imminent risk to public health or occupational health or safety.
- (3) This section has effect subject to the *Administrative Appeals Tribunal Act 1975*.
- (4) In this section:
- decision*** has the same meaning as in the *Administrative Appeals Tribunal Act 1975*.”