



Regulator Statement of Intent 2023

This Regulator Statement of Intent outlines the response from the Board of the Australian Pesticides and Veterinary Medicines Authority (APVMA) to the priorities of the Australian Government for the APVMA as expressed in the Ministerial Statement of Expectations issued by the Senator the Hon Murray Watt, Minister for Agriculture, Fisheries and Forestry (dated 12 September 2023). The Board also notes the Ministerial Direction (issued 13 July 2023) concerning the finalisation of eight chemical reconsiderations.

The APVMA will work to meet the expectations of the Minister, and his direction of 13 July 2023, in a manner consistent with its broader regulatory responsibilities as described in legislation, including the *Agricultural and Veterinary Chemicals (Administration) Act 1992* and the *Agricultural and Veterinary Chemicals Code Act 1994*.

Our purpose

The APVMA regulates agvet chemicals to manage the risks of pests and diseases for the Australian community and to protect Australia's trade and the health and safety of people, animals and the environment.

Our role

The APVMA is the independent statutory authority responsible, in partnership with the states and territories, for the regulation of agricultural chemicals and veterinary medicines in Australia. The APVMA performs a vital role in ensuring that agricultural chemicals and veterinary medicines used in Australia are safe and effective through a range of assessment, advisory, consultation and enforcement functions. The APVMA is also a corporate Commonwealth entity and operates within the relevant frameworks of the Australian Government, including the *Public Governance, Performance and Accountability Act 2013*, the *Public Service Act 1999* and the *Regulator Performance Resource Management Guide 128*.

Our vision

To be a global leader in agricultural and veterinary (agvet) chemicals regulation for the benefit of Australia.

Our values

The APVMA upholds the Australian Public Service (APS) Values as set out in the *Public Service Act 1999*, these currently being: 'impartial, committed to service, accountable, respectful and ethical'.

Our strategic approach

Within its legislative framework, the Board has adopted *APVMA Strategy 2030* as its long-term strategy for the APVMA. It sets out the themes and strategic outcomes needed to drive APVMA decision making and priorities into the future, guiding the APVMA Corporate Plans and Portfolio Budget Statement. The Strategy aligns with the appropriate Department of Agriculture, Fisheries and Forestry strategies, including the *Future Department Blueprint*, the *National Biosecurity Strategy 2022-2032* and *Commonwealth Biosecurity 2030*.

This Strategy is not a static plan. It is designed to evolve through three phases (preparation, implementation, and consolidation), referred to as 'horizons', that reflect important milestones whilst allowing for flexibility. It will strengthen the APVMA's capability to manage increasingly



complex agvet regulatory risks, embrace opportunities that arise, and enable it to respond to ever-changing global events. It is supported by a high-level Implementation Plan that sets out the projects and activities required to deliver the outcomes and realise the benefits of the strategy.

Workplace culture and governance

The APVMA has broadly accepted the findings of the *Final Strategic Review Report* (prepared by Clayton Utz) (the Clayton Utz Review) which identifies significant issues of concern with respect to regulatory priorities and posture, governance, culture and operations. The APVMA is committed to making the reforms needed to sustain its long-held reputation as a world-leading regulator. Since February 2023, a range of opportunities to reform have been recognised and the APVMA has embraced them. Much has already been achieved in reforming regulatory priorities and posture, governance, culture and operations, and that work will continue.

Ministerial Direction on chemical reconsiderations

The APVMA is implementing the Ministerial Direction (issued 13 July 2023) concerning the finalisation of eight long running chemical reconsiderations. It will seek to make determinations on the identified chemical reconsiderations in accordance with the relevant legislation and in the earliest reasonable timeframe. The APVMA will provide regular Ministerial updates in accordance with the direction. Ministerial briefings will be provided for each of the chemical reconsiderations as the APVMA approaches key decision points. It is currently estimated all eight of the chemical reconsiderations will be concluded by mid-2025 (noting the complexity of the review and consultation requirements).

To implement the Ministerial Direction, the APVMA considers that it will be necessary to reallocate resources, which may affect timeframe performance associated with registration-related activities. The APVMA is taking a considered approach to ensure it balances and manages the entirety of its legislative responsibilities in responding to the direction. APVMA will continue to engage with government and stakeholders to ensure there is transparency with respect to those timelines.

Responding to need for reform

A consolidated action plan is being developed to enable the APVMA to address the issues of concern identified in the Clayton Utz Review, responding to Ministerial Direction on chemical reconsiderations, delivering the projects and initiatives in the APVMA Strategy 2030 and acting on other important priorities as determined by the Government. Activities under this plan will improve the APVMA's workplace culture and governance arrangements and strengthen its processes in line with the Australian Public Service values. This work will inform the preparation of future years' Corporate Plans and Portfolio Budget Statements.

The APVMA has fully supported and engaged with the rapid evaluation of the APVMA's structure and governance conducted by Mr Ken Matthews AO. The APVMA supports the efforts of the Australian Government to ensure the integrity of Australia's agricultural and veterinary chemicals regulation system. It will allocate resources to ensure the APVMA has the capacity and capabilities needed to support any reform program that the government determines to pursue arising from Mr Matthews' evaluation and will engage with the budgetary processes of the Government should it believe additional resources through appropriations are required.

Accountability for progress

The Board will monitor progress by the APVMA in complying with the Ministerial Direction and making the reforms being pursued through the consolidated action plan. Expectations have been set by the Board for the Acting Chief Executive Officer to ensure the agency devotes the resources necessary to achieve the desired reform outcomes. The Board will ensure that the Minister,



Department of Agriculture, Fisheries and Forestry (Department) and relevant stakeholders are kept informed of progress.

Independence, transparency, and accountability

The APVMA recognises that it operates as part of the Australian Government as an independent regulator performing a range of assessment, advisory, consultation, investigatory and enforcement functions while being accountable to the Parliament, and ultimately to the public. The APVMA will operate in a manner focused on its full suite of regulatory functions. In performing those functions, the APVMA will communicate regularly with the public on its key decisions and regulatory and enforcement outcomes.

The APVMA has implemented regulatory performance reporting practices which reflect the expectations and regulator best practice principles contained in the *Regulator Performance Resource Management Guide 128* (RMG 128). The APVMA Corporate Plan will continue to include performance measures that reflect the principles of RMG 128. The annual performance statements contained within the APVMA Annual Report will reconcile the performance outcomes as prescribed in the Corporate Plan. The APVMA will be further developing its performance measures to reflect a renewed focus on the full suite of its regulatory functions.

The APVMA will comply with the requirements of the whole-of-government resource management framework under the *Public Governance, Performance, and Accountability Act 2013*. This will include ensuring that the APVMA is efficient in its operations and demonstrates value for money for the functions it performs. The Board has set expectations for reform in areas where systems of internal control have been identified as having weakness. Reform progress, in this regard, will be monitored by the Audit and Risk Committee and the Board will receive regular reporting.

The APVMA is committed to maintaining robust, effective and collaborative working relationships with other Commonwealth, state and territory agencies, as well as the APVMA's counterpart regulators in overseas jurisdictions, to ensure the proper functioning of Australia's regulatory framework.

Engagement

The APVMA will regularly provide the Minister with updates on progress of its improvement initiatives, while working with the Department to ensure the APVMA gains the advice and support it may need to implement those initiatives.

The Board will continue to meet the legislated obligation to provide Board minutes to the Secretary of the Department.

The Board Chair and Chief Executive Officer will meet with the Minister no less than twice a year. The Chief Executive Officer and broader senior executives of the agencies will routinely engage with officers of the Department.

The Minister's Statement of Expectations and this Statement of Intent will be made available on the agriculture.gov.au website and the APVMA website. It will also be included in future APVMA corporate plans and annual reports.

8 November 2023