

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1932.

A BILL

To amend the Stock Diseases Act, 1923, and the Stock Act, 1901, in certain respects; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Stock Diseases Short title. (Amendment) Act, 1932."

(2) The Stock Diseases Act, 1923, as amended by this Act, may be cited as the "Stock Diseases Act, 1923-1932."

Stock Diseases (Amendment).

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Act mentioned in the Schedule to this Act is to the extent therein expressed hereby repealed. Repeals.

3. The Stock Diseases Act, 1923, is amended— Amendment of Act No. 34, 1923.

(a) (i) by inserting in section three before the definition of "Disease" the following new definition:— Sec. 3. (Definitions.)

"Carcass" includes any portion of a carcass, and the hide, skin, hair, wool or viscera of any stock.

(ii) by inserting in the definition of "Disease" in the same section after the words "any disease" the words "parasite or pest affecting or attacking stock";

(iii) by inserting in the same section after the definition of "Disease" the following new definitions:—

"Fittings" includes stall fittings, rugs, harness, chains, headstalls and anything commonly used for, with or about stock.

"Fodder" includes hay, straw, litter, grass, grass seed, green crop, grain, corn and the manure of any stock.

(iv) by inserting in the definition of "Travelling stock" in the same section after the word "vessel" the words "aeroplane or airship";

(b) by inserting at the end of section six the following words: "and may authorise in writing any person to carry out any or all of the duties and exercise any or all of the powers of an inspector"; Sec. 6. (Inspectors.)

(c) (i) by omitting from paragraph (a) of section seven the words "or vessel" and by inserting in lieu thereof the words "vessel, aeroplane or airship"; Sec. 7. (Powers of inspectors.)

(ii) by inserting in the same paragraph after the word "stock" the words "or carcass";

(iii)

(iii) by omitting from paragraph (b) of the same section the words "infected stock or stock which he suspects to be infected or any straying stock" and by inserting in lieu thereof the words "any stock or carcass which is infected or which he suspects to be infected or any stock which in his opinion is straying;

(d) by inserting at the end of section eight the following new paragraph:—

Sec. 8.
(Further powers of inspectors.)

(f) order the owner or occupier of any land upon which the stock are or have been to cause the land or any building thereon to be disinfected in such manner as may be prescribed to the satisfaction of the inspector.

(e) by inserting in subsection one of section nine after the words "to an inspector" the words "of such class as may be prescribed."

Sec. 9.
(Occupier, etc., to give notice.)

4. The Stock Diseases Act, 1923, is further amended—

Further amendment of Act No. 34, 1923.

(a) by inserting after section eleven the following new sections:—

New s. 11A.

11A. (1) The Minister may by notification published in the Gazette declare any land therein described to be a protected area as regards any specified disease, and may by the same or a like notification prohibit either absolutely or except subject to the prescribed conditions the bringing into the area of any stock or any class of stock.

Protected area.

(2) The Minister may by the same or a like notification require any specified class or classes of stock within a protected area to be subjected to the prescribed test for the disease in respect of which the area has been declared to be protected.

(3) The Minister may by a like notification amend or revoke any notification made under this section.

11b. (1) The Governor may from time to time by proclamation published in the Gazette restrict or absolutely prohibit the importation or introduction into the State of any stock, carcass, fodder, or fittings from any other State or from any colony or country in which there is reason to believe any disease in stock exists.

Protection against importation of diseased stock, etc.

(2) The Governor may in like manner at any time revoke or vary any such proclamation.

(b) by inserting in section twelve after the words "quarantine area" wherever occurring the words "or protected area."

Sec. 12. (Further powers of Minister.)

5. The Stock Diseases Act, 1923, is further amended—

Further Amendment of Act No. 34, 1923.

(a) (i) by omitting subsection one of section fifteen and by inserting in lieu thereof the following new subsection:—

Sec. 15. (Quarantine lines.)

(1) The Minister may by notification published in the Gazette declare quarantine lines, and may by the same or a like notification specify the conditions under which stock may cross any quarantine line.

(ii) by omitting subsection two of the same section.

(b) (i) by omitting from paragraph (b) of subsection one of section seventeen the words "any carcase or part of a carcase, or any hide, skin, hair, wool" and by inserting in lieu thereof the words "any carcass";

Sec. 17. (Power to order destruction.)

(ii) by omitting from the same subsection all words following the word "prescribed" and by inserting in lieu thereof the words "or to dispose of the same in such manner and under such conditions as may be specified in the order, whenever in his opinion such destruction or disposal would tend to prevent the spread or cause of disease";

(c)

(c) (i) by omitting paragraph (a) of section twenty Sec. 20.
and by inserting in lieu thereof the following (Offences.)
new paragraphs:—

(a) is the owner of any stock found stray-
ing which are infected, or are found
straying within a quarantine area, or
who is the person from whose charge
any such stock have strayed; or

(al) contravenes or fails to comply with
the provisions of any proclamation
or notification issued or made under
this Act;

(ii) by inserting at the commencement of para-
graph (i) of the same section the following
words: “moves any stock across a quaran-
tine line otherwise than in accordance with
the conditions specified in the notification
declaring the quarantine line or into a pro-
tected area otherwise than in accordance
with the prescribed conditions or”;

(d) by inserting in section twenty-one after the Sec. 21.
word “residence” wherever occurring the words (Service of
“or business”;
notices.)

(e) by inserting at the end of section twenty-two the Sec. 22.
following new subsection:—

(2) In any prosecution for an offence against
this Act or any regulation made thereunder, the
averment of the prosecutor that the defendant
was not at the time of the commission of the
alleged offence the holder of a license, permit,
certificate or authority issued under this Act or
any regulation made thereunder shall be deemed
to be proved in the absence of proof to the
contrary.

(f) (i) by inserting in paragraph (b) of subsection Sec. 23.
one of section twenty-three after the words (Power
“the taking of” the words “carcasses, to make
animal products and”;
regulations.)

(ii)

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- (ii) by inserting in paragraph (c) of the same subsection after the word "branding" wherever occurring the words "marking or earmarking";
- (iii) by omitting from paragraph (j) of the same subsection the words "the removal of any hide, skin, hair or wool of any stock" and by inserting in lieu thereof the words "the movement of any carcass";
- (iv) by inserting in paragraph (m) of the same subsection after the words "quarantine area" wherever occurring the words "or protected area";
- (v) by inserting in paragraph (o) of the same subsection after the word "stock" where firstly occurring the words "or carcass";
- (vi) by inserting in paragraph (p) of the same subsection after the words "quarantine area" the words "or of a protected area";
- (vii) by inserting after the same subsection the following new subsection:—

(1A) A regulation may authorise any matter or thing to be from time to time determined, applied or regulated by the Minister or by an inspector, either generally or for any class of cases or in any particular case.

SCHEDULE.

No. of Act.	Title.	Extent of Repeal.
No. 27 of 1901	Stock Act, 1901	Sections one hundred and forty-three to one hundred and sixty, both inclusive; also the Eighth Schedule.