



Animal Diseases Legislation Amendment (Civil Liability)

Bill.

Second Reading

Mr JOSEPH TRIPODI (Fairfield—Parliamentary Secretary) [11.24 a.m.], on behalf of Mr David Campbell: I move:

That this bill be now read a second time.

The matters addressed in the Animal Diseases Legislation Amendment (Civil Liability) Bill have arisen primarily as a result of concerns raised by stock and station agents about their exposure to civil liability arising from disclosing information required under the Stock Diseases Act 1923. At present the only legislated protection from civil liability under the Act is in respect of notification of diseases. The amendment in this bill will further protect a person when he or she is required to disclose information under either the Stock Diseases Act 1923 or the Exotic Diseases of Animals Act 1991.

The proposed amendments to these Acts are identical in effect. They provide that if persons are required under either Act to provide any information, the provision of that information by those persons will not subject them to any personal action, liability, claim or demand—for example, when answering a question from an inspector put to the person, giving a notice, or producing a record or other document required under either Act. The unfettered supply of information such as that required under the Stock Diseases Act 1923 and the Exotic Diseases of Animals Act 1991 to the bodies responsible for disease surveillance, such as the rural lands protection boards and NSW Agriculture, is essential in order to safeguard the integrity of our livestock slaughtering and livestock product industry, the gross value of which in 2000-01 was \$8,837.1 million for New South Wales and \$33,564.1 million for Australia.

Individuals who are required to provide information in these circumstances must be protected from civil liability for disclosing that information. Such provisions exist in other legislation administered by NSW Agriculture such as the Stock (Chemical Residues) Act 1975. The operation of the bill is such that it applies to any information required under either the Stock Diseases Act 1923 or the Exotic Diseases of Animals Act 1991 that was provided before the commencement of the bill, other than information in respect of which proceedings have commenced. I commend the bill to the House.

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