



Animal Diseases Legislation Amendment (Civil Liability)

Bill.

Second Reading

The Hon. JOHN HATZISTERGOS (Minister for Justice, and Minister Assisting the Premier on Citizenship) [6.24 p.m.]:
I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

The matters addressed in this Bill have arisen primarily from 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 amendments brought forward in this Bill will further protect a person where they are required to disclose information either under 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 a person is required under either Act to provide any information, the provision of that information by the person does not subject them to any personal action, liability, claim or demand. For example, when answering a question from an inspector put to the person or 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 like the Rural Lands Protection Boards and NSW Agriculture is essential to safeguard the integrity of our livestock slaughtering and livestock production industry the gross value of which in 2000-2001 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 the disclosure of 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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