

## **Stock Diseases Amendment (Artificial Breeding) Bill 2004**

### **Explanatory note**

This explanatory note relates to this Bill as introduced into Parliament.

#### Overview of Bill

The objects of this Bill are:

(a) to amend the *Stock Diseases Act 1923* to include in that Act provisions for the prevention and control of disease (including undesirable conditions and characteristics) in stock resulting from the use of artificial breeding material, and

(b) to repeal the *Stock (Artificial Breeding) Act 1985*.

Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

**Clause 3** is a formal provision that gives effect to the amendments to the *Stock Diseases Act 1923* set out in Schedule 1.

**Clause 4** is a formal provision that gives effect to the amendments to the Acts set out in Schedule 2.

**Clause 5** repeals the *Stock (Artificial Breeding) Act 1985* and the *Stock (Artificial Breeding) Regulation 1995*.

#### **Schedule 1 Amendment of Stock Diseases Act 1923**

**Schedule 1 [1] and [6]** provide for a disease or undesirable condition or characteristic that affects stock to be declared to be a disease in artificial breeding material for the purposes of the Act.

**Schedule 1 [2]–[5]** amend existing definitions and insert new definitions in the Act to provide for the application of the Act to artificial breeding material and equipment (**artificial breeding equipment**) used for or in connection with an artificial breeding procedure.

**Schedule 1 [7]–[18]** extend to artificial breeding material and equipment various powers of inspectors under the Act that currently apply in respect of stock and fittings.

**Schedule 1 [19]–[22]** extend the requirement for a veterinary surgeon to notify the discovery of disease or suspected disease in stock to include a requirement to notify the discovery of disease or suspected disease in artificial breeding material.

**Schedule 1 [23]–[32]** extend to diseases in artificial breeding material various provisions of the Act that deal with the declaration of protected areas, the introduction of disease into the State, powers of inspector to stop and search vehicles, quarantine restrictions, quarantine lines and the destruction and disposal of infected stock.

**Schedule 1 [33]** inserts special provision for preventing the spread of disease in stock resulting from the use of artificial breeding material that allows the Minister to issue temporary orders of up to 6 months to:

(a) prohibit the sale or supply of artificial breeding material or equipment, or

(b) require that specified action be taken in respect of artificial breeding material or equipment, or

(c) require the testing of stock for disease prior to the collection of artificial breeding material from the stock.

**Schedule 1 [34]–[36]** extend to artificial breeding material and equipment provisions of the Act dealing with seizure, sale and destruction of stock or fittings moved in contravention of the Act.

**Schedule 1 [37]–[43]** extend to artificial breeding material and equipment various offences created by the Act concerning illegal introduction into the State of stock, unlawful movement of stock, the treating of stock as ordered by an inspector, compliance with proclamations, orders and notices and provision of false or misleading information.

**Schedule 1 [44]–[46]** extend to artificial breeding material and equipment provisions of the Act concerning evidence of scientific examinations of stock, and protection for persons from liability.

**Schedule 1 [47]–[54]** extend various regulation-making powers to artificial breeding material and equipment.

**Schedule 1 [55] and [56]** enact consequential savings and transitional provisions.

**Schedule 2 Amendment of other Acts**

**Schedule 2** makes consequential amendments to other Acts.