

AUSTRALIAN CAPITAL TERRITORY

Stock Diseases (Amendment) Ordinance 1988

No. 23 of 1988

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 6 May 1988.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

GARY PUNCH
Minister of State for the Arts
and Territories

An Ordinance to amend the *Stock Diseases Ordinance 1933*

Short title

1. This Ordinance may be cited as the *Stock Diseases (Amendment) Ordinance 1988*.¹

Commencement

2. This Ordinance shall into operation on such date as is fixed by the Minister by notice in the *Gazette*.

Principal Ordinance

3. In this Ordinance, "Principal Ordinance" means the *Stock Diseases Ordinance 1933*.²

Interpretation

(Ord. 82/87)—Cat. No.

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

4. Section 3 of the Principal Ordinance is amended—

- (a) by omitting the definition of “The Director”; and
- (b) by inserting each of the following definitions in its appropriate alphabetical position:

“ ‘Director’ means the Director of Veterinary Hygiene;”;

“ ‘public servant’ means a person who is an officer or employee within the meaning of the *Public Service Act 1922*.”.

5. After section 4 of the Principal Ordinance the following sections are inserted:

Director of Veterinary Hygiene

“4A. (1) There shall be a Director of Veterinary Hygiene who shall be appointed by the Minister.

“(2) A person is not eligible for appointment as Director unless the person is a public servant.

Termination of office

“4B. (1) The Minister may at any time terminate the appointment of a person as Director.

“(2) If a person appointed as Director ceases to be a public servant, the person ceases to hold office as Director.

Acting Director

“4C. (1) The Minister may appoint a person to act as Director—

- (a) during a vacancy in the office of Director, whether or not an appointment has previously been made to the office; or
- (b) during any period, or during all periods, when the Director is absent from the Territory or is, for any reason, unable to perform the duties of the office of Director.

“(2) A person is not eligible for appointment under this section unless the person is a public servant.

“(3) An appointment to act as Director may be expressed to have effect only in such circumstances as are specified in the instrument of appointment.

“(4) A person appointed under subsection (1) to act during a vacancy in the office of Director shall not continue to act for more than 12 months.

“(5) Where a person is acting as Director otherwise than by reason of a vacancy in the office of Director and the office becomes vacant while the person is so acting, then, subject to subsection (3), the person may continue so to act until the Minister otherwise directs, the vacancy is filled or a period of 12 months from the date on which the vacancy occurs expires, whichever first occurs.

“(6) While a person is acting as Director, that person may exercise all the powers, and shall perform all the duties, of the Director.

“(7) The Minister may—

- (a) determine the terms and conditions of appointment, including remuneration and allowances, of a person appointed to act as Director; and
- (b) terminate such an appointment at any time.

“(8) A person appointed to act as Director may resign the appointment by writing signed by the person and delivered to the Minister.

“(9) Anything done by or in relation to a person purporting to act under subsection (1) is not invalid on the ground that—

- (a) the occasion for the person’s appointment had not arisen;
- (b) there is a defect or irregularity in connection with the person’s appointment;
- (c) the person’s appointment had ceased to have effect; or
- (d) the occasion for the person to act had not arisen or had ceased.”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 18 May 1988.
2. No. 30, 1933 as amended by No. 4, 1939; No. 6, 1958; No. 13, 1959; No. 19, 1966; No. 38, 1976; No. 46, 1978; No. 26, 1979.