



Australian Capital Territory

# **Animal Diseases Act 1993**

**A1993-61**

**Republication No 5**

**Effective: 9 April 2004 – 12 October 2005**

Republication date: 9 April 2004

Last amendment made by A2004-15

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Animal Diseases Act 1993* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 9 April 2004. It also includes any amendment, repeal or expiry affecting the republished law to 9 April 2004.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

# Animal Diseases Act 1993

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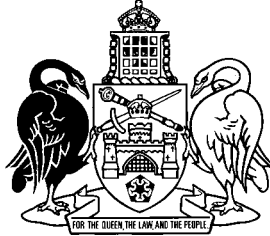
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Australian Capital Territory

## Animal Diseases Act 1993

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An Act to provide for the control of endemic and exotic diseases of animals,  
and for related purposes

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## Part 1 Preliminary

### 1 Name of Act

This Act is the *Animal Diseases Act 1993*.

### 4 Definitions for Act

*Note 1* A definition applies except so far as the contrary intention appears (see Legislation Act, s 155).

*Note 2* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including regulations (see Legislation Act, s 104).

***abattoir*** means any premises used for the slaughter of stock.

***animal*** includes—

- (a) a vertebrate and an invertebrate; and
- (b) a carcass of an animal; and
- (c) an egg, embryo, ovum or sperm, or other product, of an animal from which another animal could be produced;

but does not include a human being.

***animal product*** includes—

- (a) a part of an animal or any secretion or thing that has at any time formed part of an animal; and
- (b) a product or thing made or derived from, or including, a part of an animal.

***approved manufacturer*** means a manufacturer declared under section 34 to be an approved manufacturer of tags.

***approved tag***, in relation to defined stock, means a tag—

- (a) manufactured by an approved manufacturer and bearing the number allocated to the owner of the stock under section 33; or

(b) issued to the owner under section 40.

**defined stock** means stock declared under section 30 to be defined stock.

**director** means the Director of Veterinary Hygiene under section 5.

**endemic stock disease** means a disease declared under section 21 to be an endemic stock disease.

**endemic stock disease quarantine area** means an area declared under section 23 to be an endemic stock disease quarantine area.

**exotic disease** means a disease declared under section 12 to be an exotic disease.

**exotic disease quarantine area** means an area declared under section 14 to be an exotic disease quarantine area.

**infected** means—

- (a) in relation to an animal—
  - (i) suffering from an endemic stock disease or an exotic disease; and
  - (ii) having been in contact, during the previous 12 months, with an animal suffering from an endemic stock disease or an exotic disease; and
  - (iii) having been kept, pastured or driven on land where an animal suffering from an endemic stock disease or an exotic disease has been kept or pastured during the previous 12 months; or
- (b) in relation to premises or a thing—if an animal suffering from an endemic stock disease or an exotic disease has been on the premises or in contact with the thing, during the previous 12 months.

**inspector** means an inspector under section 7.

**market value**, in relation to an animal, premises or other thing, means the value that the animal, premises or thing would have had if, at the time when the assessment for compensation purposes is made—

- (a) it had not been infected with a disease; and
- (b) it had been offered for sale on the open market.

**premises** includes—

- (a) a building or part of a building; and
- (b) a tent, stall or other structure, whether permanent or temporary; and
- (c) land (including water on land) whether or not appurtenant to a building; and
- (d) a vehicle.

**register** means the register established and maintained under section 31.

**required media** means—

- (a) a daily newspaper circulating generally in the ACT; and
- (b) all national or commercial broadcasting services within the meaning of the *Broadcasting Services Act 1992* (Cwlth) broadcasting in the ACT.

**stock** means any horse, cattle, sheep, swine, goat, dog or any animal declared under section 21 to be stock.

**tag** means a tag or label attached to the tails of stock.

**tag number** means a tag number allocated under section 33 or 40.

**travelling stock** means stock that is being moved on any land other than land where the stock is ordinarily kept or pastured.

**vehicle** includes a caravan, trailer or vessel.

*veterinary surgeon* means a person who is registered or licensed as a veterinary surgeon under a law of a State or Territory.

## Part 2 Administration

### 5 Director of Veterinary Hygiene

- (1) There shall be a Director of Veterinary Hygiene.
- (2) The chief executive shall create and maintain an office in the public service the duties of which include exercising the functions of the director.
- (3) Only a public servant who is a veterinary surgeon may exercise the functions of the director.
- (4) Subject to subsection (3), the director shall be the public servant for the time being exercising the duties of the public service office referred to in subsection (2).

### 6 Delegation

The director may, in writing, delegate any of his or her powers under this Act to a public servant.

### 7 Inspectors

- (1) There shall be 1 or more inspectors for this Act.
- (2) The chief executive shall create and maintain 1 or more offices in the public service the duties of which include exercising the functions of an inspector.
- (3) The following persons shall be inspectors:
  - (a) any public servant for the time being exercising the duties of a public service office of inspector referred to in subsection (2);
  - (b) the director, including a delegate of the director with any delegated powers of an inspector;
  - (c) any other person appointed in writing by the chief executive for the purpose.

**8 Identity cards**

- (1) The chief executive shall issue to the director an identity card that specifies the director's name and office, and on which appears a recent photograph of the director.
- (2) The chief executive shall issue to a delegate of the director with any delegated powers of an inspector an identity card that specifies the delegate's name and delegated office, and on which appears a recent photograph of the delegate.
- (3) The chief executive shall issue to an inspector an identity card that specifies the inspector's name and office, and on which appears a recent photograph of the inspector.
- (4) On ceasing—
  - (a) to occupy, or to act in, the office of the director; or
  - (b) to be a delegate of the director with any delegated powers of an inspector; or
  - (c) to occupy, or to act in, an office of inspector; or
  - (d) to be appointed as an inspector under section 7 (3) (c);

a person shall not, without reasonable excuse, fail to return his or her identity card to the chief executive.

Maximum penalty: 1 penalty unit.

## Part 3 Exotic diseases of animals

### 12 Declaration of exotic diseases

(1) The Minister may, in writing, declare a disease to be an exotic disease for this Act.

(2) A declaration is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

(3) A declaration under this section may provide for its commencement on or before the declaration's notification day.

*Note* This subsection provides express authority for a declaration to commence on or before its notification day—see Legislation Act, s 73 (2) (d) (General rules about commencement).

(4) However—

(a) a declaration may not provide for a commencement date or time that would result in the declaration commencing before it is made; and

(b) a declaration may not commence before it is notified under the Legislation Act unless the Minister is satisfied that the circumstances are of such seriousness and urgency that commencement before notification is necessary to prevent a disease or pest becoming established, or spreading, in the ACT.

(5) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.

**13 Notification of diseases**

- (1) A person who has reasonable grounds for believing that an animal is infected with an exotic disease, shall notify the Minister in writing.
- (2) If the director or an inspector has reasonable grounds for believing that an animal is infected with an exotic disease, he or she shall notify the Minister in writing.
- (3) If the owner or person in charge of an animal has reasonable grounds for believing that the animal is infected with an exotic disease, he or she shall cause the animal to be separated from any other animals that are not infected with the disease.
- (4) A person who, without reasonable excuse, contravenes subsection (1) or (3) commits an offence.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

**14 Exotic disease quarantine area**

- (1) The Minister may, in writing, declare a specified area of land to be an exotic disease quarantine area, if he or she has reasonable grounds for believing that—
  - (a) an animal is infected with an exotic disease; and
  - (b) the declaration is necessary for the purpose of preventing the spread of the exotic disease.
- (2) A declaration shall—
  - (a) contain a diagram depicting the area of land to which the declaration is to relate; and
  - (b) specify—
    - (i) the exotic disease referred to in subsection (1) (a); and
    - (ii) the classes of animals to which the declaration applies; and

- (iii) the restrictions on entry to, exit from and movement within the area; and
  - (iv) the restrictions on the sale of an animal, animal product or other specified thing that has, during a specified period, been kept within or travelled through the area; and
  - (v) if the declaration is to have effect for a limited period—the period.
- (3) The Minister shall publish a declaration in a daily newspaper published and circulating in the ACT.
- (4) A declaration is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.
- (5) A declaration under this section may provide for its commencement on or before the declaration's notification day.

*Note* This subsection provides express authority for a declaration to commence on or before its notification day—see Legislation Act, s 73 (2) (d) (General rules about commencement).
- (6) However—
  - (a) a declaration may not provide for a commencement date or time that would result in the declaration commencing before it is made; and
  - (b) a declaration may not commence before it is notified under the Legislation Act unless the Minister is satisfied that the circumstances are of such seriousness and urgency that commencement before notification is necessary to prevent a disease or pest becoming established, or spreading, in the ACT.
- (7) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.

**15 Importation restriction**

- (1) The Minister may, in writing, declare an area of land outside the ACT to be subject to an importation restriction, if he or she has reasonable grounds for believing that—
  - (a) an animal in an area outside the ACT is infected with an exotic disease; and
  - (b) the declaration is necessary for the purpose of preventing the spread of the exotic disease.
- (2) A declaration shall—
  - (a) contain a diagram depicting the area of land to which the declaration is to relate; and
  - (b) specify—
    - (i) the exotic disease referred to in subsection (1) (a); and
    - (ii) the classes of animals to which the declaration applies; and
    - (iii) the restrictions on importing into the ACT an animal, animal product or other specified thing that has, during a specified period, been kept within or travelled through the area; and
    - (iv) the restrictions on the sale within the ACT of an animal, animal product or other specified thing that has, during a specified period, been kept within or travelled through the area; and
    - (v) if the declaration is to have effect for a limited period—the period.
- (3) The Minister shall publish a declaration in a daily newspaper published and circulating in the ACT.

- (4) A declaration is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

- (5) A declaration under this section may provide for its commencement on or before the declaration's notification day.

*Note* This subsection provides express authority for a declaration to commence on or before its notification day—see Legislation Act, s 73 (2) (d) (General rules about commencement).

- (6) However—

- (a) a declaration may not provide for a commencement date or time that would result in the declaration commencing before it is made; and
- (b) a declaration may not commence before it is notified under the Legislation Act unless the Minister is satisfied that the circumstances are of such seriousness and urgency that commencement before notification is necessary to prevent a disease or pest becoming established, or spreading, in the ACT.

- (7) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.

## 16 Ministerial direction

- (1) If the Minister believes on reasonable grounds that it is necessary to do so for the purpose of controlling the spread of an exotic disease, he or she may, in writing, direct—
- (a) an inspector to seize an animal, animal product, a vehicle or thing; or
- (b) the owner or person in charge of premises, an animal product or a thing, to take the action that is specified in the direction for the purposes of disinfecting the premises, animal product or thing; or

- (c) the owner or person in charge of an animal to inoculate the animal, or to take other specified action for the purposes of producing an immunity to the exotic disease in the animal; or
  - (d) an inspector or a specified person to take any other action the Minister considers necessary.
- (2) A person, other than an inspector, specified in a direction under subsection (1) shall not, without reasonable excuse, contravene the direction.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

## **17 Destruction of animals and other property**

- (1) If the Minister believes on reasonable grounds that it is necessary to do so for the purpose of controlling the spread of an exotic disease, he or she may, in writing, direct an inspector or a specified person to destroy premises (other than a dwelling), any animal, animal product, crop, pasture or any other thing in accordance with the direction.
- (2) The Minister shall give a copy of a direction under subsection (1) to the owner or person apparently in charge of the premises, animal, animal product, crop, pasture or thing—
- (a) before the direction is carried out unless—
    - (i) after reasonable search and inquiry the owner or person apparently in charge of the premises, animal, animal product, crop, pasture or thing cannot be found; and
    - (ii) the Minister considers that the circumstances require the immediate destruction of the premises, animal, animal product, crop, pasture or thing; or
  - (b) in any other case—as soon as practicable after the direction is carried out.

- (3) A person, other than an inspector, specified in a direction under subsection (1), shall not, without reasonable excuse, contravene the direction.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

## 18 Compensation for animals or property destroyed

- (1) The owner of—
- (a) an animal that has died, the death of which has been certified by a veterinary surgeon as having been caused by an exotic disease; or
  - (b) an animal, any premises or any other thing that has been destroyed under an order made under section 17;

may, within 90 days, or any further period the Minister approves, of the death of the animal or the destruction of the premises or other thing, apply to the Minister for compensation.

*Note* If a form is approved under s 63A for an application, the form must be used.

- (2) On receipt of an application under subsection (1), the Minister shall determine the amount of compensation payable to the applicant, being an amount not exceeding the market value of the animal, premises or other thing.

## 19 Removal of refuse

- (1) If the Minister believes on reasonable grounds that it is necessary to do so for the purpose of preventing or controlling the spread of an exotic disease, he or she may, in writing, direct the owner or occupier of premises within an exotic disease quarantine area, to remove specified refuse from the premises.
- (2) A direction under subsection (1) shall specify when and how the refuse is to be removed.

- (3) A person shall not, without reasonable excuse, contravene a direction under subsection (1).

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (4) If a person contravenes a direction under subsection (1), the Minister may direct an inspector to cause the refuse to be removed from the premises.
- (5) The reasonable costs incurred by an inspector under subsection (4) are a debt payable to the Territory by the owner or occupier, as the case requires, to whom the direction relates.

## **20 Court proceedings**

While a declaration under section 14 is in force, the declaration or a direction under part 3 with respect to an exotic disease to which the declaration relates—

- (a) shall not be challenged or called into question in any court; and
- (b) is not subject to prohibition, mandamus or injunction in any court on any account.

## Part 4 Endemic diseases of stock

### Division 4.1 General

#### 21 Declaration of stock and endemic stock diseases

- (1) The Minister may, in writing—
  - (a) declare any animal to be stock for this Act; or
  - (b) declare any disease to be an endemic stock disease for this Act; or
  - (c) declare any endemic stock disease to be a disease for section 28.

- (2) A declaration is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

- (3) A declaration under this section may provide for its commencement on or before the declaration's notification day.

*Note* This subsection provides express authority for a declaration to commence on or before its notification day—see Legislation Act, s 73 (2) (d) (General rules about commencement).

- (4) However—
  - (a) a declaration may not provide for a commencement date or time that would result in the declaration commencing before it is made; and
  - (b) a declaration may not commence before it is notified under the Legislation Act unless the Minister is satisfied that the circumstances are of such seriousness and urgency that commencement before notification is necessary to prevent a disease or pest becoming established, or spreading, in the ACT.

- (5) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.

## **22 Notification of diseases**

- (1) A person who has reasonable grounds for believing that stock is infected with an endemic stock disease, shall notify the Minister in writing.
- (2) If the director or an inspector has reasonable grounds for believing that stock is infected with an endemic stock disease, he or she shall notify the Minister in writing.
- (3) If the owner or person in charge of stock has reasonable grounds for believing that the stock is infected with an endemic stock disease, he or she shall cause the stock to be separated from any other stock that are not infected with the disease.
- (4) A person who, without reasonable excuse, contravenes subsection (1) or (3) commits an offence.

Maximum penalty: 50 penalty units.

## **23 Endemic stock disease quarantine area**

- (1) The Minister may, in writing, declare a specified area of land to be an endemic stock disease quarantine area, if he or she has reasonable grounds for believing that—
- (a) an animal is infected with an endemic stock disease; and
  - (b) the declaration is necessary for the purpose of preventing the spread of the endemic stock disease.
- (2) A declaration shall—
- (a) contain a diagram depicting the area of land to which the declaration is to relate; and

- (b) specify—
- (i) the endemic stock disease referred to in subsection (1) (a); and
  - (ii) the classes of stock to which the declaration applies; and
  - (iii) the restrictions on entry to, exit from and movement within the area; and
  - (iv) the restrictions on the sale of stock, an animal product or other specified thing, that has, during a specified period, been kept within or travelled through the area; and
  - (v) if the declaration is to have effect for a limited period—the period.
- (3) The Minister shall publish a declaration in a daily newspaper published and circulating in the ACT.
- (4) A declaration is a disallowable instrument.
- Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.
- (5) A declaration under this section may provide for its commencement on or before the declaration's notification day.
- Note* This subsection provides express authority for a declaration to commence on or before its notification day—see Legislation Act, s 73 (2) (d) (General rules about commencement).
- (6) However—
- (a) a declaration may not provide for a commencement date or time that would result in the declaration commencing before it is made; and
  - (b) a declaration may not commence before it is notified under the Legislation Act unless the Minister is satisfied that the circumstances are of such seriousness and urgency that commencement before notification is necessary to prevent a

disease or pest becoming established, or spreading, in the ACT.

- (7) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.

## **24 Ministerial direction**

- (1) If the Minister believes on reasonable grounds that it is necessary to do so for the purpose of controlling the spread of an endemic stock disease, he or she may, in writing, direct—
- (a) an inspector to seize stock, an animal product, a vehicle or thing; or
  - (b) the owner or person in charge of premises, an animal product or a thing, to take the action specified in the direction for the purposes of disinfecting the premises, animal product or thing; or
  - (c) the owner or person in charge of stock to inoculate the stock, or to take other specified action for the purposes of producing an immunity to the endemic stock disease in the stock; or
  - (d) an inspector or a specified person to take any other action the Minister considers necessary.
- (2) A person, other than an inspector, specified in a direction under subsection (1) shall not, without reasonable excuse, contravene the direction.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

## **25 Detaining infected stock**

- (1) If an inspector has reasonable grounds for believing that any stock is infected with an endemic stock disease, he or she may, in writing, direct the owner or person in charge of the stock to detain the stock on specified premises.

- (2) A person shall not, without reasonable excuse, contravene a direction under subsection (1).

Maximum penalty: 50 penalty units.

**26 Restriction on stock movements**

A person shall not, without reasonable excuse, cause or permit stock—

- (a) to enter or leave an endemic stock disease quarantine area; or  
(b) if an inspector has directed that the stock be detained on specified premises under section 25—to enter or leave those premises;

except with the written consent of the Minister.

Maximum penalty: 50 penalty units.

**27 Destruction of infected stock**

- (1) If the Minister believes on reasonable grounds that it is necessary to do so for the purpose of controlling the spread of an endemic stock disease, he or she may, in writing, direct an inspector or a specified person to destroy—

- (a) specified infected stock; or  
(b) a specified infected animal product; or  
(c) a specified infected thing;

in accordance with the direction.

- (2) The Minister shall cause a copy of a direction under subsection (1) to be given to the owner or person apparently in charge of the stock, animal product or thing—

- (a) before the direction is carried out unless—

- (i) after reasonable search and inquiry the owner or person apparently in charge of the stock, animal product or thing cannot be found; and
  - (ii) the Minister considers that the circumstances require the immediate destruction of the stock, animal product or thing; or
- (b) in any other case—as soon as practicable after the direction is carried out.
- (3) A person, other than an inspector, specified in a direction under subsection (1) shall not, without reasonable excuse, contravene the direction.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

## **28 Compensation for stock destroyed**

- (1) The owner of stock that has been destroyed under section 27, may within 90 days, or any further period the Minister approves, of the death of the stock, apply to the Minister for compensation.

*Note* If a form is approved under s 63A for an application, the form must be used.

- (2) On receipt of an application under subsection (1), the Minister shall, if satisfied that the destroyed stock was infected with a disease declared under section 21 (1) (c) to be a disease for this section, determine the amount of compensation payable to the applicant, being an amount not exceeding half the market value of the stock.

## Division 4.2 Stock tags

### 29 Certain stock to be tagged

- (1) A person shall not, without reasonable excuse, travel or transport defined stock to or from an abattoir or a saleyard or any other place for sale unless the stock is tagged with an approved tag or, if the stock is being travelled or transported within a period of 28 days after the sale of that stock, with an approved tag—
  - (a) bearing the number allocated to the previous owner of that stock; or
  - (b) issued to that owner under section 40.

Maximum penalty: 10 penalty units.

- (2) For subsection (1), defined stock is to be taken to be tagged if it is tagged with a tag granted or issued under a law of a State or another Territory relating to the granting or issuing of tags for stock of that kind.

### 30 Defined stock

- (1) The Minister may, in writing, declare specified stock to be defined stock for this Act.
- (2) A declaration is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

### **31 Register**

- (1) The director shall establish and maintain a register of tag numbers.
- (2) The director may—
  - (a) at the written request of the owner of defined stock in respect of which a tag number is allocated; or
  - (b) on the director's own initiative;make alterations to particulars in the register that are necessary.

### **32 Applications**

- (1) A person who is the owner of defined stock may apply to the director for a tag number in respect of that stock.

*Note 1* A fee may be determined under s 63 for this section.

*Note 2* If a form is approved under s 63A for an application, the form must be used.
- (2) If defined stock is owned by 2 or more persons, application for a tag number may be made jointly or by any 1 of those persons.

### **33 Allocation of tag numbers**

The director shall, if satisfied that an applicant under section 32 (1) is the owner of defined stock to which the application relates—

- (a) allocate to the applicant a tag number in relation to that stock; and
- (b) enter the following particulars in the register:
  - (i) the number allocated under paragraph (a);
  - (ii) the name of the owner of the defined stock;
  - (iii) the name of the manager (if any) of the stock;
  - (iv) the telephone and fax numbers (if any) of the owner and manager;

- (v) the location of the property where the stock is kept;
- (vi) the postal and residential addresses of the owner and of the manager.

**34 Approved manufacturers**

- (1) The director must, in writing, declare a manufacturer to be an approved manufacturer of tags for this Act.
- (2) A declaration is a notifiable instrument.

*Note* A notifiable instrument must be notified under the Legislation Act.

**35 Manufacture and issue of tags**

- (1) An approved manufacturer shall not, without reasonable excuse, issue a tag unless the issue is authorised in writing by the director.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) A person other than an approved manufacturer shall not, without reasonable excuse, make a tag.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

**36 Tagging defined stock**

- (1) A person shall not, without reasonable excuse, tag defined stock with approved tags otherwise than in the way declared by the Minister in writing.

Maximum penalty: 10 penalty units.

- (2) A declaration is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

**37 Alteration of tags**

A person shall not alter an approved tag without reasonable excuse.

Maximum penalty: 10 penalty units.

**38 Tags to remain with carcasses**

- (1) This section applies to a tag removed from a carcass before the final inspection of the carcass on the slaughter floor of an abattoir by a person prescribed under the regulations for this section.
- (2) The person in charge of the abattoir must keep the tag with the carcass until after the final inspection of the carcass.

Maximum penalty: 10 penalty units.

**39 Records of untagged stock**

A person who is a manager or other person in charge of an abattoir shall not, without reasonable excuse, fail to keep a record of any defined stock delivered to the abattoir for slaughter that is not tagged in accordance with section 36 (1).

Maximum penalty: 10 penalty units.

*Note* If a form is approved under s 63A for a record, the form must be used.

**40 Emergency tags**

- (1) If—
  - (a) defined stock is required to be tagged under section 29; and
  - (b) a tag bearing the number allocated under section 33 to the owner or the previous owner is not readily available;

the director must issue to the owner of that stock, or his or her agent, a tag bearing a number allocated under this section.

*Note* A fee may be determined under s 63 for this section.

- (2) If the director has issued a tag under subsection (1), he or she shall enter the particulars specified under section 33 (b) in the register.
- (3) The director may allocate numbers for this section.

#### **41 Cancellation of tag numbers**

- (1) If the director believes on reasonable grounds that a tag number is no longer required for the purposes of compliance with this Act, the director may, by written notice served on the person to whom the tag number was allocated, require that person, within 28 days after the date of the notice, to show cause why the tag number should not be cancelled.
- (2) If a notice has been served on a person under subsection (1), the director may—
  - (a) after the end of the period of 28 days after the date of the notice; and
  - (b) after taking into account any representation made by the person;cancel the tag number.
- (3) If the director cancels a tag number under subsection (2), he or she shall—
  - (a) remove the entry in the register made in respect of that number; and
  - (b) revoke the authority given to an approved manufacturer in relation to that number.
- (4) The revocation of an authorisation under subsection (3) takes effect on the date of cancellation of the tag number under subsection (2).

**42 Evidentiary certificates**

In proceedings for an offence against section 29 (1), a certificate signed by the director stating that at a specified time or during a specified period, a specified person had or had not been allocated a tag number, is evidence of the matters so stated.



- (b) under a warrant issued under section 46.
- (3) If an inspector enters premises under subsection (1), he or she may enter the premises, with any assistance and using any force that is reasonable.
- (4) An inspector who enters premises under subsection (1) is not authorised to remain on the premises if, on request by—
  - (a) the owner, or person in charge, of an animal on the premises;  
or
  - (b) the owner or occupier of the premises;the inspector does not show his or her identity card to that person.
- (5) For the purpose of exercising the power under subsection (1) in relation to a vehicle, an inspector may stop and detain the vehicle.

#### **45 Consent to entry**

- (1) Before obtaining the consent of a person for section 44 (1) (e) or (2) (a), an inspector shall—
  - (a) produce his or her identity card; and
  - (b) inform that person that he or she may refuse to give consent.
- (2) If an inspector obtains the consent of a person for section 44 (1) (e) or (2) (a), the inspector shall ask that person to sign a written acknowledgment—
  - (a) of the fact that the person has been informed that he or she may refuse to give consent; and
  - (b) of the fact that the person has voluntarily given consent; and
  - (c) of the day and the time when that consent was given.
- (3) An entry by an inspector under section 44 (1) (e) or (2) (a) with the consent of a person, is not lawful unless that person voluntarily consented to the entry.

- (4) If it is material, in any proceedings, for a court to be satisfied of the voluntary consent of a person for section 44 (1) (e) or (2) (a) and an acknowledgment, in accordance with subsection (2), signed by the person is not produced in evidence, the court shall assume, unless the contrary is proved, that the person did not voluntarily give the consent.

## **46 Warrants**

- (1) A magistrate may issue a warrant if he or she is requested to do so and—
- (a) an information on oath is laid before him or her alleging that an inspector has reasonable grounds for believing that—
    - (i) an animal, animal product or thing on premises specified in the information is infected with a disease; or
    - (ii) bees are kept on premises specified in the information; and
  - (b) the grounds for the inspector's belief are set out in the information; and
  - (c) the informant or some other person has given to the magistrate, either orally or by affidavit, the further information (if any) that the magistrate requires about the grounds on which the issue of the warrant is being sought; and
  - (d) the magistrate is satisfied that there are reasonable grounds for issuing the warrant.
- (2) A warrant under this section authorises an inspector named in the warrant, with the assistance and by the force that is necessary and reasonable, to enter premises specified in the warrant for the purpose of—
- (a) searching for and seizing any animal, animal product or thing that the inspector believes on reasonable grounds is infected with a disease; and

- (b) inspecting any beehive on the premises; and
  - (c) exercising any of the powers mentioned in section 47.
- (3) A warrant under this section shall state—
- (a) the purpose for which the warrant is issued, including a reference to any disease in relation to which the entry is authorised; and
  - (b) whether the entry is authorised to be made at any time of the day or night or during specified hours of the day or night; and
  - (c) a date when the warrant ceases to have effect (not later than 7 days after the date of issue of the warrant).

#### **47 Inspectors powers—general**

- (1) An inspector who enters premises in accordance with section 44 may, if he or she believes on reasonable grounds that it is necessary to do so for this Act—
- (a) inspect the premises and anything on the premises (including a document or records); or
  - (b) examine any animal on the premises; or
  - (c) take copies of, or an extract from, any document or records relating to—
    - (i) an infected animal; or
    - (ii) an animal that is kept or has been kept within an exotic disease quarantine area or an endemic stock disease quarantine area; or
    - (iii) defined stock; or
  - (d) take photographs or make films or videotapes of the premises or any animal, animal product or thing on the premises; or

- (e) if the inspector believes on reasonable grounds that an animal, an animal product, a vehicle or a thing may be infected with a disease—
    - (i) seize the animal, animal product, vehicle or thing or direct that it be detained on the premises; or
    - (ii) take a sample from the animal, animal product, vehicle or thing; or
    - (iii) use a test approved by the director to determine the existence of the disease; or
  - (f) if the inspector believes on reasonable grounds that an animal, an animal product, a vehicle or a thing may be connected with an offence—seize the animal, animal product, vehicle or thing; or
  - (g) direct any person on the premises to give the inspector the assistance that is reasonable to enable the inspector to exercise his or her powers under this Act; or
  - (h) direct any person on the premises—
    - (i) to make available any documents kept on the premises; or
    - (ii) to provide information that the inspector believes on reasonable grounds is connected with an offence; or
    - (iii) to answer questions.
- (2) A person is not required to comply with a direction under subsection (1) (h) unless the inspector giving the direction informs the person that a contravention of the direction constitutes an offence.

- (3) A person shall not, without reasonable excuse, contravene any direction given, or fail to provide any information, documents or records requested, by an inspector under subsection (1).

Maximum penalty: 50 penalty units.

- (4) In subsection (1):

*offence* means—

- (a) any conduct engaged in, whether constituted by an act or omission, that there are reasonable grounds for believing constitutes an offence under this Act; and
- (b) an offence (within the meaning of paragraph (a)) that there are reasonable grounds for believing has been, or will be, committed.

#### **48 Inspectors powers—travelling stock**

- (1) If an inspector believes on reasonable grounds that the owner, or person in charge, of travelling stock is contravening this Act, he or she may detain the travelling stock until the provisions of this Act are complied with.
- (2) If an inspector believes, on reasonable grounds that it is necessary to do so for this Act, he or she may—
- (a) detain travelling stock for the purposes of examination to determine whether the stock is or might be infected with a disease; or
- (b) in writing, direct the owner, or person in charge, of travelling stock—
- (i) to travel the stock to specified premises; or
- (ii) to hold the stock on specified premises subject to any conditions specified in the direction.
- (3) A person shall not, without reasonable excuse, contravene a direction under subsection (2) (b).

- (4) If an inspector has directed a person to hold stock on specified premises under subsection (2) (b), the person shall not, without reasonable excuse, cause or permit any stock to enter or leave those premises except with the written consent of the Minister.

Maximum penalty: 50 penalty units.

#### **49 Public notices**

- (1) The Minister may display any notices that he or she considers necessary for this Act, within or near the boundary of an endemic stock disease quarantine area or an exotic disease quarantine area, on a public street that enters such an area, or at the border of the ACT.

*Note* If a form is approved under s 63A for a notice, the form must be used.

- (2) A person shall not, without reasonable excuse, damage, interfere with or remove a notice displayed in accordance with subsection (1), except with the written consent of the Minister.

Maximum penalty: 10 penalty units.

#### **49A Directions to comply with regulations**

- (1) An inspector who is satisfied on reasonable grounds that a person who is keeping honeybees is contravening a regulation under this Act may direct the person in writing to take any action specified in the direction to remedy the contravention.
- (2) A direction under subsection (1) shall specify a reasonable period of time within which the direction is to be complied with.
- (3) The giving of a direction under subsection (1) does not prevent the institution of proceedings for an offence constituted by the contravention mentioned in the direction.

**50 Noncompliance with directions and cost recovery**

- (1) If a person contravenes a direction given by an inspector under this Act, the inspector may arrange for action to be taken to give effect to the direction.
- (2) The reasonable costs incurred by an inspector under subsection (1), are a debt payable to the Territory by the person to whom the direction was given.

**Division 5.3 Offences generally**

**51 Contravention of restrictions**

A person shall not, without reasonable excuse, contravene a restriction specified in a declaration under section 14, 15 or 23.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

**53 Selfincrimination**

- (1) A person is not excused from making available documents or records, providing information or answering questions in compliance with this Act on the ground that doing so would tend to incriminate the person.
- (2) If, before producing any document, record or information or answering any question in compliance with this Act, a person states that the document, record, information or answer may tend to incriminate him or her, then any document, record, information or answer obtained under this Act, or any information or thing obtained directly or indirectly as a consequence of that document, record, information or answer, is not admissible in evidence against the person in criminal proceedings other than proceedings relating to—
  - (a) the refusal or failure to produce any document, record or information or to answer any question; or

- (b) the provision of any document, record, information or answer that is false or misleading.

**54 Spreading disease**

- (1) A person shall not, without reasonable excuse, knowingly communicate a disease or disease agent to any animal.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) In this section:

*disease agent* means any prion, virus, rickettsia, bacterium, protozoon, fungus, helminth, arthropod, insect or other pathogen or organism that is capable of causing a disease in an animal.

**55 Use of vaccines etc**

A person shall not, without reasonable excuse, use on any stock—

- (a) a virus, vaccine or other biological product containing living organisms; or  
(b) for the purposes of diagnosis, a biological product that does not contain living organisms;

except with the written consent of the Minister.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

**56 Abandoning infected animals or carcasses**

The owner or person in charge of an infected animal or a carcass of an animal shall not, without reasonable excuse—

- (a) abandon, or permit to stray, the infected animal; or

- (b) leave, or cause or permit to be left, the carcass of the animal, on or adjacent to a public road or in or adjacent to a creek or waterhole.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

**57 Selling infected animals**

A person shall not, without reasonable excuse, knowingly sell or offer for sale or purchase an animal infected with a disease, except with the written consent of the Minister and in accordance with any conditions specified in the consent.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

**58 Interference with structures**

A person shall not, without reasonable excuse, damage or interfere with a gate, fence or other structure being used to contain animals for this Act, except with the written consent of the Minister and in accordance with any conditions specified in the consent.

Maximum penalty: 10 penalty units.

## **Part 6                      Miscellaneous**

### **60                      Certificate of freedom from disease**

- (1) The owner or occupier of premises may apply to the Minister in writing for a declaration that the premises are not infected with a specified exotic disease or endemic stock disease.
- (2) If the Minister is satisfied that the premises to which an application under subsection (1) relates are not infected with the specified exotic disease or endemic stock disease, he or she shall, in writing, certify the premises to be free of the disease on the day of the certification.
- (3) In proceedings for an offence against this Act, a certificate issued under this section, stating that on a specified day, specified premises were free of a specified disease, is evidence of the matters so stated.

### **61                      Review of decisions**

- (1) Application may be made to the administrative appeals tribunal for a review of a decision of the Minister—
  - (a) making or refusing to make a determination under section 18 (3) or 28 (3); or
  - (b) making a direction under section 24; or
  - (c) refusing to give consent under section 26, 48 (4), 49 (3), 55, 57 or 58; or
  - (d) refusing to issue a certificate under section 60.
- (2) Application may be made to the administrative appeals tribunal for a review of a decision of the director—
  - (a) refusing to allocate a tag number under section 33; or
  - (b) cancelling a tag number under section 41.

**62 Notification of decisions**

- (1) If the Minister or the director makes a decision of the kind referred to in section 61 (1) or (2), the Minister or the director shall give written notice of the decision to the person in respect of whom the decision was made.
- (2) A notice under subsection (1) shall be in accordance with the requirements of the code of practice in force under the *Administrative Appeals Tribunal Act 1989*, section 25B (1).

**63 Determination of fees**

- (1) The Minister may, in writing, determine fees for this Act.  
*Note* The Legislation Act contains provisions about the making of determinations and regulations relating to fees (see pt 6.3).
- (2) A determination is a disallowable instrument.  
*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

**63A Approved forms**

- (1) The Minister may, in writing, approve forms for this Act.  
*Note* The Legislation Act contains provisions about forms (see s 255).
- (2) If the Minister approves a form for a particular purpose, the approved form must be used for that purpose.
- (3) An approved form is a notifiable instrument.  
*Note* A notifiable instrument must be notified under the Legislation Act.

**64 Regulation-making power**

- (1) The Executive may make regulations for this Act.

*Note* Regulations must be notified, and presented to the Legislative Assembly, under the Legislation Act.

- (2) The regulations may make provision in relation to—
- (a) the prohibition of the entry into the ACT of any infected stock; and
  - (b) the conditions under which stock may be brought into the ACT; and
  - (c) the inspection of stock brought into the ACT; and
  - (d) the prevention of the introduction of endemic stock diseases into, or the spread of endemic stock diseases within, the ACT; and
  - (e) the regulation and control of the use of semen in the artificial insemination of stock; and
  - (f) the detention, treatment, inoculation or isolation of any stock in an endemic stock disease quarantine area; and
  - (g) the movement of any stock within, into, or out of, any endemic stock disease quarantine area; and
  - (h) the seizure and destruction of infected stock; and
  - (i) the subjection of stock to the restrictions or remedial measures that are deemed necessary to prevent the introduction or spread of endemic stock diseases; and
  - (j) the treatment or disinfection of any premises, animal product, carcass or thing likely to spread endemic stock diseases; and
  - (k) the branding of infected stock; and

- (l) the closing of any road in or adjacent to an endemic stock disease quarantine area or the erection of fences or gates across any road for the purpose of regulating or preventing the movement of stock; and
  - (m) the methods of diagnosis and discovery of endemic stock diseases; and
  - (n) the prevention of the introduction of exotic diseases into, or the spread of exotic diseases within, the ACT.
- (3) The regulations may also prescribe offences for contraventions of the regulations and prescribe maximum penalties of not more than 10 penalty units for offences against the regulations.

## Part 7 Transitional

### 65 Definitions for pt 7

In this part:

*commencement day* means the day when this Act (other than sections 1 and 2) commences.

*repealed Act* means the *Stock Diseases Act 1933*.

### 66 Stock

A declaration under the repealed Act, section 4 (1) (b), in force immediately before the commencement day, shall on and after that day be taken to be a declaration under this Act, section 21 (1) (a).

### 67 Continuation of appointment of director and inspectors

- (1) A person who held the office of Director of Veterinary Hygiene under the repealed Act, section 4A immediately before the commencement day, shall on and after that day be taken to have been appointed to that office under this Act, subject to the same terms and conditions.
- (2) A person who was an inspector under the repealed Act, section 5 immediately before the commencement day, shall on and after that day be taken to have been appointed to that office under this Act, subject to the same terms and conditions.
- (3) An identification card issued under the repealed Act, section 5A to an inspector referred to in subsection (2) shall, on and after the commencement day, be taken to be an identity card issued under this Act.

**68 Direction for the destruction of stock**

An order under the repealed Act, section 8 (1) that has not been executed before the commencement day, shall continue in force on and after that day, and the repealed Act, section 8 shall continue to apply on and after that day in relation to the order.

**69 Compensation for stock**

If, before the commencement day, stock was destroyed under the repealed Act, subsection 8 (1), and agreement had not been reached between the owner and an inspector under the repealed Act, subsection 8 (3) before that day, the repealed Act, subsection 8 (3) continues to apply on and after that day in relation to that stock.

**70 Declaration of defined stock**

A declaration under the repealed Act, section 11B in force immediately before the commencement day, shall on and after that day be taken to be a declaration under this Act, section 30.

**71 Continuing register**

The register to be kept under this Act, section 31 is a continuation of the register kept under the repealed Act, section 11C.

**72 Application for stock tag number**

An application under the repealed Act, section 11D before the commencement day that has not been determined before that day, shall on and after that day be taken to be an application under this Act, section 32.

**73 Stock tag numbers**

A tag number allocated under the repealed Act, section 11E or 11M that has not been cancelled before the commencement day, shall on and after that day be taken to have been allocated under this Act, section 33 or 40, respectively.

**74 Manufacturers**

A declaration under the repealed Act, section 11F in force immediately before the commencement day, shall on and after that day be taken to be a declaration under this Act, section 34.

**75 Authority to issue tags**

An authorisation under the repealed Act, section 11G (1) in force immediately before the commencement day, shall on and after that day be taken to be an authorisation under this Act, section 35 (1).

**76 Way of tagging defined stock**

A declaration under the repealed Act, section 11H in force immediately before the commencement day, shall on and after that day be taken to be a declaration under this Act, section 36.

**77 Cancellation of tag numbers**

If a notice under the repealed Act, section 11N (1) was served before the commencement day and the period of 28 days specified in the notice has not expired before that day, the notice shall on and after the commencement day be taken to be a notice under this Act, section 41 (1), and to have been served under this Act, section 41 (1).

**78 Evidentiary certificates**

The repealed Act, section 11P continues to apply in relation to a contravention, before the commencement day, of the repealed Act, section 11A (1).

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
cl = clause	pres = present
def = definition	prev = previous
dict = dictionary	(prev...) = previously
disallowed = disallowed by the Legislative Assembly	pt = part
div = division	r = rule/subrule
exp = expires/expired	reg = regulation/subregulation
Gaz = Gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

## Endnotes

3 Legislation history

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### 3 Legislation history

#### **Animal Diseases Act 1993 No 61**

notified 6 September 1993 (Gaz 1993 No S172)  
s 1, s 2 commenced 6 September 1993 (s 2 (1))  
remainder commenced 10 December 1993 (s 2 (2) and Gaz 1993  
No S255)

as amended by

#### **Administrative Appeals (Consequential Amendments) Act 1994 No 60 sch 1**

notified 11 October 1994 (Gaz 1994 No S197)  
s 1, s 2 commenced 11 October 1994 (s 2 (1))  
sch 1 commenced 14 November 1994 (s 2 (2) and see Gaz 1994  
No S250)

#### **Statutory Offices (Miscellaneous Provisions) Act 1994 No 97 sch pt 1**

notified 15 December 1994 (Gaz 1994 No S280)  
s 1, s 2 commenced 15 December 1994 (s 2 (1))  
sch pt 1 commenced 15 December 1994 (s 2 (2) and Gaz 1994  
No S293)

#### **Animal Diseases (Amendment) Act 1997 No 3**

notified 5 March 1997 (Gaz 1997 No S60)  
commenced 5 March 1997 (s 2)

#### **Statute Law Revision (Penalties) Act 1998 No 54 sch**

notified 27 November 1998 (Gaz 1998 No S207)  
s 1, s 2 commenced 27 November 1998 (s 2 (1))  
sch commenced 9 December 1998 (s 2 (2) and Gaz 1998 No 49)

#### **Animal Diseases Amendment Act 1999 No 65**

notified 10 November 1999 (Gaz 1999 No 45)  
commenced 10 November 1999 (s 2)

#### **Legislation (Consequential Amendments) Act 2001 No 44 pt 15**

notified 26 July 2001 (Gaz 2001 No 30)  
s 1, s 2 commenced 26 July 2001 (IA s 10B)  
pt 15 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

**Food Act 2001 No 66 pt 2.1**

notified 10 September 2001 (Gaz 2001 No S66)  
 s 1, s 2 commenced 10 September 2001 (IA s 10B)  
 pt 2.1 commenced 10 March 2002 (s 2 and LA s 79)

**Animal and Plant Diseases Amendment Act 2003 A2003-44 pt 2**

notified LR 2 October 2003  
 s 1, s 2 commenced 2 October 2003 (LA s 75 (1))  
 pt 2 commenced 3 October 2003 (s 2 (1))

**Criminal Code (Theft, Fraud, Bribery and Related Offences) Amendment Act 2004 A2004-15 sch 2 pt 2.3**

notified LR 26 March 2004  
 s 1, s 2 commenced 26 March 2004 (LA s 75 (1))  
 sch 2 pt 2.3 commenced 9 April 2004 (s 2 (1))

**4 Amendment history****Commencement**

s 2 om 2001 No 44 amdt 1.130

**Repeal**

s 3 om 2001 No 44 amdt 1.130

**Definitions for Act**

s 4 am 2001 No 44 amdt 1.132  
 def *animal* sub 1997 No 3 s 4  
 def *determined fee* om 2001 No 44 amdt 1.131  
 def *director* sub 1994 No 97 sch pt 1  
 def *identity card* om 1994 No 97 sch pt 1  
 def *inspector* sub 1994 sch pt 1  
 def *required media* ins A2003-44 s 4  
 def *this Act* om 2001 No 44 amdt 1.131  
 def *tribunal* om 1994 No 60 sch 1

**Director of Veterinary Hygiene**

s 5 sub 1994 No 97 sch pt 1

**Delegation**

s 6 sub 1994 No 97 sch pt 1

**Inspectors**

s 7 sub 1994 No 97 sch pt 1

**Identity cards**

s 8 sub 1994 No 97 sch pt 1  
 am 1998 No 54 sch

## Endnotes

### 4 Amendment history

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**Exercise of inspector's powers**

s 9 om 1994 No 97 sch pt 1

**Identity cards**

s 10 om 1994 No 97 sch pt 1

**Return of identity cards**

s 11 om 1994 No 97 sch pt 1

**Declaration of exotic diseases**

s 12 am 2001 No 44 amdt 1.133, amdt 1.134; A2003-44 s 5

**Notification of diseases**

s 13 am 1998 No 54 sch

**Exotic disease quarantine area**

s 14 am 2001 No 44 amdts 1.135-1.137; A2003-44 s 6

**Importation restriction**

s 15 am 2001 No 44 amdts 1.138-1.140; A2003-44 s 7

**Ministerial direction**

s 16 am 1998 No 54 sch

**Destruction of animals and other property**

s 17 am 1998 No 54 sch

**Compensation for animals or property destroyed**

s 18 am 2001 No 44 amdt 1.141, amdt 1.142  
ss renum 2001 No 44 amdt 1.143

**Removal of refuse**

s 19 am 1998 No 54 sch

**General**

div 4.1 hdg (prev pt 4 div 1 hdg) renum R3 LA

**Declaration of stock and endemic stock diseases**

s 21 am 2001 No 44 amdt 1.144, amdt 1.145; A2003-44 s 8

**Notification of diseases**

s 22 am 1998 No 54 sch

**Endemic stock disease quarantine area**

s 23 am 2001 No 44 amdts 1.146-1.148; A2003-44 s 9

**Ministerial direction**

s 24 am 1998 No 54 sch

**Detaining infected stock**

s 25 am 1998 No 54 sch

**Restriction on stock movements**

s 26 am 1998 No 54 sch

**Destruction of infected stock**

s 27 am 1998 No 54 sch

**Compensation for stock destroyed**

s 28 am 2001 No 44 amdt 1.149, amdt 1.150; ss renum 2001 No 44 amdt 1.151

**Stock tags**

div 4.2 hdg (prev pt 4 div 2 hdg) renum R3 LA

**Certain stock to be tagged**

s 29 am 1998 No 54 sch

**Defined stock**

s 30 am 2001 No 44 amdt 1.152, amdt 1.153

**Applications**

s 32 am 2001 No 44 amdt 1.154, amdt 1.155; ss renum 2001 No 44 amdt 1.156

**Approved manufacturers**

s 34 sub 2001 No 44 amdt 1.157

**Manufacture and issue of tags**

s 35 am 1998 No 54 sch

**Tagging defined stock**

s 36 am 1998 No 54 sch; 2001 No 44 amdt 1.158, amdt 1.159

**Alteration of tags**

s 37 am 1998 No 54 sch

**Tags to remain with carcasses**

s 38 am 1998 No 54 sch  
sub 2001 No 66 amdt 2.1

**Records of untagged stock**

s 39 am 1998 No 54 sch; 2001 No 44 amdt 1.160-1.162

**Emergency tags**

s 40 am 2001 No 44 amdt 1.163, amdt 1.164

**Preliminary**

div 5.1 hdg (prev pt 5 div 1 hdg) renum R3 LA

**Powers of inspectors**

div 5.2 hdg (prev pt 5 div 2 hdg) renum R3 LA

**Entry to premises**

s 44 am 1999 No 65 s 4; ss renum R3 LA

**Consent to entry**

s 45 am 1999 No 65 s 5

## Endnotes

### 4 Amendment history

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#### **Warrants**

s 46 sub 1999 No 65 s 6

#### **Inspectors powers—general**

s 47 am 1998 No 54 sch

#### **Inspectors powers—travelling stock**

s 48 am 1998 No 54 sch

#### **Public notices**

s 49 am 1998 No 54 sch; 2001 No 44 amdt 1.165, amdt 1.166;  
ss renum 2001 No 44 amdt 1.167

#### **Directions to comply with regulations**

s 49A ins 1999 No 65 s 7

#### **Offences generally**

div 5.3 hdg (prev pt 5 div 3 hdg) renum R3 LA

#### **Contravention of restrictions**

s 51 am 1998 No 54 sch

#### **Obstruction of inspectors**

s 52 am 1998 No 54 sch  
om A2004-15 amdt 2.11

#### **Spreading disease**

s 54 am 1998 No 54 sch

#### **Use of vaccines etc**

s 55 am 1998 No 54 sch

#### **Abandoning infected animals or carcasses**

s 56 am 1998 No 54 sch

#### **Selling infected animals**

s 57 am 1998 No 54 sch

#### **Interference with structures**

s 58 am 1998 No 54 sch

#### **Corporations—penalties**

s 59 om 1998 No 54 sch

#### **Review of decisions**

s 61 am 1994 No 60 sch 1

#### **Notification of decisions**

s 62 am 1994 No 60 sch 1

#### **Determination of fees**

s 63 sub 2001 No 44 amdt 1.168

#### **Approved forms**

s 63A ins 2001 No 44 amdt 1.168

**Regulation-making power**

s 64 hdg sub 2001 No 44 amdt 1.169  
 s 64 am 1998 No 54 sch; 1999 No 65 s 8; 2001 No 44  
 amdts 1.170-1.172; pars renum R3 LA

**Continuation of appointment of director and inspectors**

s 67 am 1994 No 97 sch pt 1

**Continuation of warrants**

s 79 ins 1999 No 65 s 9  
 exp 17 November 1999 (s 79 (2))

**Acts repealed**

sch om 2001 No 44 amdt 1.173

**5 Earlier republications**

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

<b>Republication No</b>	<b>Amendments to</b>	<b>Republication date</b>
1	Act 1997 No 3	31 January 1998
2	Act 1998 No 54	1 March 1999
3	A2001-66	19 April 2002
4	A2003-44	3 October 2003

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