

EXPLANATORY STATEMENT
AUSTRALIAN CAPITAL TERRITORY
STOCK DISEASES (AMENDMENT) ORDINANCE 1988

ORDINANCE NO. 23 OF 1988

The Stock Diseases Ordinance 1933 ("the Principal Ordinance") deals with diseases in stock and provides for the appointment of inspectors; notification of diseases; treatment or destruction of diseased stock and compensation for stock destroyed in pursuance of the Ordinance.

The Stock Diseases (Amendment) Ordinance 1988 amends the Principal Ordinance by providing for the appointment of a Director of Veterinary Hygiene.

The details of the amending Ordinance are set out in the Attachment.

**ISSUED BY AUTHORITY OF THE
MINISTER OF STATE FOR THE ARTS
AND TERRITORIES**

ATTACHMENT

Section 1 identifies the title of the Ordinance as the Stock Disease (Amendment) Ordinance 1988.

Section 2 provides that the Ordinance will come into operation on the date set by the Minister by notice in the Gazette.

Section 3 identifies the "Principal Ordinance" as the Stock Diseases Ordinance 1933.

Section 4 deals with interpretations.

Section 5 inserts sections 4A, 4B and 4C.

Section 4A creates the position of Director of Veterinary Hygiene:

- subsection 4A(1) creates the position of Director of Veterinary Hygiene and provide that the Director shall be appointed by the Minister; and
- subsection 4A(2) provides that the Director must be a public servant.

Section 4B deals with the termination of an appointment made under subsection 4A(1):

- subsection 4B(1) permits the Minister to terminate the appointment of a person as Director at any time; and
- subsection 4B(2) provides that once a Director ceases to be a public servant, the person will cease to hold the office of Director.

Section 4C deals with the appointment of acting Director:

- subsection 4C(1) allows the Minister to appoint a person to act as Director during a vacancy in the office of Director, during a period of absence or where the Director is unable to perform his or her duties for any reason;
- subsection 4C(2) provides that a person is not eligible to act as Director unless that person is a public servant;
- subsection 4C(3) provides that an appointment of a person to act as Director will have effect only in such circumstances as are specified in the instrument of appointment;
- subsection 4C(4) provides that an appointment of a person to act as Director shall not continue for more than 12 months;
- subsection 4C(5) provides that where a person is acting as Director and the office becomes vacant, then that person may continue to act, subject to subsection 4C(3), until the Minister otherwise directs, the vacancy is filled or for 12 months from the date on which the vacancy occurred;

- subsection 4C(6) provides that the person acting as Director may exercise all the powers and functions of the Director;
- subsection 4C(7) allows the Minister to determine the terms and conditions of the acting Director's appointment and terminate that appointment at any time;
- subsection 4C(8) allows the acting Director to resign the appointment by writing signed and delivered to the Minister; and
- subsection 4C(9) provides that anything done by or in relation to an acting Director will not be invalid because of any irregularity or deficiency in appointment or because the appointment had ceased.S