

# Animal Diseases (Fees) Revocation 2016

## Disallowable Instrument DI2016—136

made under the

**Animal Diseases Act 2005, s 88 (Determination of fees)**

## EXPLANATORY STATEMENT

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Section 88 of the *Animal Diseases Act 2005* permits the Minister to determine fees for the Act in writing. Section 46 of the *Legislation Act 2001* provides that the power given under an Act to make a statutory instrument (such as a fees determination) includes power to amend or repeal the instrument.

This instrument revokes the *Animal Diseases (Fees) Determination 2015 (No 1)*, which determined a fee of \$21.50 for the emergency issue and registering of a national livestock identification system (**NLIS**) device. Emergency issuing of an NLIS device is necessary where cattle are presented to a saleyard and the cattle have not previously been tagged under the NLIS. Section 15 of the *Animal Diseases Regulation 2006* provides the circumstances under which cattle must be tagged with an approved NLIS device.

The sale of NLIS devices for emergency situations will continue; however, as the fee for selling NLIS devices is more appropriately characterised as an administrative fee rather than a statutory fee, the fee will be moved to the directorate's administrative fee schedule.

The revocation takes effect from 1 July 2016.

A determination under section 88 of the Act is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001*.