

STOCK MEDICINES (AMENDMENT) BILL 1993

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The Stock (Chemical Residues) Amendment Bill 1993 is cognate with this Bill. The objects of this Bill are:

- (a) to extend the powers of the Director-General of the Department of Agriculture (“the Director-General”) in relation to the sale and use of stock medicines; and
- (b) to impose conditions on the exercise of an inspector’s powers of entry; and
- (c) to enable the Director-General to waive certain fees; and
- (d) to make other provisions of a minor, consequential or ancillary nature.

The extension of the powers of the Director-General in relation to stock medicines will be available for any stock medicines (such as hormone growth promotants) which may have an adverse effect on trade.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the proposed Act to commence on the date of assent.

Clause 3 amends the Stock Medicines Act 1989 as set out in Schedules 1 and 2.

SCHEDULE 1—AMENDMENTS RELATING TO THE SALE AND USE OF STOCK MEDICINES

Schedule 1 (1):

- (a) includes the possibility of an adverse effect on trade in stock, or a product derived from stock, among the grounds on which the Director-General may make certain regulatory orders relating to stock medicines; and
- (b) enables the Director-General to make orders in connection with the treatment of stock with a stock medicine (including orders relating to the identification of treated stock and the keeping of records of treated stock).

Schedule 1 (2) enables an inspector:

- (a) to require the production of certain records relating to stock medicines and the treatment of stock and to take copies of them, or extracts from them; and
- (b) to give directions for or with respect to the return to the manufacturer or supplier of articles seized by the inspector.

Schedule 1 (3) sets out the conditions on which the exercise of an inspector's powers of entry are to be subject.

SCHEDULE 2—OTHER AMENDMENTS

Schedule 2 (1) removes horses from the list of species classified by the Stock Medicines Act 1989 as food producing species.

Schedule 2 (2) and (3) enable the Director-General to waive the fee for an application for, or for the renewal of, the registration of a stock medicine in certain circumstances.

Schedule 2 (4) removes a limitation on the classes of persons who may be authorised to act as inspector.

Schedule 2 (5) enables a prosecution for an offence to be initiated by a person authorised by the Minister, instead of the consent of the Minister being required in each case.

Schedule 2 (6) amends the Schedule of savings and transitional provisions:

- (a) by allowing the Director-General (instead of the applicant) to determine the length of a shortened renewal of registration if the Director-General considers it is likely to be affected by the enactment of proposed Commonwealth legislation; and
 - (b) by allowing the Director-General to extend a current registration period for up to 12 months if the Director-General considers that the registration period is likely to be affected by the enactment of proposed Commonwealth legislation.
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