



New South Wales

Stock Diseases Amendment Act 1997 No 120

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New South Wales

Stock Diseases Amendment Act 1997 No 120

Act No 120, 1997

An Act to amend the *Stock Diseases Act 1923* and the *Stock Diseases (Nominations and Elections) Regulation 1995* in relation to the election of stock owner members of the Board of Tick Control; and for other purposes.
[Assented to 9 December 1997]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Stock Diseases Amendment Act 1997*.

2 Commencement

This Act commences on the date of assent.

3 Amendment of Stock Diseases Act 1923 No 34

The *Stock Diseases Act 1923* is amended as set out in Schedule 1.

4 Amendment of Stock Diseases (Nominations and Elections) Regulation 1995

The *Stock Diseases (Nominations and Elections) Regulation 1995* is amended as set out in Schedule 2.

5 Amendment of Rural Lands Protection Act 1989 No 197

The *Rural Lands Protection Act 1989* is amended as set out in Schedule 3.

Schedule 1 Amendment of Stock Diseases Act 1923

(Section 3)

[1] Section 5 Board of Tick Control

Omit section 5 (5) (c). Insert instead:

- (c) the other 6 are to be owners of stock kept within electoral districts constituted by the regulations, who are to be elected as prescribed by the regulations.

[2] Schedule 2 Savings, transitional and other provisions

Insert at the end of clause 1 (1):

Stock Diseases Amendment Act 1997

[3] Schedule 2, Part 3

Insert after Part 2:

Part 3 Provisions consequent on the enactment of the Stock Diseases Amendment Act 1997

8 Definitions

In this Part:

amending Act means the *Stock Diseases Amendment Act 1997*.

returning officer means:

- (a) the Electoral Commissioner for New South Wales, or
- (b) a person nominated by the Electoral Commissioner for the purpose of exercising the functions of a returning officer.

stock owner member means a member of the Board of Tick Control elected under section 5 (5) (c).

9 Any election in progress when the amending Act commences is discontinued

- (1) Any election for one or more stock owner members that is in progress on the date of assent to the amending Act is discontinued on that date, by force of that Act.
- (2) For this purpose, an election is taken to be in progress if the returning officer has given notice of the election under clause 16 of the *Stock Diseases (Nominations and Elections) Regulation 1995* but the election has not been finally determined.

10 Appointment of existing Board members unaffected

- (1) Nothing in the amending Act affects the validity of the election of any person holding office as a stock owner member immediately before the date of assent to the amending Act.
- (2) The term of office of every member of the Board of Tick Control (including any stock owner member) who held office immediately before the date of assent to the amending Act is (despite clauses 3 and 5 (1) (b) of Schedule 1) continued for 4 months longer than the period specified in the member's instrument of appointment.
- (3) Such a member continues to hold office until his or her period of office (as extended by subclause (2)) ends, unless his or her office is vacated, in accordance with clause 5 of Schedule 1 (clause 5 (1) (b) excepted) before that extended period ends.

11 Existing electoral districts operative

- (1) The electoral districts constituted by an order in force under the *Stock Diseases (Nominations and Elections) Regulation 1995* immediately before the date of assent to the amending Act are operative for any election of stock owner members that occurs after that date.
- (2) Nothing in this clause prevents the Minister from making any order amending or revoking any such order.

**Schedule 2 Amendment of Stock Diseases
(Nominations and Elections)
Regulation 1995**

(Section 4)

Clause 14

Omit the clause. Insert instead:

14 Prescribed qualifications

A person has the prescribed qualifications for the purposes of the election of a stock owner member if, on the date fixed for the close of nominations for an election or at any time during the 12 months before that date, the person owned cattle kept within the electoral district to which the election relates.

Schedule 3 Amendment of Rural Lands Protection Act 1989

(Section 5)

Section 59 Purposes for which information provided under section 57 and 58 may be used

Insert after section 59 (c):

- (c1) to prepare any preliminary or other roll for the purposes of any election conducted under the *Stock Diseases Act 1923*,

[Minister's second reading speech made in—
Legislative Assembly on 12 November 1997
Legislative Council on 27 November 1997]