



New South Wales

Stock (Chemical Residues) Amendment (Prescribed Officers) Regulation 2001

under the

Stock (Chemical Residues) Act 1975

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Stock (Chemical Residues) Act 1975*.

RICHARD AMERY, M.P.,
Minister for Agriculture

Explanatory note

The powers to issue, vary and revoke notices for the detention of chemically affected stock, which are conferred on the Minister under section 8 of the *Stock (Chemical Residues) Act 1975*, were previously conferred under that section on both the Minister and prescribed officers. Accordingly, it was necessary for regulations made under that Act to prescribe certain officers for the purposes of section 8. This was done by clause 4 of the *Stock (Chemical Residues) Regulation 1995*. The persons prescribed by that clause were also “prescribed officers” for the purposes of other provisions of the Regulation.

Section 8 no longer refers to any prescribed officer. Accordingly, this Regulation amends the *Stock (Chemical Residues) Regulation 1995* so as to:

- (a) repeal clause 4 (and make a consequential amendment), and
- (b) replace references to prescribed officers in other provisions of the Regulation with references to certain officers of the Department of Agriculture.

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Explanatory note

This Regulation also prescribes inspectors (that is, inspectors who are appointed under the *Stock Diseases Act 1923*) who are not officers of the Department of Agriculture as additional persons to whom the Minister may, under section 13A of the *Stock (Chemical Residues) Act 1975*, delegate certain of the Minister's powers, authorities, duties and functions under that Act. (Officers of the Department of Agriculture are already prescribed for the purposes of section 13A.)

This Regulation is made under the *Stock (Chemical Residues) Act 1975*, and, in particular, under sections 10 (Power to seize stock), 13A (Delegation of functions) and 16 (the general regulation-making power).

Stock (Chemical Residues) Amendment (Prescribed Officers) Regulation 2001

1 Name of Regulation

This Regulation is the *Stock (Chemical Residues) Amendment (Prescribed Officers) Regulation 2001*.

2 Amendment of Stock (Chemical Residues) Regulation 1995

The *Stock (Chemical Residues) Regulation 1995* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

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Schedule 1 Amendments

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(Clause 2)

[1] Clause 3 Definitions

Omit the definition of *prescribed officer*.

[2] Clause 4 Prescribed officers: section 8

Omit the clause.

[3] Clause 5 Disposal of seized stock: section 10

Omit “a prescribed officer” from clause 5 (3) (a).

Insert instead “by the Director-General, the Chief, Division of Animal Industries or the Program Manager, Quality Assurance”.

[4] Clause 5 (3) (b)

Omit “prescribed officer”.

Insert instead “to the Director-General, the Chief, Division of Animal Industries or the Program Manager, Quality Assurance”.

[5] Clause 5D

Insert after clause 5C:

5D Prescribed persons: section 13A

The class of persons who are inspectors (not being officers of the Department of Agriculture) are prescribed for the purposes of section 13A (2) (b) of the Act.

BY AUTHORITY
