

[Act 1997 No 120]



New South Wales

# Stock Diseases Amendment Bill 1997

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to change the provisions in the *Stock Diseases Act 1923* concerning eligibility for election as a member of the Board of Tick Control, and the qualifications for voting in an election for such a member, so that any person who is the owner of cattle kept in an electoral district can run for, or vote in, such an election.

---

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent.

**Clause 3** is a formal provision giving effect to the amendments to the *Stock Diseases Act 1923* as set out in Schedule 1.

**Clause 4** is a formal provision giving effect to the amendment to the *Stock Diseases (Nominations and Elections) Regulation 1995* as set out in Schedule 2.

**Clause 5** is a formal provision giving effect to the amendment to the *Rural Lands Protection Act 1989* as set out in Schedule 3.

### Schedule 1 Amendment of Stock Diseases Act 1923

The *Stock Diseases Act 1923* establishes the Board of Tick Control, which has the functions of making recommendations to the Minister on matters relating to the control and eradication of cattle tick, including the proclamation of quarantine areas, and advising the Minister on matters referred to the Board by the Minister.

At present, the membership of the Board includes 6 elected members who must be owners of stock within quarantine areas declared as such on account of the presence or suspected presence of cattle tick.

The amendment to the *Stock Diseases Act 1923* made by **Schedule 1 [1]** removes the reference to quarantine areas from the provision setting out who is eligible to be a member of the Board. As a result, any person who is the owner of stock kept within an electoral district is eligible for election as a member of the Board of Tick Control (in accordance with the regulations).

The transitional provisions (inserted in the *Stock Diseases Act 1923* by **Schedule 1 [3]**) provide for the discontinuation of any election of stock owner members that is in progress when the proposed Act commences, so as to allow for the conduct of a new election based on the new qualifications to nominate and vote. The term of office of existing Board members is continued for 4 months to allow time for such an election to be held. The transitional provisions also save existing boundaries of electoral districts, set by a Ministerial order under the *Stock Diseases (Nominations and Elections) Regulation 1995*, (without affecting the ability of the Minister to make a subsequent order constituting different electoral districts) and provide that the appointment of existing members of the Board of Tick Control is unaffected by the enactment of the proposed Act. **Schedule 1 [2]** inserts a power to make regulations of a savings or transitional nature consequent on the enactment of the proposed Act.

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

The amendment to the *Stock Diseases (Nominations and Elections) Regulation 1995* made by Schedule 2 prescribes the qualifications for nominating a candidate, being nominated as a candidate and voting, for the purpose of the election of a stock owner member of the Board of Tick Control. Under the new provision, any person who owns, or has within the last 12 months owned, cattle kept in an electoral district to which the election relates can nominate a candidate, run for or vote in such an election.

### **Schedule 3 Amendment of Rural Lands Protection Act 1989**

Sections 57 and 58 of the *Rural Lands Protection Act 1989* impose obligations on occupiers of certain land to provide rural lands protection boards with certain information. The amendment to that Act made by **Schedule 3** amends that Act so as to allow for the information to be used in the preparation of rolls for the conduct of elections under the *Stock Diseases Act 1923*.