

Act 1993 No. 4

## 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.

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**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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