

Act 1993 No. 5

## STOCK (CHEMICAL RESIDUES) AMENDMENT BILL 1993

NEW SOUTH WALES



### EXPLANATORY NOTE

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

This Bill is cognate with the Stock Medicines (Amendment) Bill 1993.

The objects of this Bill are:

- (a) to extend the operation of the Stock (Chemical Residues) Act 1975 to stock that are treated with certain stock medicines or other substances that may have an adverse effect on trade; and
- (b) to create certain offences relating to false representations about the treatment with any of those medicines or substances of stock being sold; and
- (c) to add to the powers of an inspector and impose conditions on an inspector's powers of entry; and
- (d) to increase the penalties for offences.

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**Clause** 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 (Chemical Residues) Act 1975 as set out in Schedules 1 and 2.

### SCHEDULE 1—GENERAL AMENDMENTS

**Schedule 1 (1)** adds a definition of “stock medicine”, giving it the same meaning as it has in the Stock Medicines Act 1989.

**Schedule 1 (2)** enables an inspector to require the production of records relating to the purchase, use or disposal of a substance liable to produce a residue in the body tissues or secretions of stock.

**Schedule 1 (3)** (proposed section 5A) sets out the conditions on which the exercise of an inspector's power of entry is to be subject.

*Stock (Chemical Residues) Amendment 1993 [Act 1993 No. 5]*

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**Schedule 1 (4)** inserts proposed sections 12A and 12B.

Section 12A would enable the Minister to have the provisions of the Act (except section 11) applied to a stock medicine or other substance that may have an adverse effect on trade in stock.

Section 12B would make it an offence for a seller of stock to represent that the stock have not been treated with a stock medicine, or other substance, the subject of an order under section 12A while knowing that, or not knowing whether, the stock have been so treated.

**SCHEDULE 2—AMENDMENTS RELATING TO PENALTIES**

The penalties imposed by the Stock (Chemical Residues) Act 1975 when it was enacted have remained unchanged at 5 penalty units and, in one case, 10 penalty units. It is proposed to increase them to penalties similar to those imposed under the Stock Medicines Act 1989 but only the Supreme Court would be able to impose a penalty exceeding 50 penalty units.

At present, 1 penalty unit is equivalent to \$100.

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