

Passed by both Houses



New South Wales

Animal Diseases Legislation Amendment (Civil Liability) Bill 2004

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2004*



New South Wales

Animal Diseases Legislation Amendment (Civil Liability) Bill 2004

Act No , 2004

*An Act to amend the *Exotic Diseases of Animals Act 1991* and the *Stock Diseases Act 1923* to provide protection from civil liability for the disclosure of information in accordance with those Acts; and for other purposes.*

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Animal Diseases Legislation Amendment (Civil Liability) Act 2004*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Amendment of Exotic Diseases of Animals Act 1991 No 73

The *Exotic Diseases of Animals Act 1991* is amended as set out in Schedule 1.

4 Amendment of Stock Diseases Act 1923 No 34

The *Stock Diseases Act 1923* is amended as set out in Schedule 2.

Schedule 1 Amendment of Exotic Diseases of Animals Act 1991

(Section 3)

Section 75A

Insert after section 75:

75A Exclusion of personal liability for information required to be provided under this Act

- (1) If a person is required under this Act to provide any information, the provision of that information by the person does not subject the person personally to any action, liability, claim or demand.
- (2) Without limiting subsection (1), a person is required to provide information under this Act if:
 - (a) the person is required to answer a question put to the person under this Act, or
 - (b) the person is required to give a notice or other document under this Act, or
 - (c) the person is required to produce a record or other document under this Act.
- (3) Nothing in this section affects the criminal liability of any person under this Act or any other Act or law.
- (4) This section extends to any information that a person was required to provide under this Act that was provided before the commencement of this section, but does not extend to proceedings in respect of the provision of such information that were brought before that commencement.

Schedule 2 Amendment of Stock Diseases Act 1923

(Section 4)

[1] Section 9A Protection from liability for notification of diseases

Omit the section.

[2] Section 22B

Insert after section 22A:

22B Exclusion of personal liability for information required to be provided under this Act

- (1) If a person is required under this Act to provide any information, the provision of that information by the person does not subject the person personally to any action, liability, claim or demand.
- (2) Without limiting subsection (1), a person is required to provide information under this Act if:
 - (a) the person is required to answer a question put to the person under this Act, or
 - (b) the person is required to give a notice or other document under this Act, or
 - (c) the person is required to produce a record or other document under this Act.
- (3) Nothing in this section affects the criminal liability of any person under this Act or any other Act or law.
- (4) This section extends to any information that a person was required to provide under this Act that was provided before the commencement of this section, but does not extend to proceedings in respect of the provision of such information that were brought before that commencement.