

STOCK.

12 GEO. VI.
No. 19.
DISEASES IN
STOCK ACTS
AMENDMENT
ACT OF 1948.

An Act to Amend "The Diseases in Stock Acts, 1915 to 1946," in certain particulars.

[ASSENTED TO 6TH APRIL, 1948.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title
and
construction.

1. (1.) This Act may be cited as "*The Diseases in Stock Acts Amendment Act of 1948*," and shall be read as one with *"*The Diseases in Stock Acts, 1915 to 1946*," herein referred to as the Principal Act.

Collective
title.

(2.) The Principal Act and this Act may be collectively cited as "*The Diseases in Stock Acts, 1915 to 1948*."

Amendment
of s. 3.

2. In section three of the Principal Act the following definition "Approved Veterinary Surgeon" is inserted before the definition "Carcass," namely:—

Approved
Veterinary
Surgeon.

" "Approved Veterinary Surgeon"—A veterinary surgeon appointed by the Minister by notice published in the *Gazette* to be an Approved Veterinary Surgeon ; "

Subsection
(3) added to
s. 4.

3. (1.) The following subsection, numbered three, is added to section four of the Principal Act, namely:—

"(3.) Subject to the Minister and any veterinary surgeon who is registered as such under †"*The Veterinary Surgeons Acts, 1936 to 1946*," and who is qualified under paragraph (i.) of subsection one of section eighteen of such lastmentioned Acts for such registration, agreeing in writing upon the terms, provisions, and conditions upon and subject to which such veterinary surgeon shall carry out the powers, functions, and duties of an Approved Veterinary Surgeon, the Minister may, by notice published in the *Gazette*, appoint such veterinary surgeon to be an Approved Veterinary Surgeon.

* 6 G. 5 No. 15 and amending Acts.

† 1 E. 8 No. 17 and amending Act.

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Any such agreement may be renewed or extended from time to time by a further agreement in writing between the Minister and the veterinary surgeon concerned.

Any such appointment may be terminated by the Minister if the appointee contravenes or fails to comply with any term, provision, or condition of his agreement with the Minister, but so that such termination shall not prejudice or affect any other right or remedy which the Minister may have under the agreement against the appointee for such breach thereof."

(2.) Where by an agreement made prior to and in force at the passing of this Act the Minister and a veterinary surgeon registered as such under **"The Veterinary Surgeons Acts, 1936 to 1946"* and qualified under paragraph one of subsection one of section eighteen of such lastmentioned Acts for such registration, agreed in writing upon the terms, provisions and conditions upon and subject to which such veterinary surgeon should carry out the powers, functions and duties which under and pursuant to the amendments made to the Principal Act by this Act are conferred and imposed upon an Approved Veterinary Surgeon—

- (i.) On and from the passing of this Act that agreement shall have the same force and effect in law as it would have if it had been made by the Minister and the said veterinary surgeon under and pursuant to the Principal Act as amended by this Act, and is hereby approved, ratified and validated accordingly; and
- (ii.) The veterinary surgeon who is a party to that agreement may on the passing of this Act be appointed by the Minister to be an Approved Veterinary Surgeon.

4. (1.) In subsection three of section 6A of the Principal Act the words "not otherwise" are repealed and the words "for any payment to any Approved Veterinary Surgeon in pursuance of any agreement made by him with the Minister under this Act" are inserted in lieu of such repealed words. Amendment
of s. 6A (3).

* 1 E. 8 No. 17 and amending Act.

(2). The amount of all payments made, prior to the passing of this Act, to a veterinary surgeon from the Stock Diseases Fund, in pursuance of an agreement between the Minister and that veterinary surgeon which is approved, ratified and validated by subsection two of section three of this Act, shall be refunded to and paid into that Fund from the Stock Diseases Compensation Fund.

Amendments
of s. 25A.

5. Section 25A of the Principal Act is amended as follows :—

(i.) In subsections one, two, and three thereof the words “ or Approved Veterinary Surgeon ” are inserted after the words “ Government Veterinary Officer ” wherever such lastmentioned words appear therein.

(ii.) The following paragraphs are added to subsection four thereof :—

“ Where an Approved Veterinary Surgeon finds in or upon any holding or premises any stock affected by tuberculosis he—

(i.) May or, if thereunto required by his agreement with the Minister, shall mark or brand such stock in the prescribed manner with the prescribed mark or brand ; and

(ii.) Shall, immediately upon completion of the test, forward a certificate of such finding and of such other particulars as are required by his agreement with the Minister to be certified to therein to the Chief Inspector of Stock or, if such test has been made in a district where a Government Veterinary Officer is stationed, to such Government Veterinary Officer.

The Chief Inspector of Stock or any Government Veterinary Officer may thereupon by an order in writing under his hand order the destruction of such stock.”

(iii.) In subsection six thereof the words “ Chief Inspector of Stock or ” are inserted after the words “ one or more orders as the ” appearing therein.

(iv.) In subsection seven thereof the words “ Chief Inspector of Stock or ” are inserted after the words “ shall be given by the ” appearing therein.

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(v.) In subsection nine thereof the words “an inspector” are repealed and the words “the Chief Inspector of Stock or a Government Veterinary Officer” are inserted in lieu of such repealed words.

(vi.) In subsection ten thereof the words “the Government Veterinary Officer who made such order” are repealed and the words “a Government Veterinary Officer or an Approved Veterinary Surgeon” are inserted in lieu of such repealed words.

(vii.) In subsection eleven, and in the first paragraph of subsection twelve, of the said section the words “or an Approved Veterinary Surgeon” are inserted after the words “Government Veterinary Officer” wherever such lastmentioned words appear therein.

(viii.) The second paragraph of subsection twelve thereof is repealed and the following paragraph is inserted in lieu of such repealed paragraph, namely:—

“For the purposes of this subsection the term “Government Veterinary Officer” and the term “Approved Veterinary Surgeon” include every assistant whom the Government Veterinary Officer or Approved Veterinary Surgeon as the case may be, has with him”

(ix.) In subsection thirteen of the said section the words “or an Approved Veterinary Surgeon” are inserted after the words “Government Veterinary Officer” where such words first appear therein; and the words “or the Approved Veterinary Surgeon” are inserted after the words “Government Veterinary Officer” where such words last appear therein.

6. In subsections two and five of section 25B of ^{Amendments} the Principal Act the words “or an Approved Veterinary ^{of s. 25B.} Surgeon” are inserted after the words “Government Veterinary Officer” wherever such lastmentioned words appear therein.