

Queensland



ANNO TRICESIMO SECUNDO

ELIZABETHAE SECUNDAE REGINAE

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No. 3 of 1984

**An Act to amend the Stock Act 1915–1981 and the Poultry  
Industry Act 1946–1979 each in certain particulars**

[PASSED THIRD READING 13TH DECEMBER, 1983; ASSENTED TO 6TH  
JANUARY, 1984]

BE IT ENACTED by the Queen'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:—

PART I—PRELIMINARY

**1. Short title.** This Act may be cited as the *Stock Act and Another Act Amendment Act 1984*.

**2. Commencement.** (1) Section 1 and this section shall commence on the day on which this Act is assented to for and on behalf of Her Majesty.

(2) The Governor may by Proclamation—

(a) appoint a date on which this Act (other than section 1 and this section) shall commence; or

(b) appoint dates on which the provisions (other than section 1 and this section) of this Act specified in the Proclamation shall commence.

Such dates may be appointed in one Proclamation or in different Proclamations.

This Act (other than section 1 and this section) or a provision thereof specified in the Proclamation shall commence on the date appointed by Proclamation made under this subsection for the commencement of this Act or, as the case may be, that provision.

**3. Arrangement.** This Act is arranged as follows:—

PART I—PRELIMINARY;

PART II—AMENDMENTS OF STOCK ACT 1915–1981;

PART III—AMENDMENTS OF POULTRY INDUSTRY ACT 1946–1979.

PART II—AMENDMENTS OF STOCK ACT 1915–1981

**4. Principal Act and citation as amended.** (1) In this Part the *Stock Act 1915–1981* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Stock Act 1915–1984*.

**5. Amendment of s. 15. Owner to be compensated.** Section 15 of the Principal Act is amended, in the first paragraph, by omitting the words “which is hereby to the necessary extent appropriated accordingly”.

**6. Amendment of s. 18. Owner of travelling stock to notify inspector.**  
Section 18 of the Principal Act is amended by—

(a) omitting subsection (2) and substituting the following subsection:—

“(2) An owner—

- (a) of horses who desires to travel such horses from the holding on which they are ordinarily depastured to another holding or place or to that holding or place and return to the holding of origin of the movement;
- (b) of stock who desires to travel such stock repeatedly to and from neighbouring holdings;
- (c) of cattle, sheep, goats or farm deer who desires to travel that class of stock regularly—
  - (i) from the holding on which such stock are ordinarily depastured to particular saleyards for sale by public auction; or
  - (ii) from the holding on which such stock are ordinarily depastured or from a saleyard immediately following the sale of such stock by public auction to particular abattoirs or slaughter-houses licensed as such under the *Meat Industry Act* 1965–1983;

shall before travelling such stock or class of stock apply for and receive from the nearest inspector, not being an acting or honorary inspector, a concessional permit.

An applicant for a concessional permit shall supply the inspector to whom he applies for such permit (in writing or orally as the inspector may require) with such of the following details as may be applicable—

- (a) the type of stock;
- (b) the holding on which they are located;
- (c) the name of the owner;
- (d) the name and address of the actual owner;
- (e) the proposed destination or destinations of the stock;
- (f) the purpose or purposes of travel where stock are to be repeatedly travelled to and from neighbouring holdings;
- (g) the particular saleyards, abattoirs or slaughter-houses to which the stock are being travelled; and
- (h) any other matters as may be prescribed.

The inspector to whom an application for a concessional permit is made, upon his being satisfied of the bona fides of the application and that the issue of the concessional permit is not likely to lead to the spread of disease, may in his discretion issue to the applicant a concessional permit which shall be subject to the provisions of subsection (1) of this section so far as those provisions are not inconsistent with the provisions of this subsection.

A concessional permit shall be issued for such period not exceeding 5 years as the inspector considers appropriate and while in force shall authorise the owner concerned to travel his stock as often as he sees fit for the purpose or purposes for which such concessional permit is issued.”;

(b) in subsection (3) inserting after the first paragraph the following paragraph:—

“ Upon publication pursuant to the provisions of the *Exotic Diseases in Animals Act 1981–1982* of a notification in the Gazette notifying an area to be an infected zone, control zone or standstill zone, a permit issued pursuant to this section for the movement of stock into, within or out of the area described in the notification shall be deemed to be cancelled.”.

#### **7. Amendment of s. 19. Drivers to be provided with waybill.**

Section 19 of the Principal Act is amended by—

(a) in the note appearing in and at the beginning of the section inserting after the word “waybill” the words “or travelling stock declaration”;

(b) in subsection (1)—

(i) in the first paragraph, omitting provisions (a) and (b) and substituting the following provisions:—

“(a) a duly completed waybill as prescribed wherein such stock are fully and accurately described and a permit prescribed by section 18; or

(b) where a concessional permit has been issued a duly completed travelling stock declaration as prescribed wherein such stock are fully and accurately described.”;

(ii) in the second paragraph omitting the words “a duly completed waybill wherein such stock is fully and accurately described and permit specified in the preceding paragraph” and substituting the words “the waybill and permit referred to in provision (a) or the travelling stock declaration referred to in provision (b)”;

(iii) in the third paragraph omitting the expressions “(a)”, “(b)” and “(c)” and substituting the expressions “(c)”, “(d)” and “(e)” respectively;

(iv) in the fourth paragraph—

(A) inserting after the words “the waybill” the words “or a copy of the travelling stock declaration”;

(B) inserting after the words “copy waybill” the words “or copy travelling stock declaration”;

(v) in the last paragraph inserting after the word “permit” the words “, travelling stock declaration”;

(c) in subsection (2)—

(i) in the first paragraph, inserting after the word “waybill” wherever it occurs the words “or travelling stock declaration”;

(ii) in the second paragraph, inserting after the words “ copy waybill ” and “ copy of the waybill ” the words “ or copy travelling stock declaration ” and “ or travelling stock declaration ” respectively;

(d) in subsection (3) inserting after the word “ permit ” where it twice occurs the words “ or travelling stock declaration ”;

(e) in subsection (4)—

(i) in paragraph (c) inserting after the word “ permit ” the words “ , travelling stock declaration ”;

(ii) in paragraph (f) inserting after the word “ waybill ” the words “ or travelling stock declaration ”;

(iii) in paragraph (g) inserting after the word “ waybill ” the words “ or travelling stock declaration ”;

(iv) in paragraph (h) inserting after the word “ waybill ” the words “ or travelling stock declaration ”;

(f) in subsection (6) (a) inserting after the word “ waybill ” the words “ or travelling stock declaration ”;

(g) in subsection (7) inserting after the word “ waybill ” the words “ or travelling stock declaration ”;

(h) in subsection (8)—

(i) omitting the word “ six ” and substituting the word “ twelve ”;

(ii) inserting after the word “ waybill ” where it twice occurs the words “ or travelling stock declaration ”;

(i) inserting after subsection (8) the following subsection:—

“(8A) A person who purchases or receives any stock from a person other than a drover and who subsequently travels such stock shall retain and preserve for a period of twelve months after the movement of the stock the waybill in respect of such stock and shall upon demand made at any time during that period by an inspector or Police Officer produce the waybill for inspection.

Penalty: \$500.”;

(j) in subsection (9) inserting after the word “ waybill ” the words “ or travelling stock declaration ”.

**8. Amendment of s. 20. Endorsement of waybill.** Section 20 of the Principal Act is amended by—

(a) in the note, appearing in and at the beginning of the section inserting after the word “ waybill ” the words “ or travelling stock declaration ”;

(b) inserting after the word “ waybill ” where it twice occurs the words “ or travelling stock declaration ”.

### PART III—AMENDMENTS OF POULTRY INDUSTRY ACT 1946–1979

**9. Principal Act and citation as amended.** (1) In this Part the *Poultry Industry Act 1946–1979* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Poultry Industry Act 1946-1984*.

**10. Amendment of s. 10B. Payments into Fund.** Section 10B of the Principal Act is amended in subsection (4) by omitting the words "under the hand of the Minister" and substituting the words "by the Minister or by the Chief Inspector on his behalf".