



Queensland

Agriculture and Forestry Legislation Amendment Bill 2013



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2013

A Bill

for

An Act to amend the *Agricultural Chemicals Distribution Control Act 1966*, the *Agricultural Standards Act 1994*, the *Animal Care and Protection Act 2001*, the *Animal Management (Cats and Dogs) Act 2008*, the *Forestry Act 1959*, the *Land Protection (Pest and Stock Route Management) Act 2002*, the *Rural and Regional Adjustment Act 1994* and the *Veterinary Surgeons Act 1936* for particular purposes.

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Agriculture and Forestry
Legislation Amendment Act 2013*. 4
5

Clause 2 Commencement 6

(1) Part 2 commences on a day to be fixed by proclamation. 7

(2) Part 5, division 2 and schedule 1 commences 28 days after the
date of assent of this Act. 8
9

**Part 2 Amendment of Agricultural
Chemicals Distribution Control
Act 1966** 10
11
12

Clause 3 Act amended 13

This part amends the *Agricultural Chemicals Distribution
Control Act 1966*. 14
15

Clause 4 Replacement of ss 8–10B 16

Sections 8 to 10B— 17

omit, insert— 18

8 Delegations by chief executive 19

The chief executive may delegate the chief executive's
powers under this Act to the standards officer. 20
21

Clause 5	Amendment of s 12 (Pilot chemical rating licence)	1
	Section 12(1), from ‘Act’ to ‘grant’—	2
	<i>omit, insert</i> —	3
	Act, the chief executive may grant	4
Clause 6	Amendment of s 15 (Aerial distribution contractor licence)	5
	Section 15(1), from ‘Act’ to ‘grant’—	6
	<i>omit, insert</i> —	7
	Act, the chief executive may grant	8
Clause 7	Amendment of s 16 (Commercial operators’ licence)	10
	Section 16(1), from ‘Act’ to ‘grant’—	11
	<i>omit, insert</i> —	12
	Act, the chief executive may grant	13
Clause 8	Amendment of s 16B (Ground distribution contractor licence)	14
	Section 16B, ‘board’—	15
	<i>omit, insert</i> —	16
	chief executive	17
Clause 9	Amendment of s 17 (Application for licences)	19
	Section 17, ‘board’—	20
	<i>omit, insert</i> —	21
	chief executive	22
Clause 10	Amendment of s 18 (Term of licence)	23
	Section 18(2), ‘board’—	24

[s 11]

omit, insert— 1
chief executive 2

Clause 11 Amendment of s 19 (Renewal of licence) 3
Section 19, ‘board’— 4
omit, insert— 5
chief executive 6

Clause 12 Amendment of s 19B (Notice of change in circumstances) 7
Section 19B(2), ‘board’— 8
omit, insert— 9
chief executive 10

Clause 13 Amendment of s 20 (Suspension of licence by standards officer) 11
Section 20, ‘board’— 12
omit, insert— 14
chief executive 15

Clause 14 Replacement of s 21 (Cancellation or suspension of licence) 16
Section 21— 17
omit, insert— 19
21 Grounds for suspension or cancellation of licence by chief executive 20
Each of the following is a ground for suspending or 22
cancelling a licence under section 21D— 23
(a) the licensee has committed an offence 24
against this Act or the *Health (Drugs and* 25
Poisons) Regulation 1996, section 290, 26
made under the *Health Act 1937*; 27

-
- (b) the licensee has done an act or made an omission that would not entitle the licensee to apply for a licence of the type held by the licensee;
 - (c) the licence was issued because of a materially false, fraudulent or misleading document, representation or declaration;
 - (d) the licensee is not, or is no longer, an appropriate person to continue to hold the licence;
 - (e) if the licence is an aerial distribution contractor licence or a ground distribution contractor licence—the licensed distribution contractor has not complied with a request made by the standards officer under section 26(2).

21A Show cause notice

- (1) This section applies if the chief executive believes a ground exists to suspend or cancel a licence (the *proposed action*).
- (2) Before taking the proposed action, the chief executive must give the licensee a notice (a *show cause notice*) stating the following—
 - (a) the proposed action;
 - (b) the grounds for the proposed action;
 - (c) an outline of the facts and circumstances forming the basis for the grounds;
 - (d) if the proposed action is suspension of the licence—the proposed suspension period;
 - (e) that the licensee may, within a stated period (the *show cause period*), make written representations to the chief executive to

[s 14]

show why the proposed action should not be taken.	1 2
(3) The show cause period must end at least 21 days after the licensee is given the show cause notice.	3 4
21B Representations about show cause notice	5
(1) The licensee may, within the show cause period, make written representations to the chief executive about why the proposed action should not be taken.	6 7 8 9
(2) The chief executive must consider all representations (the <i>accepted representations</i>) made under subsection (1).	10 11 12
21C Ending show cause process without further action	13 14
If, after considering the accepted representations for a show cause notice, the chief executive no longer believes a ground exists to suspend or cancel the licence, the chief executive—	15 16 17 18
(a) must not take any further action about the show cause notice; and	19 20
(b) must give the licensee a notice that no further action is to be taken about the show cause notice.	21 22 23
21D Suspension or cancellation of licence	24
(1) This section applies if—	25
(a) there are no accepted representations for a show cause notice; or	26 27
(b) after considering the accepted representations for a show cause notice, the chief executive—	28 29 30

	(i) still believes a ground exists to suspend or cancel the licence; and	1 2
	(ii) believes suspension or cancellation of the licence is warranted.	3 4
(2)	The chief executive may—	5
	(a) if the proposed action was to suspend the licence—suspend the licence for no longer than the proposed suspension period; or	6 7 8
	(b) if the proposed action was to cancel the licence—cancel the licence or suspend it for a period.	9 10 11
(3)	If the chief executive decides to take action under subsection (2), the chief executive must as soon as practicable give the licensee an information notice for the decision.	12 13 14 15
(4)	The decision takes effect on the later of the following days—	16 17
	(a) the day the information notice is given to the licensee;	18 19
	(b) the day stated in the information notice for that purpose.	20 21
Clause 15	Amendment of s 22 (Right of review by QCAT)	22
	Section 22(1), from ‘the following’—	23
	<i>omit, insert—</i>	24
	a decision of the chief executive—	25
	(a) to refuse an application for a licence or the renewal of a licence; or	26 27
	(b) to suspend or cancel a licence.	28

[s 16]

Clause 16	Amendment of s 31 (Effect of failure to give notice)	1
	Section 31(2)(b)(ii), ‘or board or a member of the board’—	2
	<i>omit.</i>	3
Clause 17	Amendment of s 32 (Powers of inspection in case of damage to crops etc.)	4
	(1) Section 32(1), ‘The standards officer or another’—	5
	<i>omit, insert—</i>	6
	An	7
	(2) Section 32(1)(a), from ‘standards officer’—	8
	<i>omit, insert—</i>	9
	inspector considers appropriate for making the report	10
	mentioned in paragraph (c); and	11
	(3) Section 32(1)(b), from ‘standards officer’—	12
	<i>omit, insert—</i>	13
	inspector considers appropriate for making the report	14
	mentioned in paragraph (c); and	15
	(4) Section 32(1)(c)—	16
	<i>omit.</i>	17
	(5) Section 32(1)(d), from ‘in the case’ to ‘make’—	18
	<i>omit, insert—</i>	19
	after entering land under this section, must give	20
	(6) Section 32(1)(d), as amended—	21
	<i>renumber as section 32(1)(c).</i>	22
	(7) Section 32(1)(e)—	23
	<i>omit, insert—</i>	24
	(d) must give to the standards officer all	25
	samples taken and removed under	26
	paragraphs (a) and (b).	27
		28

-
- (8) Section 32(2), ‘the standards officer, or another’— 1
omit, insert— 2
an 3

Clause 18 Amendment of s 33 (Board to make statement on damage) 4
5

- (1) Section 33, heading, ‘Board’— 6
omit, insert— 7
Standards officer 8
- (2) Section 33(1) and (1A)— 9
omit. 10
- (3) Section 33(1B)— 11
renumber as subsection 33(1). 12
- (4) Section 33(1), as renumbered, from ‘Upon’ to ‘shall’— 13
omit, insert— 14
On receiving a report made by an inspector under 15
section 32(1)(c), the standards officer must 16
- (5) Section 33(1)(a), as renumbered, ‘standards officer’— 17
omit, insert— 18
inspector 19
- (6) Section 33(2), ‘board’— 20
omit, insert— 21
standards officer 22

Clause 19 Amendment of s 44A (Protection from liability) 23
Section 44A(1), definition *official*, paragraph (c)— 24
omit. 25

[s 20]

Clause 20	Amendment of s 45 (Evidence)	1
	(1) Section 45(c)—	2
	<i>omit.</i>	3
	(2) Section 45(d)—	4
	<i>renumber</i> as section 45(c).	5
Clause 21	Amendment of schedule (Dictionary)	6
	(1) Schedule, definitions <i>board, chairperson, decision maker, deputy chairperson</i> and <i>member</i> —	7
	<i>omit.</i>	8
	(2) Schedule—	9
	<i>insert</i> —	10
	<i>accepted representations</i> see section 21B(2).	11
	<i>proposed action</i> see section 21A(1).	12
	<i>show cause notice</i> see section 21A(2).	13
	<i>show cause period</i> see section 21A(2)(e).	14
	(3) Schedule, definition <i>officer</i> , paragraph (e)—	15
	<i>omit.</i>	16
		17
Part 3	Amendment of Agricultural Standards Act 1994	18
		19
Clause 22	Act amended	20
	This part amends the <i>Agricultural Standards Act 1994</i> .	21

Clause 23	Amendment of s 20 (Entry to places)	1
(1)	Section 20(1)(e), after ‘made’—	2
	<i>insert—</i>	3
	at a reasonable time	4
(2)	Section 20(1)(e)(i), ‘stock; and’—	5
	<i>omit, insert—</i>	6
	stock; or	7
(3)	Section 20(1)(e)(iii)—	8
	<i>omit.</i>	9
Clause 24	Amendment of s 24 (Entry to vehicles)	10
(1)	Section 24—	11
	<i>insert—</i>	12
	(1A) Also, an inspector may enter a vehicle other than a part of a vehicle used only as a living area—	13 14
	(a) to check compliance with a provision of this Act about the content, labelling or sale of food for stock; or	15 16 17
	(b) for the purpose of preventing the introduction of an exotic disease into the State or controlling the spread of an exotic disease.	18 19 20 21
(2)	Section 24(2)—	22
	<i>omit, insert—</i>	23
	(2) Before entering a vehicle under this section, the inspector must do or make a reasonable attempt to do all of the following—	24 25 26
	(a) comply with section 19(1);	27
	(b) tell the owner or person in control of the vehicle the inspector is authorised under this Act to enter the vehicle;	28 29 30

Part 5	Amendment of Animal Management (Cats and Dogs) Act 2008	1 2 3
Division 1	Preliminary	4
Clause 27	Act amended	5
	This part amends the <i>Animal Management (Cats and Dogs) Act 2008</i> .	6 7
Division 2	Amendments about cat registration	8
Clause 28	Amendment of long title	9
	Long title, ‘, registration and management of cats and dogs’—	10
	<i>omit, insert—</i>	11
	and management of cats and dogs and the registration of dogs	12 13
Clause 29	Amendment of s 3 (Purposes of Act)	14
	(1) Section 3(a), ‘and registration’—	15
	<i>omit.</i>	16
	(2) Section 3—	17
	<i>insert—</i>	18
	(aa) provide for the registration of dogs; and	19
	(3) Section 3(aa) to (c)—	20
	<i>renumber</i> as section 3(b) to (d).	21

[s 30]

Clause 30	Amendment of s 4 (How purposes are to be primarily achieved)	1
		2
	(1) Section 4(c), ‘cat and’—	3
	<i>omit.</i>	4
	(2) Section 4(h), ‘cats and’—	5
	<i>omit.</i>	6
Clause 31	Amendment of s 6 (Relationship with local laws)	7
	Section 6(2)—	8
	<i>omit, insert—</i>	9
	(2) Without limiting subsection (1), a local government may make a local law—	10
		11
	(a) prohibiting anyone in its local government area, other than an exempted person, from possessing a dog of a particular breed; or	12
		13
		14
	(b) imposing registration obligations on owners of cats.	15
		16
Clause 32	Amendment of s 9 (Who is an <i>owner</i> of a cat or dog)	17
	Section 9(1)(a)—	18
	<i>omit, insert—</i>	19
	(a) a person who is—	20
	(i) the registered owner of the dog; or	21
	(ii) if a local government makes a local law requiring cats to be registered—identified as the owner of the cat under the local law;	22
		23
		24
		25

Clause 33	Amendment of s 25 (PID information must be given to licence holder)	1 2
	Section 25(2), note, after ‘identifying information’—	3
	<i>insert</i> —	4
	or PID information	5
Clause 34	Amendment of ch 2, pt 1, div 6, hdg (Giving identifying information)	6 7
	Chapter 2, part 1, division 6, heading, after ‘information’—	8
	<i>insert</i> —	9
	and PID information	10
Clause 35	Amendment of s 37 (Authorised implanter may give identifying information to particular persons)	11 12
	Section 37, after ‘identifying information’—	13
	<i>insert</i> —	14
	or PID information	15
Clause 36	Amendment of s 38 (Licence holder may give identifying information to particular persons)	16 17
	Section 38, after ‘identifying information’—	18
	<i>insert</i> —	19
	or PID information	20
Clause 37	Replacement of ch 3, hdg (Registration)	21
	Chapter 3, heading—	22
	<i>omit, insert</i> —	23
	Chapter 3 Dog registration	24

[s 38]

Clause 38	Amendment of s 44 (Registration obligation)	1
	(1) Section 44, ‘cat or’—	2
	<i>omit.</i>	3
	(2) Section 44(3), note—	4
	<i>omit.</i>	5
Clause 39	Amendment of s 45 (Cat or dog must bear identification in particular circumstances)	6
	(1) Section 45, heading, ‘Cat or dog’—	7
	<i>omit, insert—</i>	8
	Dog	9
	(2) Section 45, ‘cat or’—	10
	<i>omit.</i>	11
Clause 40	Amendment of ch 3, pt 2, hdg (How cat or dog is registered)	12
	Chapter 3, part 2, heading, ‘cat or’—	13
	<i>omit.</i>	14
Clause 41	Amendment of s 46 (What owner must do)	15
	Section 46, ‘cat or’—	16
	<i>omit.</i>	17
Clause 42	Amendment of s 49 (Relevant local government must give registration notice)	18
	Section 49, ‘cat or’—	19
	<i>omit.</i>	20
		21
		22
		23

Clause 43	Amendment of s 166 (Immediate suspension)	1
	Section 166(1)(b), ‘identification and registration of cats or dogs’—	2
	<i>omit, insert—</i>	3
	identification of cats or dogs, and registration of dogs,	4
		5
Clause 44	Amendment of s 177 (Registers comprising cat and dog registry)	6
	(1) Section 177, heading, ‘cat and’—	7
	<i>omit.</i>	8
	(2) Section 177(1) ‘cats or’—	9
	<i>omit.</i>	10
	(3) Section 177(2), ‘ <i>cat and dog registry</i> ’—	11
	<i>omit, insert—</i>	12
	<i>dog registry</i>	13
		14
Clause 45	Amendment of s 210 (Regulation-making power)	15
	(1) Section 210(2)(a)(iii)—	16
	<i>omit.</i>	17
	(2) Section 210(2)—	18
	<i>insert—</i>	19
	(aa) class of dog that may be exempt from being registered; or	20
		21
	(3) Section 210(2)(e), ‘cat or’—	22
	<i>omit.</i>	23
	(4) Section 210(2)(aa) to (e)—	24
	<i>renumber</i> as section 210(2)(b) to (f).	25

[s 46]

Clause 46	Insertion of new ch 10, pt 4	1	
	Chapter 10—	2	
	<i>insert—</i>	3	
	Part 4	Transitional provisions for Agriculture and Forestry Legislation Amendment Act 2013	4 5 6 7
	Division 1	Preliminary	8
	224 Definitions for pt 4		9
	In this part—		10
	<i>amending Act</i> means the <i>Agriculture and Forestry Legislation Amendment Act 2013</i> .		11 12
	<i>commencement</i> means the commencement of the provision in which the term is used.		13 14
	<i>declared local government</i> see section 226(1).		15
	<i>former</i> , for a provision, means the provision as in force immediately before the amendment or repeal of the provision under the amending Act.		16 17 18
	225 Interpretation for pt 4		19
	If a provision in this part uses a term defined under this Act as in force before the commencement (the <i>unamended Act</i>), the term has the same meaning as it had under the unamended Act.		20 21 22 23

Division 2	Continuation of former	1
	chapter 3 for declared local	2
	governments	3
226 Cat registration under former ch 3 continues		4
for declared local government		5
(1)	This section applies to a local government (a	6
	<i>declared local government</i>) if—	7
(a)	before the commencement, the local	8
	government passed a resolution that it is a	9
	declared local government for this part; and	10
(b)	on the commencement, the resolution had	11
	not been repealed.	12
(2)	The following provisions, and any former	13
	provision mentioned in the provisions or	14
	necessary to give effect to the provisions,	15
	continue to apply in the declared local	16
	government's local government area as if the	17
	provisions had not been amended by the	18
	amending Act—	19
(a)	former chapter 3;	20
(b)	former sections 177 to 179 and 203.	21
(3)	This section applies to the declared local	22
	government until the first of the following to	23
	happen—	24
(a)	the declared local government makes a local	25
	law about cat registration;	26
(b)	the declared local government passes a	27
	resolution that it is no longer a declared	28
	local government for this part;	29
(c)	1 year after the commencement of this	30
	section.	31

[s 46]

Division 3	Continuation of cat registration for local governments	1 2 3
227	Registration form for registration of cat	4
(1)	This section applies to the owner of a cat who—	5
(a)	before the commencement, gave the relevant local government a registration form for registration of the cat, including the registration fee for the cat, under former section 46; and	6 7 8 9 10
(b)	on the commencement, had not received under former section 49 a registration notice for the cat.	11 12 13
(2)	The relevant local government must—	14
(a)	refund the registration fee to the owner; or	15
(b)	if the local government is a declared local government—register the cat under former chapter 3, part 2; or	16 17 18
(c)	if a local government makes a local law requiring cats to be registered—register the cat under the local law.	19 20 21
228	Registration fee paid to relevant local government under former s 53	22 23
(1)	This section applies if, before the commencement—	24 25
(a)	a person paid the relevant local government, other than a declared local government, a registration fee for a cat; and	26 27 28
(b)	the relevant local government gave the person a registration notice for the cat.	29 30
(2)	The local government must—	31

	(a) use the registration fee in the way stated in former section 53 as if that section had not been amended; or	1 2 3
	(b) subject to subsection (3), refund the registration fee to the person.	4 5
	(3) If the local government acts under subsection (2)(b), the local government may refund the proportion of the fee the local government considers appropriate, having regard to the period of the registration stated on the registration notice that remains after the commencement.	6 7 8 9 10 11
Clause 47	Amendment of sch 2 (Dictionary)	12
	(1) Schedule 2, definitions <i>cat and dog registry, identifying information, PID registry service</i> and <i>registered owner</i> — <i>omit.</i>	13 14 15
	(2) Schedule 2— <i>insert—</i>	16 17
	<i>dog registry</i> , of a local government, see section 177(2).	18 19
	<i>identifying information</i> means—	20
	(a) for a dog—the information relating to the dog that is required to be—	21 22
	(i) stated on a registration notice for the dog; and	23 24
	(ii) held in the dog registry of the relevant local government for the dog; or	25 26
	(b) for a cat, if a local government makes a local law requiring cats to be registered—the information relating to the cat required to be held under the local law.	27 28 29 30
	<i>PID registry service</i> means a service—	31
	(a) of keeping records containing—	32

[s 48]

	(i) identifying information for a cat or dog; or	1 2
	(ii) PID information for a cat or dog; and	3
	(b) provided by a licence holder.	4
	registered owner , of a dog, means a person recorded as the owner of the dog in a dog registry of a local government.	5 6 7
(3)	Schedule 2, definition <i>appropriate register</i> , ‘cat or’— <i>omit</i> .	8 9
(4)	Schedule 2, definition <i>interested person</i> , paragraph (b), ‘cat or’— <i>omit</i> .	10 11 12
(5)	Schedule 2, definition <i>registered</i> , ‘cat or’— <i>omit</i> .	13 14
(6)	Schedule 2, definition <i>registration fee</i> , ‘cat or’— <i>omit</i> .	15 16
(7)	Schedule 2, definition <i>registration form</i> , from ‘cat or’ to ‘dogs in’— <i>omit, insert</i> — dog in a local government’s area, means the approved form for registering dogs in	17 18 19 20 21
(8)	Schedule 2, definition <i>registration notice</i> , ‘cat or’— <i>omit</i> .	22 23
Clause 48	Schedule amendments	24
(1)	Each of the provisions listed in schedule 1, part 1 is amended by omitting ‘cat or’.	25 26
(2)	The provision listed in schedule 1, part 2 is amended by omitting ‘cats or’.	27 28

-
- (3) Each of the provisions listed in schedule 1, part 3 is amended
by omitting ‘cat and’.

Division 3 **Amendments about concurrent
regulated dog declarations and
destruction orders**

- Clause 49** **Amendment of s 95 (Notice and taking effect of
declaration)**
- (1) Section 95(1), ‘subsection (2) or (3)’—
omit, insert—
 subsection (3) or (4)
- (2) Section 95(2) to (5)—
renumber as section 95(3) to (6).
- (3) Section 95—
insert—
 (2) However, a local government must not give the
 notice under subsection (3) or (4) if an authorised
 person makes a destruction order under section
 127A.
 Note—
 A combined decision and information notice may be
 given to an owner of a dog under section 127A.
- (4) Section 95(4), as renumbered, ‘subsection (2)’—
omit, insert—
 subsection (3)
- Clause 50** **Amendment of s 96 (Operation of pt 5)**
Section 96(4), ‘section 95(5)’—
omit, insert—

[s 51]

	section 95(6)	1
Clause 51	Insertion of new s 127A	2
	After section 127—	3
	<i>insert—</i>	4
	127A Concurrent regulated dog declaration and destruction order	5 6
	(1) This section applies if a local government—	7
	(a) makes a regulated dog declaration under section 94 for a seized dog; but	8 9
	(b) does not give any owner of the dog notice of its decision under section 95.	10 11
	(2) Despite the dog not being a regulated dog, an authorised person may make a destruction order for the dog if it is appropriate to do so.	12 13 14
	(3) As soon as practicable after deciding to make the destruction order, the authorised person must serve the destruction order on the relevant owner of the dog.	15 16 17 18
	(4) The destruction order must include or be accompanied by—	19 20
	(a) if a notice is required under section 95(3)—a combined notice under section 95(3) about the decision to make a regulated dog declaration and an information notice about the decision to give the destruction order; or	21 22 23 24 25 26
	(b) if an information notice is required under section 95(4)—a combined information notice about the decisions to make a regulated dog declaration under section 95(4) and to give the destruction order.	27 28 29 30 31
	(5) Section 127(6) to (8) applies to the destruction order.	32 33

	(6) In this section—	1
	<i>relevant owner</i> , of a dog, means—	2
	(a) the registered owner of the dog; or	3
	(b) if the dog has no registered owner—any person who owns, or is a responsible person for, the dog.	4 5 6
Clause 52	Amendment of s 178 (General register)	7
	Section 178(b), ‘section 95(5)’—	8
	<i>omit, insert</i> —	9
	section 95(6)	10
Clause 53	Insertion of new s 185A	11
	After section 185—	12
	<i>insert</i> —	13
	185A Internal review of concurrent regulated dog declaration and destruction order	14 15
	(1) This section applies if—	16
	(a) an interested person is given a combined information notice under section 127A(4)(b) about a decision to make a regulated dog declaration and a decision to give a destruction order for a dog; and	17 18 19 20 21
	(b) the person makes a general review application for both the decisions.	22 23
	(2) The chief executive officer of a local government that received the application may conduct an internal review of the decisions at the same time under section 186.	24 25 26 27

[s 54]

Part 6	Amendment of Forestry Act 1959	1 2
Clause 54	Act amended This part amends the <i>Forestry Act 1959</i> .	3 4
Clause 55	Omission of pt 9 (Savings and transitional provisions for Primary Industries and Natural Resources Legislation Amendment Act 2000) Part 9— <i>omit.</i>	5 6 7 8 9
Clause 56	Amendment of pt 10 hdg Part 10, heading, ‘Other transitional’— <i>omit, insert—</i> Transitional	10 11 12 13
Part 7	Amendment of Land Protection (Pest and Stock Route Management) Act 2002	14 15 16
Clause 57	Act amended This part amends the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> .	17 18 19
Clause 58	Amendment of ch 2, pt 2 hdg (State pest management strategies and guidelines for managing pests) Chapter 2, part 2, heading, ‘strategies’—	20 21 22

omit, insert— 1
strategy 2

Clause 59 **Amendment of ch 2, pt 2, div 1 hdg (State pest management strategies)** 3
Chapter 2, part 2, division 1, heading, ‘strategies’— 4
omit, insert— 6
strategy 7

Clause 60 **Amendment of s 10 (State pest management strategies)** 8
(1) Section 10, heading, ‘strategies’— 9
omit, insert— 10
strategy 11
(2) Section 10(1), ‘separate State pest management strategies’— 12
omit, insert— 13
a State pest management strategy 14
(3) Section 10(2), ‘A State’— 15
omit, insert— 16
The State 17

Clause 61 **Amendment of s 11 (Preparing strategies)** 18
(1) Section 11, heading, ‘strategies’— 19
omit, insert— 20
strategy 21
(2) Section 11, ‘a State’— 22
omit, insert— 23
the State 24

[s 62]

Clause 62	Amendment of s 12 (Duration of strategies)	1
(1)	Section 12, heading, ‘strategies’—	2
	<i>omit, insert</i> —	3
	strategy	4
(2)	Section 12(1), ‘A State’—	5
	<i>omit, insert</i> —	6
	The State	7
Clause 63	Amendment of s 13 (Implementing strategies)	8
(1)	Section 13, heading, ‘strategies’—	9
	<i>omit, insert</i> —	10
	strategy	11
(2)	Section 13, ‘each’—	12
	<i>omit, insert</i> —	13
	the	14
Clause 64	Amendment of s 14 (Reviewing and renewing strategies)	15
(1)	Section 14, heading, ‘strategies’—	16
	<i>omit, insert</i> —	17
	strategy	18
(2)	Section 14(1), ‘a State’—	19
	<i>omit, insert</i> —	20
	the State	21
(3)	Section 14(2), ‘a strategy’—	22
	<i>omit, insert</i> —	23
	the strategy	24

Clause 65	Amendment of ch 2, pt 2, div 3 hdg (Inspecting strategies and guidelines)	1 2
	Chapter 2, part 2, division 3, heading, ‘strategies’—	3
	<i>omit, insert</i> —	4
	strategy	5
Clause 66	Amendment of s 16 (Strategies and guidelines to be available for inspection)	6 7
	(1) Section 16, heading, ‘Strategies’—	8
	<i>omit, insert</i> —	9
	Strategy	10
	(2) Section 16(1), ‘strategies and guidelines’—	11
	<i>omit, insert</i> —	12
	State pest management strategy and the guidelines for pest management	13 14
	(3) Section 16(2), ‘strategies’—	15
	<i>omit, insert</i> —	16
	strategy	17
Clause 67	Amendment of s 18 (Requirements of plan)	18
	Section 18(b), ‘strategies’—	19
	<i>omit, insert</i> —	20
	strategy	21
Clause 68	Amendment of s 26 (Requirements of plan)	22
	Section 26(b), ‘strategies’—	23
	<i>omit, insert</i> —	24
	strategy	25

[s 69]

Clause 69	Amendment of s 27 (Preparing draft plan)	1
	Section 27(5)(b), ‘strategies’—	2
	<i>omit, insert</i> —	3
	strategy	4
Clause 70	Amendment of s 33 (Reviewing and renewing plan)	5
	Section 33(3), ‘a State’—	6
	<i>omit, insert</i> —	7
	the State	8
Clause 71	Amendment of sch 3 (Dictionary)	9
	Schedule 3, definition <i>State pest management strategy</i> , ‘a State’—	10
	<i>omit, insert</i> —	11
	the State	12
Part 8	Amendment of Rural and Regional Adjustment Act 1994	13 14
Clause 72	Act amended	15
	This part amends the <i>Rural and Regional Adjustment Act 1994</i> .	16 17
Clause 73	Amendment of s 3 (Object of Act)	18
	Section 3(2)(b), from ‘schemes’—	19
	<i>omit, insert</i> —	20
	schemes or parts of schemes for the Commonwealth and other States in rural and regional sectors outside Queensland.	21 22 23

	<i>Examples of administering parts of schemes—</i>	1
	• conducting financial analysis of applications for assistance under an authorised interstate scheme	2 3
	• reviewing an authorised interstate scheme	4
	• providing advice on applications for financial assistance under an authorised interstate scheme	5 6
Clause 74	Amendment of s 8 (Authority’s functions)	7
	Section 8(2)(f), after ‘schemes’—	8
	<i>insert—</i>	9
	or parts of the schemes	10
Clause 75	Amendment of s 11A (Authorisation for interstate schemes)	11 12
	(1) Section 11A(2), ‘the scheme’, first and second mention—	13
	<i>omit, insert—</i>	14
	the scheme or a part of the scheme	15
	(2) Section 11A(2), ‘the scheme’, third mention—	16
	<i>omit, insert—</i>	17
	the scheme or part	18
	(3) Section 11A(5), ‘scheme’—	19
	<i>omit, insert—</i>	20
	scheme or part of the scheme	21
Clause 76	Amendment of s 35 (Acting chief executive officer)	22
	Section 35, ‘Governor in Council’—	23
	<i>omit, insert—</i>	24
	Minister	25

[s 77]

Clause 77	Insertion of new s 35B	1
	Part 5, division 1—	2
	<i>insert</i> —	3
	35B Delegation	4
	(1) The chief executive officer may, with the board’s approval, delegate the chief executive officer’s functions, including a function delegated to the chief executive officer by the authority, to an appropriately qualified employee of the authority.	5 6 7 8 9
	(2) In this section—	10
	<i>appropriately qualified</i> , for an employee of the authority, includes having the qualifications, experience or standing appropriate for the function.	11 12 13 14
	<i>Example of standing</i> —	15
	an employee’s seniority level within the staff of the authority	16 17
	<i>function</i> includes power.	18
Clause 78	Amendment of s 45 (Review of Act)	19
	(1) Section 45(1)—	20
	<i>omit, insert</i> —	21
	(1) The Minister must, within each period of 10 years after 1 July 2013, review this Act to decide whether its provisions remain appropriate.	22 23 24
	(2) Section 45(2), ‘finishing the review’—	25
	<i>omit, insert</i> —	26
	finishing each review	27

Part 9	Amendment of Veterinary Surgeons Act 1936	1
		2
Clause 79	Act amended	3
	This part amends the <i>Veterinary Surgeons Act 1936</i> .	4
Clause 80	Amendment of s 4C (Membership)	5
	Section 4C(2), ‘veterinary surgeons’—	6
	<i>omit, insert—</i>	7
	eligible veterinary surgeons	8
Clause 81	Amendment of s 4D (Chairperson and deputy chairperson)	9
	Section 4D(3), ‘a veterinary surgeon’—	10
	<i>omit, insert—</i>	11
	an eligible veterinary surgeon	12
Clause 82	Amendment of s 8 (Board to hold triennial election)	13
	Section 8(4), ‘each registered veterinary surgeon’—	14
	<i>omit, insert—</i>	15
	each eligible veterinary surgeon	16
Clause 83	Amendment of s 16 (Keeping registers)	17
	(1) Section 16(3)(d), ‘particulars decided’—	18
	<i>omit, insert—</i>	19
	particulars, other than the emergency contact details	20
	for a veterinary surgeon, decided	21
	(2) Section 16(4)(d), ‘particulars decided’—	22
	<i>omit, insert—</i>	23
		24

[s 84]

	particulars, other than the emergency contact details for a veterinary surgeon, decided	1 2
(3)	Section 16—	3
	<i>insert—</i>	4
(4A)	Subsections (3) and (4) do not apply to veterinary practitioners.	5 6
Clause 84	Insertion of new s 16A	7
	After section 16—	8
	<i>insert—</i>	9
	16A Arrangements between board and interstate registering authorities	10 11
(1)	The board may enter into an arrangement with a registering authority of another State about access to information in a relevant register—	12 13 14
(a)	for the purposes of establishing a national register of veterinary specialists, veterinary surgeons and veterinary practitioners; or	15 16 17
(b)	for other purposes related to the recognition of veterinary specialists, veterinary surgeons or veterinary practitioners.	18 19 20
(2)	Without limiting subsection (1), an arrangement made under this section may involve the establishment of a national register of veterinary specialists, veterinary surgeons and veterinary practitioners by the Australasian Veterinary Boards Council Inc.	21 22 23 24 25 26
(3)	In this section—	27
	<i>relevant register</i> means a register required to be kept by the registrar under section 16(1).	28 29
Clause 85	Amendment of s 17 (Annual fee)	30
	Section 17—	31

insert—

(6) In this section—

veterinary surgeon does not include a veterinary practitioner.

Clause 86 Amendment of s 18 (Registration of veterinary surgeons)

Section 18—

insert—

(3A) Also, if the board considers it appropriate in the circumstances, the board may refuse an application for registration as a veterinary surgeon if satisfied the applicant is not suitable to be registered because the applicant has, under the law of another State—

(a) applied for registration as a veterinary practitioner in that State and the application was refused by the registering authority for that State; or

(b) been disqualified from applying, or is not entitled to apply, for registration as a veterinary practitioner in that State.

(3B) Subsections (3) and (3A) apply despite subsection (1).

Clause 87 Insertion of new s 18B

After section 18A—

insert—

18B Deemed registration as veterinary surgeon

(1) A person who is a veterinary practitioner is taken to be registered as a veterinary surgeon under this Act.

(2) The person's registration as a veterinary surgeon is subject to the same conditions, limitations or

[s 88]

	restrictions that apply to the person’s registration in another State as a veterinary practitioner.	1 2
Clause 88	Amendment of s 19 (Application for registration)	3
	Section 19(2)—	4
	<i>omit, insert—</i>	5
	(2) The approved form must provide for the inclusion of the applicant’s contact information.	6 7
	(3) To remove any doubt, it is declared that a person who is taken to be registered as a veterinary surgeon under section 18B is not required to—	8 9 10
	(a) apply for registration under this section; or	11
	(b) pay the prescribed fee mentioned in subsection (1)(c).	12 13
	(4) However, a person—	14
	(a) who is taken to be registered as a veterinary surgeon under section 18B; and	15 16
	(b) whose principal place of residence will be in Queensland after the expiry of the person’s registration in another State as a veterinary practitioner (the <i>interstate registration</i>); and	17 18 19 20
	(c) who intends to carry on practice as a veterinary surgeon in Queensland after the expiry of the interstate registration;	21 22 23
	must apply for registration in Queensland before the expiry of the interstate registration.	24 25
Clause 89	Amendment of s 19B (Registration for limited period)	26
	Section 19B(3) and (5), ‘another State or’—	27
	<i>omit.</i>	28

Clause 90	Insertion of new s 19CA	1
	After section 19C—	2
	<i>insert—</i>	3
	19CA Deemed registration of veterinary specialists	4
	(1) This section applies to a veterinary practitioner—	5
	(a) who is taken to be registered as a veterinary surgeon under section 18B; and	6
	(b) whose registration as a veterinary practitioner in another State provides, by endorsement or otherwise, that the veterinary practitioner is qualified to practise as a veterinary specialist in that State; and	7
	(c) whose qualification to practice as a veterinary specialist in the other State was gained after practising veterinary science for a period of at least 5 years.	8
	(2) The veterinary practitioner is taken to be registered as a veterinary specialist under this Act if the specialty in which the veterinary practitioner is qualified to practise in the other State is a veterinary specialty under this Act.	9
		10
		11
		12
		13
		14
		15
		16
		17
		18
		19
		20
		21
		22
Clause 91	Insertion of new s 22FA	23
	Part 4, division 2—	24
	<i>insert—</i>	25
	22FA Board to notify interstate registering authorities of disciplinary action	26
		27
	(1) If, under section 22C, 22D or 22E, the tribunal makes an order about a veterinary surgeon, or admonishes or reprimands a veterinary surgeon, the board must give each registering authority of another State written notice of—	28
		29
		30
		31
		32
	(a) the order, admonishment or reprimand; and	33

[s 92]

	(b) for an order under section 22C or 22D—the grounds on which the order was made; and	1 2
	(c) for an order, admonishment or reprimand under section 22E—the details of the misconduct for which the order, admonishment or reprimand was made or given.	3 4 5 6 7
	(2) If the board takes action under section 22A(1)(a) or (b) in relation to a veterinary surgeon, the board must give each registering authority of another State written notice of—	8 9 10 11
	(a) the action; and	12
	(b) the details of the misconduct for which the action was taken.	13 14
	(3) A notice under subsection (1) or (2) must be given as soon as practicable after the order, admonishment or reprimand was made or given or the action was taken.	15 16 17 18
Clause 92	Insertion of new ss 26 and 27	19
	Part 4B—	20
	<i>insert—</i>	21
	26 Notice about change in contact information	22
	(1) If a veterinary surgeon’s contact information changes, the veterinary surgeon must, within 21 days after the change, give the board written notice of the change unless the veterinary surgeon has a reasonable excuse.	23 24 25 26 27
	Maximum penalty—10 penalty units.	28
	(2) In this section—	29
	<i>veterinary surgeon</i> does not include a veterinary practitioner.	30 31

27 Veterinary surgeon to provide emergency contact details	1
	2
(1) If the registrar does not have the emergency contact details for a veterinary surgeon, the registrar may, by written notice given to the veterinary surgeon, ask the veterinary surgeon to give the registrar the emergency contact details.	3 4 5 6 7
(2) A veterinary surgeon must comply with a notice given under subsection (1) within 21 days after receiving it, unless the veterinary surgeon has a reasonable excuse.	8 9 10 11
Maximum penalty—10 penalty units.	12
(3) In this section—	13
<i>veterinary surgeon</i> does not include a veterinary practitioner.	14 15

Clause 93	Insertion of new s 29C	16
	After section 29B—	17
	<i>insert—</i>	18
	29C Registrar must give emergency contact details to chief executive	19 20
	(1) This section applies if the chief executive, or a chief executive of a public sector unit prescribed under a regulation (a <i>prescribed chief executive</i>), considers it is necessary to contact a veterinary surgeon to give the veterinary surgeon information about controlling, eradicating or preventing the spread of—	21 22 23 24 25 26 27
	(a) an exotic disease; or	28
	(b) a declared pest; or	29
	(c) a disease.	30
	(2) The chief executive or a prescribed chief executive may ask the registrar to give the chief	31 32

[s 94]

	executive or prescribed chief executive the	1
	emergency contact details for the veterinary	2
	surgeon.	3
(3)	The registrar must comply with the request.	4
(4)	The chief executive or prescribed chief executive	5
	may only use the emergency contact details for a	6
	veterinary surgeon for a purpose mentioned in	7
	subsection (1).	8
(5)	In this section—	9
	<i>declared pest</i> means—	10
(a)	a declared pest under the <i>Land Protection</i>	11
	(<i>Pest and Stock Route Management</i>) Act	12
	2002, schedule 3; or	13
(b)	a pest under the <i>Plant Protection Act 1989</i> ,	14
	schedule 2.	15
	<i>disease</i> means—	16
(a)	a disease under the <i>Stock Act 1915</i> , schedule	17
	2; or	18
(b)	a disease not previously recognised as	19
	defined under the <i>Stock Act 1915</i> , section	20
	27(5).	21
	<i>exotic disease</i> see the <i>Exotic Diseases in Animals</i>	22
	Act 1981, schedule 2.	23
	<i>veterinary surgeon</i> does not include a veterinary	24
	practitioner.	25
Clause 94	Amendment of schedule (Dictionary)	26
(1)	Schedule, definitions <i>veterinary specialist</i> and <i>veterinary</i>	27
	<i>surgeon</i> —	28
	<i>omit.</i>	29
(2)	Schedule—	30
	<i>insert</i> —	31

-
- contact information***, for a veterinary surgeon or an applicant for registration as a veterinary surgeon, means the veterinary surgeon's or applicant's business address, postal address, residential address and emergency contact details. 1
2
3
4
5
6
- eligible veterinary surgeon*** means a veterinary surgeon who is registered as a veterinary surgeon under this Act and whose name remains on the register of veterinary surgeons. 7
8
9
10
- emergency contact details***, for a veterinary surgeon or an applicant for registration as a veterinary surgeon, means a telephone number and email address at which the veterinary surgeon or applicant may be contacted immediately, during or outside of ordinary business hours, for a purpose mentioned in section 29C. 11
12
13
14
15
16
17
18
- registering authority***, of another State, means the authority responsible for the registration of veterinary practitioners in that State. 19
20
21
- veterinary practitioner***— 22
- 1 *Veterinary practitioner* means a person 23
authorised under a law of another State to 24
carry out, in that State, activities 25
substantially the same as the activities that 26
may be carried out by a person registered as 27
a veterinary surgeon under this Act. 28
- 2 However, a *veterinary practitioner* does not 29
include a person who is registered as a 30
veterinary surgeon on application under this 31
Act and whose name remains on the register 32
of veterinary surgeons. 33
- veterinary specialist*** means— 34
- (a) a veterinary surgeon who is registered on 35
application under this Act as a veterinary 36

[s 94]

- specialist for a veterinary specialty and 1
whose name remains on the register of 2
veterinary specialists for the veterinary 3
specialty; or 4
 - (b) a person who is taken to be registered as a 5
veterinary specialist under section 19CA. 6
- veterinary surgeon*** means a person who— 7
- (a) is registered as a veterinary surgeon on 8
application under this Act and whose name 9
remains on the register of veterinary 10
surgeons; or 11
 - (b) is taken to be registered as a veterinary 12
surgeon under section 18B. 13

Schedule 1	Consequential amendments of Animal Management (Cats and Dogs) Act 2008	1 2 3
	section 48	4
Part 1	Omission of ‘cat or’	5
	• section 12(3)	6
	• section 47	7
	• section 48(1) and (2)	8
	• section 50(1)	9
	• section 51	10
	• section 52(1) and (2)	11
	• section 54(1) and (3)	12
	• section 55(1), (2) and (4)(b)	13
	• section 56	14
	• section 57	15
	• section 58(1) and (4)(b)	16
	• section 178	17
	• section 179(2)	18
Part 2	Omission of ‘cats or’	19
	• section 53(b)	20

Part 3	Omission of ‘cat and’	1
	• section 179(1)	2
	• section 203(1)(a)(iv)	3

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