

1994—No. 177

STOCK DISEASES ACT 1923—PROCLAMATION

(STOCK DISEASES PROCLAMATION No. 532)

(Relating to the restriction of importation of cattle into New South Wales
from Victoria and Tasmania due to Johne's Disease)

NEW SOUTH WALES



[Published in Gazette No. 73 of 27 May 1994]

(L.S.) P. R. SINCLAIR, Governor.

I, Rear Admiral PETER ROSS SINCLAIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of sections 3(2) and 11B of the Stock Diseases Act 1923, do, by this my Proclamation, with effect on and from 1 June 1994:

- (a) restrict the introduction into New South Wales of cattle in the manner described in the Schedule to this Proclamation; and
- (b) revoke Proclamation No. 528 made under the Stock Diseases Act 1923 (and published in Gazette No. 9 of 29 January 1993).

Signed and sealed at Sydney, this 26th day of May 1994.

By His Excellency's Command,

I. R. CAUSLEY, M.P.,
Minister for Agriculture and Fisheries, Minister for Mines.

SCHEDULE**Part 1—Definitions****Definitions**

1. In this Schedule:

“accredited free herd” means a herd of cattle included, from time to time, in a list of herds accredited by the Chief Veterinary Officer of the State from which the cattle originated as being free of Johne’s Disease;

“approved” means approved in writing by the Chief, Division of Animal Industries;

“Chief, Division of Animal Industries” means the Chief of the Division of Animal Industries of the Department of Agriculture;

“inspector” means an inspector appointed under the Act;

“introduction” includes causing or permitting the introduction of cattle;

“the Act” means the Stock Diseases Act 1923.

Part 2—General conditions applicable to cattle introduced into New South Wales from Victoria and Tasmania**Freedom from disease**

2. A person must not introduce into New South Wales cattle, that are infected with Johne’s Disease, in contravention of this Proclamation.

Certification as to disease status

3. (1) A person in charge of cattle must not introduce the cattle into New South Wales from Victoria or Tasmania unless the person has first obtained:

- (a) a declaration, in the approved form, from the owner of the cattle or the owner’s authorised agent that the cattle originate from an accredited free herd or from a property or herd where Johne’s Disease has not been known or suspected to exist during the previous 5 years and that the owner or the owner’s authorised agent has inspected the cattle and they are healthy and show no signs of Johne’s Disease; and
- (b) a certificate in the approved form signed by a stock inspector or a veterinary officer in the State of origin that the inspector or veterinary officer has no reason to doubt the accuracy of the declaration of the owner or authorised agent.

(2) Subclause (1) does not apply if:

- (a) the cattle introduced are consigned either to a saleyard to be sold for slaughter or directly to an abattoir in New South Wales for slaughter; and
- (b) the cattle are transported directly from the saleyard to an abattoir and slaughtered within 7 days of arrival at the abattoir; and
- (c) the person who introduced the cattle delivers to either the agent at the saleyard or the manager of the abattoir to which the cattle have been consigned, at the time of delivery of the cattle, a statement, in the approved form, describing the stock introduced into New South Wales for slaughter.

(3) An agent at a saleyard or the manager of an abattoir to whom a statement referred to in subclause (2) has been delivered must retain the statement at the saleyard or abattoir for a period of not less than 12 months, and if more than 1 statement is received, the statements must be maintained in chronological order.

(4) A person must not remove any cattle delivered in accordance with subclause (2) from the saleyard or abattoir to another destination without the written approval of an inspector.

Certificate and declaration must accompany stock and be delivered to destination

4. (1) The person in charge of cattle being introduced into New South Wales must have in his or her possession the declaration and certificate required by clause 3 (1), or any statement required by clause 3 (2), when the cattle cross the border into New South Wales and while the cattle are travelling in New South Wales. Any such declaration, certificate or statement must be delivered to the person to whom the cattle are delivered.

(2) The person receiving the cattle must retain the declaration and certificate, or the statement, for 2 years from the date of receipt.

Exemptions generally

5. (1) The Chief, Division of Animal Industries, or his or her nominee, may exempt a person or a class of persons from compliance with clause 3.

(2) An exemption is to be applied for in writing at least 4 weeks before an intended introduction of cattle.

(3) An exemption may include such conditions and restrictions as the Chief, Division of Animal Industries considers appropriate to prevent the introduction of cattle infected with Johne's Disease into New South Wales.

(4) A person to whom an exemption is given, or to whom an exemption applies in accordance with subclause (1), must not introduce cattle into New South Wales otherwise than in accordance with the exemption.

Exemption for cattle in transit to another State or Northern Territory

6. Clause 3 does not apply to cattle that are in transit through New South Wales to another State or the Northern Territory if the person in charge of the cattle has in his or her possession a health certificate, issued by a stock inspector or veterinary officer in the State of origin, which is valid and in force for movement to a specified destination in another State or the Northern Territory. The person in charge of the cattle must ensure that the certificate is retained while the cattle are in transit through New South Wales and produce the certificate for examination by an inspector, when requested.

EXPLANATORY NOTE

The object of this Proclamation is to restrict the introduction into New South Wales of cattle from Victoria and Tasmania in order to prevent the spread of Johne's Disease. The provisions restricting introduction are similar to those provisions contained in Stock Diseases Proclamation 528 which is repealed by this Proclamation.
