



**ANIMAL AND PLANT CONTROL
(AGRICULTURAL PROTECTION AND
OTHER PURPOSES) (IMMUNITY FROM
LIABILITY) AMENDMENT ACT 1992**

No. 61 of 1992

SUMMARY OF PROVISIONS

Section

- 1. Short title**
- 2. Substitution of s. 70**



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ELIZABETHAE II REGINAE

A.D. 1992

No. 61 of 1992

An Act to amend the Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986.

[Assented to 12 November 1992]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Animal and Plant Control (Agricultural Protection and Other Purposes) (Immunity from Liability) Amendment Act 1992*.

(2) The *Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986* is referred to in this Act as "the principal Act".

Substitution of s. 70

2. Section 70 of the principal Act is repealed and the following section is substituted:

Immunity from liability

70. (1) No liability attaches to—

- (a) a member of the Commission or its staff;
- (b) a State authorized officer;
- (c) a person who accompanies and assists a State authorized officer at the request of the officer;
- (d) a person acting at the direction of the Commission;
- (e) a member of a control board;
- (f) a local authorized officer or other person appointed or employed by a control board;
- (g) a person who accompanies and assists a local authorized officer at the request of the officer;

or

- (h) a person acting at the direction of a control board,

for an honest act or omission in the exercise or purported exercise of a power or function under this Act.

(2) A liability that would, but for subsection (1)—

(a) lie against a person referred to in subsection (1) (a), (1) (b), (1) (c) or (1) (d),
lies against the Crown;

(b) lie against a person referred to in subsection (1) (e), (1) (f), (1) (g) or (1) (h),
lies against the control board—

(i) of which the person is a member;

(ii) which appointed or employed—

(A) the local authorized officer or other person;

or

(B) the local authorized officer who requested the person to
accompany and assist him or her;

or

(iii) at whose direction the person was acting.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor