

NORTHERN TERRITORY OF AUSTRALIA

STOCK DISEASES ACT

As in force at 14 December 2005

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NORTHERN TERRITORY OF AUSTRALIA

This reprint shows the Act as in force at 14 December 2005. Any amendments that may come into operation after that date are not included.

STOCK DISEASES ACT

An Act relating to the control of diseases in stock and for other purposes

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Stock Diseases Act*. (See back note 1)

2. Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*. (See back note 1)

3. Objects

The objects of this Act are –

- (a) to provide for the detection, prevention, control and eradication of diseases that affect stock;
- (b) to safeguard the health and welfare of stock;
- (c) to establish procedures to regulate the movement of stock and things associated with stock;
- (d) to protect and facilitate domestic and export trade in stock and animal products; and
- (e) to promote a sustainable livestock industry.

4. Repeal

The *Stock Diseases Ordinance 1927*, the *Stock Diseases Ordinance 1928*, the *Stock Diseases Ordinance 1930* and the *Stock Diseases Ordinance 1932* are repealed.

5. Interpretation

(1) In this Act, unless the contrary intention appears –

"animal pathogen" means a prion, virus, rickettsia, bacterium, protozoon, fungus, helminth, arthropod, insect or other pathogen or organism that is capable of causing a disease in stock;

"animal product" includes the following:

- (a) the carcass or a portion of the carcass of stock;
- (b) the meat, blood, hide, skin, wool, hair, feathers, beaks, horns, antlers, hooves, feet or offal of stock;
- (c) fat, milk, whey, cream, butter, cheese, eggs or other food or foodstuffs derived from stock;
- (d) the semen, ova or embryo of stock;
- (e) the secretions or excretions, including manure and other wastes, from stock;
- (f) honey or other products from honey bees;

"carcass" means any portion of the body of a dead animal and includes its hide, skin, hair, wool and viscera;

"cattle" means animals of the bovine species;

"Chief Inspector" means the Chief Inspector of Stock holding office under this Act and includes a person exercising powers or functions delegated to the person by the Chief Inspector under this Act;

"compounded foodstuff" means a foodstuff consisting (wholly or partially) of material of animal origin (other than fish or birds), whether or not it contains mammalian material;

"diseased" means infected with a prescribed disease;

"disease status", in relation to a holding, means the classification given under section 27(1) to the holding;

"domestic pet" includes dogs, cats and caged birds;

"emergency disease" means a prescribed disease declared under section 11B(2) to be an emergency disease;

"endemic disease" means a prescribed disease declared under section 11B(2) to be an endemic disease;

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"equipment" means any object that is used, or has been used, in stock husbandry or which has, or is likely to have, come into contact with stock;

"exotic disease" means a prescribed disease declared under section 11B(2) to be an exotic disease;

"fodder" means any hay, straw, grass, green crop, root, vegetable, grain, corn, meal, licks, litter, manure, manufactured foodstuff, mammalian material or other thing that is used, or intended for use, as food or litter or as an ingredient of food or litter or that is found with or about stock;

"holding" means land held by a person under any form of tenure and, in respect of the disease status of a holding, includes part of a holding;

"horse" includes ass, mule and hinny;

"infected", in relation to stock, means that the stock –

- (a) are diseased or affected by a prescribed disease;
- (b) are in a flock or herd in which there are stock –
 - (i) which are diseased; or
 - (ii) which, during the last preceding 6 months, have been diseased;
- (c) are in a flock or herd in which, during the last preceding 6 months, there have been other stock –
 - (i) which are diseased; or
 - (ii) which were diseased at the time when they were in the flock or herd;
- (d) have been in a flock or herd at any time during the last preceding 6 months in which there are other stock –
 - (i) which are diseased and which were in the flock or herd when the stock were in the flock or herd; or
 - (ii) which were in the flock or herd at the time when the stock were in the flock or herd, and which were diseased at that time or have been diseased since;
- (e) have been in a flock or herd at any time during the last preceding 6 months in which there have been other stock –

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- (i) which are diseased and which were in the flock or herd when the stock were in the flock or herd; or
 - (ii) which were in the flock or herd at the time when the stock were in the flock or herd and which were diseased at that time; or
- (f) are or have been depastured or travelled on land upon which, within the last preceding 6 months, diseased stock have been depastured or travelled;

"inspector" means a person appointed and holding office as an inspector of stock under this Act, and includes the Chief Inspector;

"mammalian material" means –

- (a) blood, bone, flesh or other tissue from mammals; or
- (b) meal obtained by rendering mammalian blood, bone, flesh or other tissue;

"meal" means meal produced from any blood, bone, flesh or other tissue from an animal (other than from a bird or fish);

"movement permit" means a movement permit issued under section 29B;

"owner" includes an owner and the owner's manager, agent or representative;

"pigs" includes wild pigs;

"poultry" includes all species of ducks, geese, turkeys and domestic fowls;

"prescribed disease" means a prescribed disease declared under section 11B(1);

"protected area" means an area in respect of which a declaration under section 17 is in force;

"quarantine area" means an area in respect of which a declaration under section 12 is in force;

"restricted area" means a vessel, wharf or place in respect of which a declaration under section 22A is in force;

"sheep" includes goats;

"standstill zone" means an area in respect of which a declaration under section 29A is in force;

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"stock" includes cattle, camels, horses, sheep, pigs, poultry, buffalo, deer, rabbits, bees, domestic pets and any animal, bird or insect declared by the Minister, by notice in the *Gazette*, to be stock for the purposes of this Act;

"travelling stock" includes stock on a railway, vehicle, vessel or aircraft and stock driven on the hoof outside the boundaries of the holding of the owner of the stock, or of the holding on which the stock are ordinarily kept or depastured;

"valuation panel" means a valuation panel appointed under section 33(1);

"vehicle" means any means of conveyance which runs on wheels;

"vessel" means any type of water-borne vessel.

(2) A reference in this Act to foodstuff or a class of foodstuff does not include a reference to –

(a) foodstuff supplied or sold as pet food, including food for caged birds (other than poultry) and aquarium fish; or

(b) tallow.

6. Minister may limit operation of provisions of this Act

(1) The Minister may, by notice in the *Gazette*, declare that such of the sections of this Act as are specified in that notice apply only in respect of, or on the occurrence or incidence of, such diseases as are specified in that notice.

(2) The operation of this Act is subject to such limitation as is imposed on it pursuant to a notice under subsection (1).

PART II – ADMINISTRATION

7. Chief Inspector of Stock

(1) There shall be a Chief Inspector of Stock, who shall be appointed by the Minister.

(2) A person shall not be appointed to be the Chief Inspector unless he or she is registered as or is, in the opinion of the Minister, a fit and proper person to apply for registration as a veterinarian under the *Veterinarians Act*.

8. Acting Chief Inspector

(1) In the event of –

(a) the illness of the Chief Inspector;

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- (b) the temporary inability of the Chief Inspector to perform the duties of office;
- (c) the absence of the Chief Inspector from the Territory; or
- (d) the death, retirement, or dismissal of the Chief Inspector, and pending the appointment of a new Chief Inspector,

the Minister may appoint a person to be Acting Chief Inspector during the illness, temporary inability or absence of the Chief Inspector or following the death, retirement or dismissal of the Chief Inspector.

(2) An Acting Chief Inspector has all the powers and may perform all the functions of the Chief Inspector.

9. Chief Inspector administers Act

The Chief Inspector is, in the exercise of his or her powers and the performance of his or her duties and functions under this Act, subject to the direction and control of the Minister.

10. Delegation

(1) The Minister or the Chief Inspector may, by instrument in writing, delegate to a person or authority all or any of his or her powers and functions under this Act (except this power of delegation) in relation to any particular matter or class of matters or to a district or part of the Territory so that the delegated powers and functions may be exercised by the delegate with respect to the matter or class of matters or to the district or part of the Territory specified in the instrument of delegation.

(2) A delegation under this section is revocable at will and no delegation prevents the exercise of a power or function by the Minister or the Chief Inspector.

11. Inspectors

(1) The Minister may appoint such inspectors of stock as he or she considers to be necessary for the purposes of this Act.

(2) An inspector must perform the duties and functions conferred on him or her by this Act and any other duties he or she is directed to perform by the Chief Inspector.

(3) An inspector appointed under this section is an inspector for the purposes of the *Meat Industries Act*, the *Brands Act*, the *Exotic Diseases (Animals) Compensation Act* and the *Stock Routes and Travelling Stock Act* unless the Minister, when appointing the inspector under this section, otherwise directs.

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(4) A reference to an inspector in subsection (3) includes an inspector appointed under this section before the commencement of the *Stock Diseases Amendment Act 1990* whose appointment is in force on that commencement.

(5) Where an inspector, at the time of being appointed under subsection (1), is employed in the Department principally responsible under the Minister for the administration of this Act, that appointment shall terminate, unless earlier terminated by the Minister, on the inspector ceasing to be employed in that Department.

11A. Identity cards

(1) The Chief Inspector shall issue to each inspector appointed under section 11 an identity card containing a photograph and the signature of the inspector verified by the signature of the Chief Inspector.

(2) An inspector issued with an identity card under subsection (1) shall, on the termination of the inspector's appointment, surrender the identity card to the Chief Inspector.

PART IIA – PRESCRIBED DISEASES

11B. Declaration of prescribed diseases

(1) The Minister may, by notice in the *Gazette*, declare any of the following to be a prescribed disease:

- (a) a disease or condition;
- (b) an animal pathogen;
- (c) a chemical or substance that exceeds the maximum residue limit specified in the notice.

(2) In a declaration of a prescribed disease, the Minister must declare whether the prescribed disease is an endemic disease, exotic disease or emergency disease.

(3) If the Minister declares a prescribed disease to be an emergency disease, the declaration is to specify the following:

- (a) the persons who are required to give notice of the presence or suspected presence of the emergency disease and the circumstance in which notice is to be given;
- (b) that the persons required to give notice must do so within 24 hours of first becoming aware of the presence of the emergency disease or first suspecting its presence;

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- (c) the person to whom notice of the presence or suspected presence of the emergency disease is to be given;
- (d) the maximum penalty that may be imposed under section 11D for a contravention of or non-compliance with the notification requirements.

(4) The declaration may apply, adopt or incorporate (either wholly or in part or with or without modification) a standard, code, specification or other document as in force at a particular time or as in force from time to time.

11C. Public information

(1) The Minister may, by notice in a newspaper circulating in the Territory or by public broadcast in the Territory, publish a declaration of a prescribed disease or any information contained in the declaration.

(2) The Chief Inspector must publish on the Internet a list of all prescribed diseases, specifying the endemic diseases, exotic diseases and emergency diseases.

(3) The Chief Inspector must, without charge, make hard copies of the list of prescribed diseases available to the public.

11D. Offence in connection with non-notification of emergency disease

A person must comply with and not contravene the notification requirements imposed on the person by a declaration under section 11B.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

PART III – QUARANTINE AND PROTECTED AREAS

Division 1 – Quarantine Areas

12. Declaration of quarantine areas

When the Minister considers that, on account of the presence or suspected presence of a prescribed disease in a particular place or area, it is desirable to establish a quarantine area in order to prevent the spread of the disease, the Minister may, by notice in the *Gazette*, declare land described in the notice to be a quarantine area.

13. Offence to drive or move stock into, out of or within quarantine area

A person must not drive or move stock into, out of or within a quarantine area, except with the written permission of an inspector.

Penalty: If the offender is a natural person – 2 500 penalty units.
If the offender is a body corporate – 12 500 penalty units.

14. Offences in connection with quarantine area

A person must not, without the written permission of an inspector –

- (a) enter or leave a quarantine area;
- (b) move or drive a vehicle into, out of or within a quarantine area; or
- (c) move any fodder, equipment or animal product into, out of or within a quarantine area.

Penalty: If the offender is a natural person – 500 penalty units.
If the offender is a body corporate – 2 500 penalty units.

15. Chief Inspector may direct disinfection, &c., in certain cases before permission granted to leave quarantine area

The Chief Inspector may, by notice in the *Gazette*, direct that, where a quarantine area has been established in order to prevent the spread of a prescribed disease, an inspector must not grant permission for a person to leave or for stock or any thing to be moved from, the quarantine area until the person, stock or thing, as the case may be, has been disinfected or treated in such manner as the Chief Inspector specifies in the notice.

16. [Repealed]

Division 2 – Protected Areas

17. Declaration of protected areas

In order to prevent the spread of a prescribed disease into, or to prevent an increase in the incidence of a prescribed disease in, a particular place or area, the Minister may, by notice in the *Gazette* –

- (a) declare land described in the notice to be a protected area, as regards a prescribed disease specified in the notice; and
- (b) prohibit the entry into the protected area of stock of a particular species, except with the written permission of an inspector.

18. Offences in connection with protected area

Where, pursuant to section 17, land has been declared to be a protected area, a person must not, without the written permission of an inspector, drive or

move into the protected area, stock of a species specified in the notice by which the land was declared to be a protected area.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

Division 3 – Entry and Exit Places for Quarantine and Protected Areas

19. Entry and exit points

When the Minister declares land to be a quarantine area or a protected area, the Minister may appoint places on the boundaries of the area to be places –

- (a) for entry into and exit from the quarantine area; and
- (b) for entry into the protected area.

20. Movement of stock into or out of quarantine area

Where, pursuant to section 19, the Minister has appointed a place for entry into and exit from a quarantine area, a person must not drive or move stock into or out of the quarantine area at a place other than a place so appointed for entry into and exit from the quarantine area.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

21. Movement generally into or out of quarantine area

Where, pursuant to section 19, the Minister has appointed a place for entry into and exit from a quarantine area, a person must not –

- (a) move any animal product into or out of the quarantine area;
- (b) enter or leave the quarantine area;
- (c) drive a vehicle into or out of the quarantine area; or
- (d) take any fodder or equipment into or out of the quarantine area,

at a place other than a place so appointed as a place for entry into and exit from the quarantine area.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

22. Entry of specified stock into protected area

Where, pursuant to section 19, the Minister has appointed a place for entry into a protected area, a person must not drive or move stock of a species specified in a notice under section 17 into the protected area at a place other than a place so appointed as a place for entry into the protected area.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

Division 4 – Restricted Area

22A. Declaration of restricted areas, &c.

(1) If the Chief Inspector is satisfied that any vessel, holding, wharf or place is or is likely at any time to be a source of infection or stock on a holding are or are likely to be diseased or affected by a prescribed disease, he or she may, by notice published in the *Gazette*, declare that vessel, holding, wharf or place to be a restricted area.

(2) A declaration made under this section –

(a) may specify the time during which the declaration shall be in operation; and

(b) where, in the opinion of the Chief Inspector, a vessel is engaged in trade between a place in the Territory and a place where, in the opinion of the Chief Inspector, a prescribed disease is prevalent, may specify that the declaration shall be in operation from time to time whenever the vessel is in such port or place in the Territory as is specified in the declaration.

(3) Where a declaration so specifies a time for the operation of the declaration, the declaration is in operation only during the time so specified.

22B. Chief Inspector may give direction or order in relation to restricted area

(1) For the purpose of preventing a prescribed disease from occurring or spreading, where a declaration is in operation under this Division, the Chief Inspector –

(a) may give a direction in writing that –

(i) a person, animal or thing in, or previously in, the restricted area to which the declaration relates shall be disinfected; or

(ii) such an animal or thing shall be otherwise treated,

in accordance with, and within the time specified in the direction;

- (b) may give an order in writing prohibiting the removal, from a vessel declared under this Division to be a restricted area, of any animal or thing specified in the order; and
 - (c) may give an order in writing directing the removal or disposal, from a holding declared under this Division to be a restricted area, of an animal or thing specified in the order.
- (2) A direction or order under subsection (1) may be given –
- (a) in the notice declaring the vessel, holding, wharf or place to be a restricted area;
 - (b) in a newspaper circulating in the district in which the restricted area is situated;
 - (c) by notice set up in a prominent place in or near the restricted area; or
 - (d) by notice served personally or by post on –
 - (i) in the case of a direction – a person who is required by the direction to be disinfected or who is the owner of the animal or thing required by the direction to be disinfected or otherwise treated; or
 - (ii) in the case of an order – the owner of the vessel, the owner of the animal or thing prohibited to be removed, a person on the vessel or a person engaged in unloading the vessel.

22C. Direction or order to be complied with

A person must not refuse or fail to comply with or carry out a direction or order given in accordance with section 22B if –

- (a) the direction or order applies to or in relation to the person or to an animal or thing of which the person is the owner, and the direction or order is given by a method specified in section 22B(2)(a), (b) or (c); or
- (b) the direction or order is given by notice served on the person in accordance with section 22B(2)(d).

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

22D. Chief Inspector may cause animal or thing to be disinfected, &c.

Where an animal or thing is not disinfected or treated in accordance with a direction under section 22B within the time specified in the direction, the Chief Inspector may cause the animal or thing to be disinfected or otherwise treated in accordance with the direction.

22E. Offence to obstruct person carrying out disinfection or treatment

A person must not obstruct a person carrying out disinfection or treatment of an animal or thing in accordance with instructions given by the Chief Inspector in the exercise of a power conferred by section 22D.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

22F. Cost of disinfection, &c., may be recovered

The Territory may recover from the owner of an animal or thing the cost of carrying out disinfection or treatment of the animal or thing incurred in the exercise of the power conferred on the Chief Inspector under section 22D.

22G. Offence to drive or move animal into or out of restricted area

A person must not drive or move an animal into or out of a restricted area, except with the permission of an inspector.

Penalty: If the offender is a natural person – 2 500 penalty units.

If the offender is a body corporate – 12 500 penalty units.

PART IV – IMPORTATION OF STOCK AND PRODUCTS OF STOCK INTO NORTHERN TERRITORY

23. Prohibition or restriction of importation of stock

(1) Where the Minister has reasonable cause to believe that a prescribed disease exists in a place or area outside the Territory, the Minister may, by notice in the *Gazette* –

- (a) absolutely prohibit; or
- (b) restrict, by imposing conditions upon,

the entry or importation into the Territory or a part of the Territory, from that area or place of –

- (c) stock or of stock of a particular species or class;
- (d) meat or any other product obtained from stock or from stock of a particular species or class;
- (e) equipment used in relation to stock or stock of a particular species or class; or
- (f) a thing which has, or is likely to have, come into contact with stock or stock of a particular species or class.

(2) A person must not import into the Territory or a part of the Territory stock or meat, any other product of stock or equipment in contravention of a prohibition or restriction notified under subsection (1).

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

24. Notice to be given and interstate health certificate obtained before stock imported

A person who proposes to import stock into the Territory from any other part of Australia must –

- (a) not less than 7 days before the stock enter the Territory, give notice to an inspector or a prescribed authority specifying –
 - (i) the date and place where the stock will enter the Territory;
 - (ii) the place of origin of the stock;
 - (iii) the place in the Territory to which the person proposes to take the stock;
 - (iv) the number and particulars of the stock; and
 - (v) the method by which the person proposes to move the stock; and
- (b) before the stock enter the Territory, obtain an interstate health certificate in the prescribed form from an inspector or a prescribed authority to import the stock.

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

25. Point for entry of imported stock

The Chief Inspector may, by notice in the *Gazette* –

- (a) appoint places for the entry into the Territory of stock from a specified part of Australia; and
- (b) specify the tests or treatment to be applied to stock when they enter the Territory.

26. Stock to enter Territory at appointed places

Where, pursuant to section 25, the Chief Inspector has appointed a place for the entry into the Territory of stock from a specified part of Australia, a person must not bring or drive stock into the Territory from that part of Australia except at a place so appointed.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

PART V – DISEASE STATUS OF HOLDINGS

27. Classification of holdings in respect of prescribed diseases

(1) The Chief Inspector may, by notice in the *Gazette*, determine the classifications in relation to a prescribed disease that may be given to a holding.

(1A) A notice under subsection (1) is to specify the criteria by which the Chief Inspector is to apply a classification to a holding.

(1B) Where the Chief Inspector has reasonable cause to believe that the criteria in respect of a classification determined under subsection (1) apply to a holding, the Chief Inspector may, by notice in writing to the owner, give the holding the classification.

(2) The Chief Inspector may, for the purpose of controlling a prescribed disease, by notice in the *Gazette*, specify prohibitions or restrictions that apply (whether absolutely or conditionally) to or in relation to stock, or a class of stock, in the Territory (including the movement in or into the Territory), and the restrictions may be expressed to relate to the disease status of a holding.

(3) Without limiting the generality of subsection (2), the restrictions specified in a notice under that subsection may include –

- (a) a total prohibition on the movement; and
- (b) a total prohibition on the sale or purchase,

of stock or a class of stock.

(4) A person must not contravene or fail to comply with a prohibition or restriction specified in a notice under subsection (2).

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

PART VA – DISEASE CONTROL PROGRAMME

Division 1 – Declaration of disease control programme

28. Declaration

(1) The Minister may, by notice in the *Gazette*, declare a programme to control, eradicate or prevent the spread of, a prescribed disease to be a disease control programme for the purposes of this Part.

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- (2) A notice under subsection (1) is to specify –
 - (a) the prescribed disease and whether it is an endemic disease, exotic disease or emergency disease; and
 - (b) the species or class of stock to which the disease control programme applies.

(3) The Minister may, in a notice under subsection (1), or, from time to time by notice in the *Gazette*, specify a test to be used to determine whether stock of a species or class specified in a notice under subsection (1) are infected with a prescribed disease specified in that notice.

29. Chief Inspector's powers

(1) In addition to any other powers which the Chief Inspector has under this Act, the Chief Inspector may, at any time, for the purposes of a disease control programme declared under section 28 and in respect of a species or class of stock specified in a notice declaring a disease control programme under that section –

- (a) order the owner, or a person in charge or apparently in charge, of stock, including travelling stock, to –
 - (i) muster the stock for the purpose of testing, inspecting, valuing equipment or treating the stock;
 - (ii) test the stock using a test specified in a notice under section 28;
 - (iii) erect or maintain facilities to be used for testing the stock;
 - (iv) erect, repair or maintain fences or other structures or barriers, to ensure the stock are contained within an area bounded by the fences, structures or barriers;
 - (v) produce any documents or papers in the possession of the owner or person relating to the stock;
 - (vi) move or restrict the movement of the stock;
 - (vii) move the stock to an abattoir for the purpose of having the stock slaughtered at the abattoir;
 - (viii) mark, brand or affix tags to the stock for the purpose of identifying the stock;
 - (ix) destroy the stock; or

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- (x) treat or vaccinate the stock;
 - (b) order the owner of land, on which have been depastured any stock to disinfect the land and any buildings, yards, pens or equipment on the land;
 - (c) order the owner or person in charge of any yard, pen, enclosure, place or building on or in which have been any stock, to disinfect the yard, pen, enclosure, place or building, together with any equipment;
 - (ca) if the disease control programme relates to an emergency disease – order the owner referred to in paragraph (b) or the owner or person referred to in paragraph (c) to destroy any building, yard, pen, enclosure, place or equipment;
 - (d) order the owner or any person in possession of any fodder, equipment or animal product to treat or destroy it;
 - (e) muster or cause to be mustered any stock for the purpose of testing, inspecting, valuing or treating the stock;
 - (f) test or cause to be tested any stock using a test specified in a notice under section 28;
 - (g) move or cause to be moved, or restrict or cause to be restricted the movement of, any stock;
 - (h) move or cause to be moved any stock to an abattoir for the purpose of having the stock slaughtered at the abattoir;
 - (j) mark, brand or affix tags to, or cause to be marked, branded or to have tags affixed to, any stock for the purpose of identifying the stock;
 - (k) destroy or cause to be destroyed any stock;
 - (l) if the disease control programme relates to an emergency disease – destroy or cause to be destroyed any building, yard, pen, enclosure, place, equipment or animal product; or
 - (m) approve methods for the locating or assembling of stock for the purposes of destruction, and locate or assemble stock, or cause stock to be located and assembled by the owner, for the purposes of destruction.
- (2) For the purposes of subsection (1), the Chief Inspector may, on giving an order under that subsection, give such directions as the Chief Inspector

thinks fit to or in relation to the carrying out of that order by the person to whom it is given.

(3) A person to whom an order under subsection (1) is given must comply with, and not contravene –

- (a) the order; or
- (b) any directions given under subsection (2).

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

(4) Without affecting the generality of subsection (1), the Chief Inspector may, as he or she thinks fit, give an order to a person or a class of persons under that subsection by notice in the *Gazette*, and a person or member of a class of persons to whom the notice is directed is, for the purposes of this Act, be taken to have received the order.

Division 2 – Declaration of standstill zone

29A. Declaration

(1) For the purposes of a disease control programme that relates to an emergency disease, the Minister may, by notice in the *Gazette*, declare an area to be a standstill zone if the Minister is satisfied –

- (a) the emergency disease is or may be present in the area; or
- (b) there is a real possibility the emergency disease may be introduced into the area.

(2) The declaration of a standstill zone is to –

- (a) specify the emergency disease in respect of which the declaration is made;
- (b) describe the area of land to which the declaration applies; and
- (c) state that while the declaration is in force, all movement within or out of the standstill zone of a thing specified in the declaration is prohibited except in accordance with a movement permit.

(3) The declaration of a standstill zone may apply in relation to any of the following:

- (a) the species or class of stock to which the declaration of the disease control programme applies, any other species or class of stock or all stock;
- (b) all animal products or a particular animal product;
- (c) any other thing or class of things.

(4) The Minister must revoke the declaration of a standstill zone if the Minister is satisfied that the emergency disease is not present in, and is not likely to be introduced into, the standstill zone.

29B. Movement permits

(1) The Chief Inspector may regulate the movement of any stock, animal product or other thing to which a declaration of a standstill zone applies by issuing a movement permit to the owner or person in charge of the stock, animal product or thing, specifying the movement that is permitted.

(2) The Regulations may prescribe the matters that may be specified in a movement permit and may provide for any other matter relevant to the issuing, variation or revocation of a movement permit.

29C. Offences in connection with standstill zone

(1) A person must not, except in accordance with a movement permit, move stock, an animal product or other thing to which a declaration of a standstill zone applies –

- (a) from a holding, premises or other place within the standstill zone to any other place within or outside the standstill zone; or
- (b) from any place outside the standstill zone into the standstill zone.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

(2) While a movement permit is in force, subsection (1) applies in relation to the movement of the stock, animal product or other thing specified in the permit –

- (a) to the exclusion of any provision of this Act or the Regulations; and
- (b) to the exclusion of any order or permission given under this Act,

that is inconsistent with the movement permit.

Division 3 – Expenses and compensation

29D. Interpretation

In this Division, a reference to stock that are destroyed includes a reference to stock that are slaughtered at an abattoir.

30. Costs may be recovered

Where, in pursuance of section 29, expenses are incurred by the Chief Inspector in the exercise of a power under that section, those expenses shall, unless the Minister otherwise directs, be met by the owner of the stock in respect of which the power was exercised, and those expenses shall be a debt due and payable to the Territory by the owner of the stock.

31. Money to be paid to owner of slaughtered stock

(1) Notwithstanding anything to the contrary in this Act, but subject to section 30, where, in pursuance of section 29, stock are slaughtered at an abattoir any money payable on the sale of the stock for slaughter shall be paid to the owner of the stock.

(2) Where compensation, as determined under this Division, is paid to the owner of stock, the compensation shall be reduced by the amount, if any, paid to the owner of the stock under subsection (1).

32. Compensation payable

(1) Where, in pursuance of section 29, stock are destroyed, the owner of the stock shall be paid compensation for the stock as determined –

- (a) in respect of stock referred to in subsection (2), by the Minister; or
- (b) in any other case, as provided by section 33, 34 or 34AA.

(2) For the purposes of subsection (1)(a), the Minister shall, from time to time by notice in the *Gazette*, determine compensation in respect of –

- (a) buffalo;
- (b) stock which have reacted to a test of a type specified in a notice under section 28; and
- (c) unmustered stock.

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- (3) If –
 - (a) stock infected with an emergency disease are destroyed in pursuance of section 29; and
 - (b) the cost of replacing the stock will be more than the amount of compensation determined under section 33, 34 or 34AA (as applicable),

the Minister may approve the payment of additional compensation of an amount equal to the difference between the amount of compensation determined under the applicable section and the cost of replacing the stock.

(4) Compensation is payable to the owner of stock that are certified by a veterinary officer employed as such by the Government of any State or Territory of the Commonwealth –

- (a) as having died during the occurrence of an emergency disease; and
- (b) as having been, at the time of their death, in a quarantine area, restricted area or standstill zone in relation to the emergency disease or as having been sent to an abattoir directly from such an area or zone.

(5) Compensation is payable to the owner of an animal product or other thing destroyed or rendered unfit for use in pursuance of section 29 for the purposes of a disease control programme relating to an emergency disease.

32A. When compensation not payable

(1) The owner of stock, an animal product or other thing destroyed in pursuance of section 29 is not entitled to compensation for the stock, animal product or thing if –

- (a) the Chief Inspector is satisfied –
 - (i) the destruction was necessary because of an act or omission of the owner; and
 - (ii) the act or omission caused or contributed to, or was likely to cause or contribute to, the spread of a prescribed disease; and
- (b) the owner is found guilty of an offence against this Act arising from or in connection with the act or omission.

(2) A person is not entitled to compensation for loss as a result of the presence of an emergency disease if the person is found guilty of an offence against section 11D in relation to that emergency disease.

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(3) A person is not entitled to compensation for loss as a result of stock being infected with an endemic disease or exotic disease if the person is found guilty of an offence against section 35 or 36 in relation to that disease.

(4) A person is not entitled to compensation for –

- (a) loss of profit or production;
- (b) loss as a result of a breach of a contract or another consequential loss; or
- (c) any other loss for which compensation is not expressly provided by this Act or the Regulations.

33. Valuation panel to determine applications for compensation

(1) An application for compensation –

- (a) made under section 34A in relation to the destruction of stock other than stock referred to in section 32(2); or
- (b) made under section 34AB,

is to be determined by a valuation panel appointed by the Chief Inspector in accordance with this section.

(2) The valuation panel is to be constituted by –

- (a) a person who has valuation experience, and a knowledge of current values, relevant to the stock, animal product or other thing to which the application relates;
- (b) a person nominated by the owner of the stock, animal product or other thing to which the application relates; and
- (c) a person who has a knowledge of and experience in the pastoral industry.

(3) A person to whom subsection (2)(a) or (c) applies is not to be appointed to the valuation panel if the person or the person's employer (if any) has a pecuniary interest in relation to the stock, animal product or other thing to which the application relates.

(4) Subject to this Division and the Regulations, the procedure for determining the application is to be as agreed by the members of the valuation panel.

(5) A decision of the valuation panel, including a determination of the compensation payable to the applicant or a determination that the applicant is not entitled to compensation, is to be by a majority of the members.

(6) A reference in subsection (3) to a pecuniary interest does not include a fee or commission payable for membership of the valuation panel.

34. Determination if valuation panel fails to agree

(1) If a majority of members of a valuation panel fail to agree on the determination of an application for compensation, they must notify the Chief Inspector.

(2) Following notification of the valuation panel's failure to agree, the Chief Inspector must appoint a person who has a knowledge of and experience in the pastoral industry, and who is generally held in high regard by members of the industry, to determine the application.

(3) The person appointed to determine the application must do so in accordance with this Division and the Regulations.

(4) The prescribed procedures and principles that apply in relation to a valuation panel's determination of an application under section 33 also apply in relation to the determination of an application by a person appointed under this section.

34AA. Review of determination

(1) If an application for compensation is determined under section 33 or 34 and the Minister or applicant considers the determination is not in accordance with this Division or the Regulations, the Minister or applicant may request a review of the determination.

(2) The request is to be made in writing to the Chief Inspector not later than 7 days after notice of the determination is received.

(3) The Chief Inspector must consult with the applicant in selecting a person to review the determination and, if agreement is reached within 7 days after receipt of the request, the Chief Inspector must appoint the selected person to conduct the review.

(4) If the Chief Inspector and the applicant fail to reach agreement under subsection (3), the Chief Inspector must forward the request to the President of the N.T. Cattlemen's Association who must, as soon as practicable, appoint a person to conduct the review.

(5) A person is not to be appointed to review the determination unless the person –

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- (a) has knowledge of and experience in the pastoral industry and a knowledge of current values relevant to the stock, animal product or other thing to which the determination relates; and
- (b) has no pecuniary interest in relation to that stock, animal product or other thing.

(6) The person appointed to review the determination may confirm or vary the determination in accordance with this Division and the Regulations and that confirmation or variation is, subject to section 47A, a final and conclusive determination of the application for compensation.

(7) A reference in subsection (5)(b) to a pecuniary interest does not include a fee or commission payable for reviewing the determination.

(8) The prescribed procedures and principles that apply in relation to a valuation panel's determination of an application under section 33 also apply in relation to the determination of an application by a person appointed under this section.

34A. Claim for compensation for destroyed stock

(1) The owner of stock destroyed in pursuance of section 29 may, not later than 60 days after the stock are destroyed, apply in writing to the Chief Inspector for compensation for the stock.

(2) An application under subsection (1) is to be in a form approved by the Chief Inspector.

(3) The Chief Inspector, on receiving an application for compensation under this section, must, subject to this Division, pay to the owner of the stock compensation as determined under this Division.

34AB. Compensation for destroyed or damaged property

(1) The owner of an animal product or other thing destroyed or rendered unfit for use in pursuance of section 29 for the purposes of a disease control programme relating to an emergency disease, may apply for compensation for the loss suffered by the owner.

(2) The application is to be made to the Chief Inspector, in a form approved by the Chief Inspector, not later than 60 days after the loss.

(3) The amount of compensation payable under this section is the market value of the animal product or other thing immediately before it was destroyed or rendered unfit for use, as determined under this Division.

PART VI – GENERAL OFFENCES

34B. Pig swill

- (1) A person in charge of pigs must not –
 - (a) feed swill to the pigs or permit another person to feed swill to the pigs; or
 - (b) keep swill on the holding where the pigs are kept.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

- (2) A person in charge of pigs must take all reasonable steps to prevent the pigs from having access to swill.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

- (3) The Chief Inspector may, by written notice, order a person in charge of pigs to take one or both of the following actions:

- (a) treat food scraps in a specified manner to avoid the unintentional feeding of swill to the pigs;
- (b) take specified action to exclude feral pigs from places where there are food scraps.

- (4) A person must not supply swill to another person if the supplier intends the swill to be fed to pigs or knows that the other person intends to feed the swill to pigs.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

- (5) In this section –

"supply" includes sell and exchange;

"swill" means material originating from a placental mammal or poultry or which has come into contact with material originating from a placental mammal or poultry, but does not include any of the following:

- (a) mammalian material or poultry material that has been rendered in accordance with the Australian Standard for the

Hygienic Rendering of Animal Products AS 5008:2001 as in force from time to time;

- (b) mammalian material or poultry material that is derived from a commercial product that has been cooked to an internal temperature of 70 degrees centigrade for a minimum of 30 minutes;
- (c) milk or milk by-products originating from a farm, place or area of milk production that is approved by notice in the *Gazette* by the Chief Inspector.

35. Notice of travelling stock infected with endemic or exotic disease

(1) A person in charge of travelling stock must notify an inspector immediately if the person knows or has reason to suspect that any of the travelling stock are infected with an endemic disease or exotic disease.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

(2) It is a defence to a prosecution for an offence against subsection (1) if the person charged with the offence proves that, within a period of 2 days immediately preceding the date of the alleged offence, there was no reason to suspect the travelling stock were infected with an endemic disease or exotic disease.

36. Notice of stock infected with endemic or exotic disease

(1) An owner of land on which stock are depastured must notify an inspector immediately if the owner knows or has reason to suspect that any of the stock are infected with an endemic disease or exotic disease.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

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(2) A person in charge of stock that are depastured on land must, as soon as practicable, notify an inspector if the person knows or has reason to suspect that any of the stock are infected with an endemic disease or exotic disease.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

(3) It is a defence to a prosecution for an offence against subsection (1) or (2) if the person charged with the offence proves that, within a period of 7 days immediately preceding the date of the alleged offence, there was no reason to suspect the stock were infected with an endemic disease or exotic disease.

(4) A person is not required to notify an inspector under this section if the person knows that another person required by this Act to notify the inspector has already done so.

36A. Notice by veterinarian of stock infected with endemic or exotic disease

(1) A registered veterinarian (within the meaning of the *Veterinarians Act*) must notify an inspector immediately if the veterinarian knows or has reason to suspect that any stock or travelling stock are infected with an endemic disease or exotic disease.

Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.

(2) A registered veterinarian is not required to notify an inspector under this section if the veterinarian knows that another person required by this Act to notify the inspector has already done so.

37. Offence to sell or offer for sale infected stock etc.

A person must not, except with the written approval of the Chief Inspector and in accordance with any conditions specified in that approval, sell or offer for sale –

- (a) stock that are infected; or
- (b) an animal product obtained from stock that is, or before its death was, infected.

Penalty: If the offender is a natural person – 2 500 penalty units.

If the offender is a body corporate – 12 500 penalty units.

38. Owner etc. to comply with notice requiring stock to be dipped

The owner of stock which are depastured on a holding, and the person in charge of travelling stock, must comply with the requirements of a notice published under section 41.

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

39. No obstruction of officers

A person must not obstruct or hinder a person exercising or attempting to exercise a power or duty under this Act.

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

40. Person must comply with requirements of inspector's order

A person must comply with the requirements of an order lawfully made by an inspector under this Act.

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

PART VII – MISCELLANEOUS

41. Notice requiring stock to be dipped, &c.

The Chief Inspector may, by notice in the *Gazette* –

- (a) require that stock of a specified species or class shall be dipped or sprayed at specified places with a specified mixture;
- (b) require that stock of a specified species or class shall be inoculated with a specified vaccine;
- (c) require that stock of a specified species or class shall be treated and marked in a specified manner; and
- (d) require that stock of a specified species or class shall be protected in a specified manner against the risk of contagion, infection or infestation.

41A. Prohibition or restriction of use of specified substances

(1) The Chief Inspector may, by notice in the *Gazette*, prohibit or restrict the use in the treatment of stock of a substance or class of substances.

(2) A person must not contravene or fail to comply with a notice under subsection (1).

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

42. Powers of inspectors

(1) For the purposes of the administration or enforcement of this Act and the Regulations, an inspector may –

- (a) enter any land, building, vehicle, vessel or aircraft and cross any land in order to enter that land, building, vehicle, vessel or aircraft;
- (aa) inspect or examine any land, building, vehicle, vessel or aircraft entered under paragraph (a) and any stock, fodder, fodder container, equipment, animal product or documents found in or on there;
- (b) with or without assistants muster, or order to be mustered, any stock for the purpose of inspecting, treating or seizing the stock;
- (ba) take samples of any stock, fodder or animal product for analysis or for use as evidence of the presence or absence of a prescribed disease or evidence of the commission of an offence against this Act or the Regulations;
- (c) with or without assistants, seize any stock, fodder, equipment or animal product which is infected or diseased or which the inspector has reasonable cause to believe is infected or diseased;
- (d) destroy or cause to be destroyed any stock, fodder, equipment or animal product which the inspector has reasonable cause to believe is infected or diseased;
- (e) order any person to produce any documents or papers in the possession or control of that person;

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- (f) order any person to answer such question as the inspector puts to the person relating –
 - (i) to any stock, fodder, fodder container, equipment or animal product in the possession or under the control of that person; or
 - (ii) to documents about any stock, fodder, fodder container, equipment or animal product;
- (g) apply to stock or animal products such treatment or tests as have been approved by the Chief Inspector for application to stock or animal products for the purpose of diagnosing, preventing or curing disease or monitoring the presence or absence of disease;
- (h) if the inspector has reasonable cause to believe that stock are or may be infected, order the owner or person in charge of the stock to provide such yards, crushes or other facilities as the inspector deems necessary to enable him or her to examine and treat the stock;
- (i) mark stock which the inspector has reasonable cause to suspect are infected with such marks as are approved by the Chief Inspector for use for that purpose, or as are prescribed;
- (j) order the owner or person in charge of travelling stock to hold the stock at, or to take the stock to, such place as the inspector specifies;
- (k) order the person in charge of travelling stock which the inspector has reasonable cause to believe are infected –
 - (i) to take the stock to the place from which they have been brought; and
 - (ii) to state the place where, and the date when, any stock dropped out of or strayed from the mob;
- (l) order the owner of land, on which are depastured any stock which the inspector has reasonable cause to believe are infected, to prevent any stock from entering or leaving such portion of the land as is specified by the inspector for such period, not exceeding 40 days, as the inspector specifies;
- (m) order the owner of land, on which have been depastured stock which the inspector has reasonable cause to believe were infected, to disinfect the land and any buildings, yards or pens, together with any equipment there, in such manner as the inspector specifies;

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- (n) order the owner or person in charge of any yard, pen, enclosure, place or building on or in which have been stock, which the inspector has reasonable cause to believe were infected, to disinfect the yard, pen, enclosure, place or building, together with any equipment there, in such manner as the inspector specifies;
- (o) order the person in charge of stock, which the inspector has reasonable cause to believe are infected, to prevent the stock from leaving such portion of land as is specified by the inspector for such period, not exceeding 40 days, as the inspector specifies;
- (p) order the owner or any person in possession of any fodder, equipment or animal product which the inspector has reasonable cause to believe is diseased, to treat or to destroy it in such manner as the inspector specifies;
- (q) order the person in charge of a vehicle, vessel or aircraft, which has been used or is intended to be used for the conveyance of stock, fodder, equipment or animal product to disinfect the vehicle, vessel or aircraft, and its fittings in such manner as the inspector specifies;
- (r) order the person in charge of stock which have died or which have been destroyed pursuant to this Act, to destroy the carcass of the stock in such manner as the inspector specifies;
- (s) order a person who causes damage to a fence or gate within a quarantine area or protected area, to repair the damage;
- (t) seize and detain any stock which have been driven or moved contrary to this Act;
- (u) order the person in charge of travelling stock to take the stock to such place as the inspector specifies and there cause the stock to be dipped, sprayed or otherwise treated, in such manner as is required pursuant to this Act;
- (v) seize and destroy any stock, any meat or other product of stock or equipment, that has entered or been imported into the Territory in contravention of section 23;
- (w) order the owner or person in charge of stock of a specified species or class to apply such identifying marks and devices as are specified by the Chief Inspector under section 41(c); and
- (y) if the inspector has reasonable cause to believe that any stock are suffering unduly, whether as a result of disease, injury, neglect, drought or other cause –

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- (i) destroy the stock, or take any other action that the inspector thinks fit; or
- (ii) order the owner, or the person in charge, of the stock to destroy the stock, or to take any other action that the inspector thinks fit and so orders,

including but not limited to the provision of food, water, shelter or treatment to alleviate the suffering of the stock.

(2) Where an inspector orders a person to do an act pursuant to subsection (1)(b), (h), (j), (k), (m), (n), (p), (q), (r), (s), (u) or (y), the inspector must state the time within which that person is to do that act.

(3) After taking a sample under subsection (1)(ba) or seizing any thing under subsection (1)(c), (t) or (v), an inspector must give a receipt for the sample or thing to –

- (a) the occupier or a person apparently in charge of the land, building, vehicle, vessel or aircraft from which it was taken or seized; or
- (b) the person who the inspector reasonably believes was in possession of the sample or thing immediately before it was taken or seized.

(3A) For the control, eradication or prevention of an emergency disease, the Chief Inspector may –

- (a) order the owner or person in charge referred to in subsection (1)(m) or (n) to destroy, in the manner and within the time specified by the Chief Inspector, any building, yard, pen, enclosure, place or equipment referred to in those subsections; and
- (b) order the person in charge referred to in subsection (1)(q) to destroy, in the manner and within the time specified by the Chief Inspector, a vehicle, vessel or aircraft and its fittings referred to in that subsection.

(4) For the purposes of subsection (1), a positive reaction by any stock to a test approved by the Chief Inspector for application to that stock for the purpose of diagnosing, preventing or curing a prescribed disease –

- (a) is evidence that the stock is infected with the prescribed disease and, in the absence of evidence to the contrary, is conclusive evidence of that fact; and
- (b) is, without further evidence, reasonable cause for an inspector to believe that the stock is infected with the prescribed disease.

(5) For the purposes of this section, the following applies:

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- (a) reason to believe that the agent of a prescribed disease may be present in any stock, fodder, equipment or animal product is reasonable cause for an inspector to believe that the stock, fodder, equipment or animal product is infected with the prescribed disease;
- (b) it is not necessary for stock to exhibit symptoms of a prescribed disease for there to be reasonable cause for an inspector to believe that the stock is infected with the prescribed disease.

(6) Subsections (4) and (5) do not prejudice any other evidence or consideration because of which an inspector may have reasonable cause to believe that any stock, fodder, equipment or animal product is infected or diseased.

42A. Entry onto Aboriginal land

Where it is necessary or convenient for a person to go onto land for the purpose of carrying out an obligation or function, or exercising a power, imposed or conferred on him or her by or under this Act, the person may go onto the land for that purpose notwithstanding that –

- (a) the land is Aboriginal land within the meaning of the *Aboriginal Land Act*; and
- (b) the person does not hold a permit under that Act to enter or remain on that land.

43. Prosecutions

Unless instituted by the Attorney-General or the Director of Public Prosecutions, a prosecution for an offence against this Act shall not be brought without the consent in writing of the Chief Inspector.

43A. Regulatory offences

(1) An offence of contravening or failing to comply with section 13, 18, 20, 21, 22, 22C, 24, 26, 29 or 38 is a regulatory offence.

(2) The Regulations may designate an offence against the Regulations to be a regulatory offence.

43B. Continuing offences

Where a court, on finding a person guilty of an offence against a provision of this Act, is satisfied that the person has continued in breach of, or has not complied with, as the case may be, that provision after the date on which the offence was committed, the court may impose, in addition to the penalty specified

in the provision, a further penalty, not exceeding 1% of the specified penalty for each day, after the first day, during which the offence continues.

43C. Infringement offences and notices

(1) An inspector may serve an infringement notice on a person if it appears to the inspector that the person has committed an offence against this Act or the Regulations, being an offence prescribed as an infringement offence.

(2) An infringement notice is a notice to the effect that –

(a) an offence is alleged to have been committed against this Act or the Regulations;

(b) if the penalty amount indicated is paid within the time and at the place specified – the alleged offence is expiated and no person is liable for any further proceedings in the matter; and

(c) the person served with the infringement notice can elect to have the matter dealt with by a court by serving written notice in accordance with the directions given on the infringement notice.

(3) [Omitted]

(4) Payment under this section is not to be regarded as an admission of liability for the purposes of, nor in any way to affect or prejudice, any civil claim, action or proceeding arising out of the same occurrence.

(5) The *Fines and Penalties (Recovery) Act* applies to an infringement notice issued under this section if the amount payable under the infringement notice is not paid within the specified time.

44. Inspector may carry out requirements of order upon failure by person ordered and recover cost

(1) Where, in pursuance of or for the purposes of this Act, an inspector orders a person to do any act and that person fails to comply with the requirements of that order, the inspector may do, or cause to be done, that act.

(2) Where an inspector incurs expense pursuant to this section, the amount of that expense may be recovered from the person who failed to comply with the requirement of the order as a debt due by that person to the Territory.

45. Chief Inspector may approve of methods of disinfection

The Chief Inspector may, by notice in the *Gazette*, approve of methods for the disinfection of persons, animals or inanimate things, where disinfection is, or may be, required under this Act.

46. No review of decision relating to emergency disease

(1) If the Chief Inspector makes a decision for the purpose of controlling, eradicating or preventing the spread of an emergency disease, that decision –

- (a) is final and conclusive;
- (b) is not to be challenged, appealed against, reviewed, quashed or called into question in any court; and
- (c) is not subject to prohibition, mandamus, injunction, declaration or certiorari in any court on any ground.

(2) Without limiting subsection (1), the making of a decision referred to in that subsection includes any of the following:

- (a) making an order;
- (b) giving a direction;
- (c) issuing or varying a movement permit under Part VA, Division 2;
- (d) destroying stock or any other thing, or causing that destruction;
- (e) failing to make a decision or take an action.

46A. Testing for emergency disease

(1) The Chief Inspector may, on application in writing by the owner or person in charge of a veterinary diagnostic laboratory, approve the laboratory for the purposes of this section.

(2) A person must not test, analyse or undertake any diagnostic examination of a sample or specimen taken from stock or an animal product to determine whether it is infected with an emergency disease other than at an approved veterinary diagnostic laboratory.

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

(3) A person must not submit a sample or specimen taken from stock or an animal product to another person for the other person to test, analyse or undertake a diagnostic examination of the sample or specimen to determine whether it is infected with an emergency disease unless the other person is to undertake the test, analysis or examination at an approved veterinary diagnostic laboratory.

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

(4) The owner or person in charge of an approved veterinary diagnostic laboratory must ensure that –

- (a) only approved tests are used for the detection of an emergency disease;
- (b) all analysis or diagnostic examination of a sample or specimen is carried out in accordance with approved standards; and
- (c) the approved records are kept and submitted to the Chief Inspector in the approved time and approved manner.

(5) The owner or person in charge of an approved veterinary diagnostic laboratory must –

- (a) ensure that the facilities and operational practices used in the laboratory comply with any approved standards of accreditation; and
- (b) comply with written directions of the Chief Inspector for persons to take part in a programme to assess the proficiency of the facilities and operational practices used in the laboratory (including taking part jointly or collaboratively with persons from any other approved veterinary diagnostic laboratory).

(6) Anything required by this section to be approved is to be approved by the Chief Inspector by notice in the *Gazette*.

(7) In this section –

"biological preparations" means any of the following:

- (a) products prepared in any manner from animal tissue (including blood, lymph or glandular secretion), or produced in any manner by the agency of any microscopic or ultramicroscopic organisms or ferments, that are –
 - (i) used for or in relation to the diagnosis, prevention, alleviation or cure of a disease or abnormal conditions in stock; or
 - (ii) used in stock production to promote growth or to change the physiological state of stock;
- (b) synthetic compounds identical with or closely related to the products referred to in paragraph (a) and having or alleged to have comparable uses;
- (c) substances prescribed by the Regulations to be biological preparations;

"test" does not include a test referred to in section 25(b), 28(3), 42(1)(g) or 48(1)(c);

"veterinary diagnostic laboratory" means premises used for any of the following purposes:

- (a) the manufacture of biological preparations;
- (b) the pathological examination of sick or infected stock or stock suspected of being infected or of animal products;
- (c) the examination of stock for internal or external parasites;
- (d) the analysis of toxic substances that may affect stock;
- (e) the testing or use of animal pathogens or biological preparations;
- (f) the examination or testing of specimens from stock or from animal products or for the storage or processing of such specimens.

47. Disposal of seized stock, &c.

(1) Any stock, fodder, equipment, or the carcass or dung of an animal which is seized by an inspector pursuant to this Act shall, at the discretion of the Minister, be destroyed or be sold at public auction or by private treaty.

(2) The proceeds from a sale made pursuant to this section shall be paid into the Northern Territory Government Account.

47A. Acquisition to be on just terms

Where the application of a provision of this Act (whether enacted before or after the commencement of the *Northern Territory (Self-Government) Act 1978* of the Commonwealth) would, but for this section, result in an acquisition of property otherwise than on just terms, the person from whom the property is acquired shall be entitled to receive just compensation for the acquisition and a court of competent jurisdiction may determine the amount of the compensation or make such order as, in its opinion, is necessary to ensure that the acquisition is on just terms.

47B. Protection from liability

- (1) This section applies to a person who is or has been –
- (a) the Chief Executive Officer of the Agency administering this Act;
 - (b) an inspector; or
 - (c) a person assisting an inspector under section 42.

(2) The person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise or purported exercise of a power, or the performance or purported performance of a function, under this Act.

(3) Subsection (2) does not affect any liability the Territory would, apart from that subsection, have for the act or omission.

48. Regulations

(1) The Administrator may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act and in particular –

- (a) regulating or prohibiting, whether absolutely or conditionally, the feeding of a foodstuff or a class of foodstuff to stock and the sale and supply of the foodstuff or class of foodstuff, including the form and content of labels and invoices;

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- (b) providing for the registration of bee hives;
- (ba) providing for the labelling of animal products, whether in relation to the control of a prescribed disease or the provision of information about that animal product;
- (c) prescribing the nature and methods of treatment of disease or of tests for diagnosing or preventing disease;
- (d) providing for the branding of stock for the purpose of indicating matters relevant to the control of disease;
- (da) providing for the affixing of tags to stock for the purpose of identifying the holding on which the stock are depastured and the procedure for registering tags;
- (e) prescribing the method of destroying stock or animal products;
- (ea) providing for standards of humane treatment and care of stock, including the destroying of stock terminally injured or stressed;
- (eb) prescribing procedures and principles applicable in relation to the determination of an application for compensation made under Part VA, Division 3;
- (f) prescribing the manner in which inspectors may order or require persons to do things in pursuance of this Act; and
- (g) prescribing penalties for offences against the Regulations not exceeding 200 penalty units for a natural person and 1 000 penalty units for a body corporate.

(2) In a prosecution for an offence against the Regulations, a document which purports to be a copy of an extract from the register kept under the Regulations and endorsed with a certificate purporting to be under the hand of the Chief Inspector or a person authorised by him or her to give such certificates that the document is a true and correct copy of or extract from the register, is evidence of the matters contained in the document, and the signature on the certificate shall be presumed to be that of the Chief Inspector or the authorised by him or her, and in the absence of evidence to the contrary shall be conclusive evidence of such matters and signature.

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Notes

1. The *Stock Diseases Act* comprises the *Stock Diseases Ordinance 1954* and amendments made by other legislation, the details of which are specified in the following table:

Ordinance, Act	Number and year	Date of assent by Administrator	Date of commencement
<i>Stock Diseases Ordinance 1954</i>	No. 16, 1954	8 Dec 1954	1 Mar 1956 (a)
<i>Stock Diseases Ordinance 1955</i>	No. 23, 1955	20 Dec 1955	1 Mar 1956 (b)
<i>Stock Diseases Ordinance 1957</i>	No. 26, 1957	28 June 1957	28 June 1957
<i>Administrator's Council Ordinance 1959</i>	No. 22, 1959	7 July 1959	28 Apr 1960 (c)
<i>Stock Diseases Ordinance 1959</i>	No. 23, 1959	23 July 1959	23 July 1959
<i>Stock Diseases Ordinance 1961</i>	No. 2, 1962	18 Jan 1962	14 Mar 1962 (d)
<i>Stock Diseases Ordinance 1962</i>	No. 40, 1962	25 Oct 1962	25 Oct 1962
<i>Stock Diseases Ordinance 1963</i>	No. 66, 1963	9 Sept 1963	9 Sept 1963
<i>Stock Diseases Ordinance 1968</i>	No. 63, 1968	18 Sept 1968	18 Sept 1968
<i>Stock Diseases Ordinance 1969</i>	No. 55, 1969	10 Dec 1969	18 Feb 1970 (e)

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<i>Ordinances Revision Ordinance 1973</i>	No. 87, 1973	11 Dec 1973	11 Dec 1973,
as amended by (f)	No. 34, 1974	26 Aug 1974	but <i>see</i> s. 12(2);
	No. 69, 1974	24 Oct 1974	11 Dec 1973,
	No. 27, 1976	28 June 1976	but <i>see</i> s. 3(2);
			11 Dec 1973,
			but <i>see</i> s. 3;
			ss 1, 2 and 6:
			28 June 1976,
			but <i>see</i> s. 6(2);
			ss 3 and 4:
			11 Dec 1973;
			s. 5: 24 Oct 1974
<i>Transfer of Powers (Self-Government) Ordinance 1978</i>	No. 54, 1978	1 July 1978	1 July 1978,
			but <i>see</i> s. 8
<i>Statute Law Revision Act 1978</i>	No. 95, 1978	5 Sept 1978	5 Sept 1978
<i>Statute Law Revision Act (No. 2) 1978</i>	No. 19, 1979	2 Feb 1979	2 Feb 1979,
			but <i>see</i> s. 34
<i>Statute Law Revision Act (No. 2) 1979</i>	No. 128, 1979	15 Oct 1979	15 Oct 1979
<i>Stock Diseases Amendment Act 1981</i>	No. 51, 1981	1 July 1981	1 July 1981
<i>Stock Diseases Amendment Act (No. 3) 1981</i>	No. 73, 1981	18 Sept 1981	18 Sept 1981
<i>Stock Diseases Amendment Act (No. 2) 1981</i>	No. 90, 1981	21 Sept 1981	21 Sept 1981
<i>Stock Diseases Amendment Act 1983</i>	No. 56, 1983	8 Nov 1983	22 Aug 1984 (g)
<i>Criminal Law (Regulatory Offences) Act 1983</i>	No. 68, 1983	28 Nov 1983	1 Jan 1984 (h)

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<i>Stock Diseases Amendment Act 1987</i>	No. 39, 1987	15 Oct 1987	15 Oct 1987
<i>Stock Diseases Amendment Act 1988</i>	No. 9, 1988	21 Mar 1988	21 Mar 1988
<i>Stock Diseases Amendment Act (No. 2) 1988</i>	No. 24, 1988	1 Sept 1988	1 Sept 1988
<i>Stock Diseases Amendment Act 1989</i>	No. 80, 1989	22 Dec 1989	1 Jan 1990 (i)
<i>Stock Diseases Amendment Act 1990</i>	No. 2, 1990	2 Apr 1990	9 May 1990 (j)
<i>Director of Public Prosecutions (Consequential Amendments) Act 1990</i>	No. 29, 1990	11 June 1990	21 Jan 1991 (k)
<i>Statute Law Revision Act 1990</i>	No. 33, 1990	11 June 1990	11 June 1990
<i>Stock (Control of Hormonal Growth Promotants) Act 1993</i>	No. 2, 1993	4 Mar 1993	s. 17: 15 Apr 1993 Remainder: 1 Apr 1993 (l)
<i>Stock Diseases Amendment Act 1994</i> as amended by	No. 33, 1994 No. 50, 1994	18 May 1994 20 Sept 1994	13 July 1994 (m) 20 Sept 1994 but see s. 15(6)
<i>Statute Law Revision Act 1995</i>	No. 14, 1995	23 June 1995	23 June 1995
<i>Sentencing (Consequential Amendments) Act 1996</i>	No. 17, 1996	19 Apr 1996	1 July 1996 (n)
<i>Stock Diseases Amendment Act 1996</i>	No. 49, 1996	31 Oct 1996	11 Dec 1996 (o)
<i>Statute Law Revision</i>	No. 17, 1997	11 Apr 1997	s. 16:

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<i>Act 1997</i>			10 Dec 1997; Remainder: 1 May 1997 (p)
<i>Stock (Artificial Breeding) Act Repeal Act 1998</i>	No. 100, 1998	29 Dec 1998	29 Dec 1998
<i>Stock Diseases Amendment Act 1999</i>	No. 32, 1999	18 June 1999	11 Aug 1999 (q)
<i>Fines and Penalties (Recovery) (Consequential Amendments) Act 2001</i>	No. 60, 2001	11 Dec 2001	1 Jan 2002 (r)
<i>Stock Diseases Amendment Act 2003</i>	No. 10, 2004	7 Jan 2004	1 June 2004 (s)
<i>Statute Law Revision Act 2005</i>	No. 44, 2005	14 Dec 2005	14 Dec 2005

- (a) See section 2 and *Gazette* No. 7A, dated 28 February 1956.
- (b) See section 2 and *Gazette* No. 7A, dated 28 February 1956.
- (c) See section 2 and *Gazette* No. 18, dated 27 April 1960.
- (d) See section 2 and *Gazette* No. 12, dated 14 March 1962, p. 37.
- (e) See section 2 and *Gazette* No. 7, dated 18 February 1970, p. 43.
- (f) General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Ordinances Revision Ordinance 1973* (as amended) to the following provisions: Ss 5, 6, 7, 13, 14, 18, 20, 21, 22, 22B, 22C, 22D, 22E, 22F, 22G, 23, 34, 35, 36, 37, 38, 39, 40, 42 and 48.
- (g) See section 2 and *Gazette* G33, dated 22 August 1984, p. 3.
- (h) See section 2, section 2 of the *Criminal Code Act 1983*, *Gazette* G46, dated 18 November 1983, p. 11 and *Gazette* G8, dated 26 February 1986, p. 5.
- (i) See section 2.
- (j) See section 2 and *Gazette* G18, dated 9 May 1990, p. 5.
- (k) See section 2, section 2 of the *Director of Public Prosecutions Act 1990* and *Gazette* G2, dated 16 January 1991, p. 9.
- (l) See section 2 and *Gazette* S34, dated 1 April 1993.

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- (m) *See* section 2 and *Gazette* G28, dated 13 July 1994, p. 4.
 - (n) *See* section 2, section 2 of the *Sentencing Act 1995* and *Gazette* S15, dated 13 June 1996.
 - (o) *See* section 2 and *Gazette* G50, dated 11 December 1996, p. 3.
 - (p) *See* section 2(2), section 2 of the *Meat Industries Act 1996* and *Gazette* G49, dated 10 December 1997, p. 3.
 - (q) *See* section 2 and *Gazette* G31, dated 11 April 1999, p. 3.
 - (r) *See* section 2, section 2 of the *Fines and Penalties (Recovery) Act 2001* and *Gazette* G50, dated 19 December 2001, p. 3.
 - (s) *See* section 2 and *Gazette* G19, dated 12 May 2004, p. 2.
2. For savings and transitional provisions, *see* the following:
- (a) section 10 of the *Stock Diseases Amendment Act 1996*;
 - (b) section 40 of the *Stock Diseases Amendment Act 2003*.
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Table of Amendments

Section	
Long title	Amended by No. 23, 1955, s. 3; No. 90, 1981, s. 4
1.	Amended by No. 90, 1981, s. 4
2.	Amended by No. 90, 1981, s. 4
3.	Amended by No. 23, 1955, s. 4; No. 23, 1959, s. 2; No. 40, 1962, s. 2; repealed by No. 128, 1979, s. 32; inserted by No. 10, 2004, s. 4
5.	Amended by No. 23, 1955, s. 5; No. 22, 1959, s. 6; No. 23, 1959, s. 3; No. 54, 1978, s. 4; No. 51, 1981, s. 2; No. 90, 1981, ss 2 and 4; No. 56, 1983, s. 4; No. 9, 1988, s. 2; No. 2, 1990, s. 4; No. 33, 1994, s. 3 as amended by No. 50, 1994, s. 15; No. 32, 1999, s. 4; No. 10, 2004, s. 5
6.	Amended by No. 22, 1959, s. 6; No. 90, 1981, s. 4
7.	Substituted by No. 55, 1969, s. 3; amended by No. 54, 1978, s. 4; No. 90, 1981, s. 4; No. 14, 1995, s. 12; No. 10, 2004, s. 39; No. 44, 2005, s. 23
8.	Amended by No. 54, 1978, s. 4; No. 10, 2004, s. 39
9.	Amended by No. 54, 1978, s. 4; No. 128, 1979, s. 32; No. 90, 1981, s. 4; No. 2, 1990, s. 5; No. 10, 2004, s. 39
10.	Amended by No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 10, 2004, s. 39
11.	Amended by No. 55, 1969, s. 4; No. 54, 1978, s. 4; No. 90, 1981, s. 4; No. 2, 1990, s. 6; No. 17, 1997, s. 16; No. 100, 1998, s. 3; No. 10, 2004, s. 39
11A.	Inserted by No. 2, 1990, s. 7
Heading	
Part IIA	Inserted by No. 10, 2004, s. 6
11B.	Inserted by No. 10, 2004, s. 6
11C.	Inserted by No. 10, 2004, s. 6
11D.	Inserted by No. 10, 2004, s. 6
12.	Amended by No. 22, 1959, s. 6; No. 2, 1962, s. 3; No. 54, 1978, s. 4; No. 9, 1988, s. 6; No. 10, 2004, s. 39
13.	Amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 10, 2004, s. 7
14.	Amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 33, 1994, s. 9; substituted by No. 10, 2004, s. 8
15.	Amended by No. 9, 1988, s. 6; No. 10, 2004, s. 39
16.	Amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 80, 1989, s. 10; repealed by No. 10, 2004, s. 39
17.	Amended by No. 22, 1959, s. 6; No. 2, 1962, s. 4; No. 54, 1978, s. 4; No. 9, 1988, s. 6

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18. Amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 10, 2004, s. 9
19. Amended by No. 22, 1959, s. 6; No. 2, 1962, s. 5; No. 54, 1978, s. 4; No. 10, 2004, s. 39
20. Amended by No. 22, 1959, s. 6; No. 2, 1962, s. 6; No. 63, 1968, s. 6; No. 54, 1978, s. 4; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 10, 2004, s. 10
21. Amended by No. 22, 1959, s. 6; No. 2, 1962, s. 7; No. 63, 1968, s. 6; No. 54, 1978, s. 4; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 33, 1994, s. 9; No. 10, 2004, s. 11
22. Amended by No. 22, 1959, s. 6; No. 2, 1962, s. 8; No. 63, 1968, s. 6; No. 54, 1978, s. 4; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 10, 2004, s. 12

Heading

Division 4

- 22A. Inserted by No. 23, 1959, s. 4
Inserted by No. 23, 1959, s. 4; amended by No. 73, 1981, s. 3; No. 9, 1988, s. 3; No. 10, 2004, s. 39
- 22B. Inserted by No. 23, 1959, s. 4; amended by No. 73, 1981, s. 4; No. 9, 1988, s. 6
- 22C. Inserted by No. 23, 1959, s. 4; amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 10, 2004, s. 13
- 22D. Inserted by No. 23, 1959, s. 4
- 22E. Inserted by No. 23, 1959, s. 4; amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 10, 2004, s. 14
- 22F. Inserted by No. 23, 1959, s. 4; amended by No. 54, 1978, s. 4; No. 19, 1979, s. 26
- 22G. Inserted by No. 23, 1959, s. 4; amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 10, 2004, s. 15

Heading

Part IV

23. Amended by No. 40, 1962, s. 3
Amended by No. 22, 1959, s. 6; No. 2, 1962, s. 9; No. 40, 1962, s. 4; No. 63, 1968, ss 2 and 6; No. 54, 1978, s. 4; No. 90, 1981, s. 4; No. 9, 1988, s. 6; No. 80, 1989, s. 10; No. 33, 1994, s. 4 as amended by No. 50, 1994, s. 15; No. 10, 2004, s. 16
24. Amended by No. 63, 1968, s. 6; No. 87, 1973, s. 12; No. 90, 1981, s. 4; No. 39, 1987, s. 2; No. 80, 1989, s. 10; No. 10, 2004, s. 17
25. Amended by No. 87, 1973, s. 12
26. Amended by No. 63, 1968, s. 6; No. 87, 1973, s. 12; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 10, 2004, s. 18

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- Part V Repealed by No. 23, 1955, s. 6; inserted by No. 56, 1983, s. 5
27. Repealed by No. 23, 1955, s. 6; inserted by No. 56, 1983, s. 5; amended by No. 80, 1989, s. 10; No. 33, 1994, s. 5; No. 49, 1996, s. 4; No. 10, 2004, s. 19
- Heading
Part VA
Heading
Division 1
28. Repealed by No. 23, 1955, s. 6; inserted by No. 80, 1989, s. 4; amended by No. 10, 2004, s. 21
29. Repealed by No. 23, 1955, s. 6; inserted by No. 80, 1989, s. 4; amended by No. 33, 1994, ss 6 and 9; No. 10, 2004, s. 22
- Heading
Division 2
- 29A. Inserted by No. 10, 2004, s. 23
- 29B. Inserted by No. 10, 2004, s. 23
- 29C. Inserted by No. 10, 2004, s. 23
- Heading
Division 3
- 29D. Inserted by No. 10, 2004, s. 23
30. Repealed by No. 23, 1955, s. 6; inserted by No. 80, 1989, s. 4
31. Repealed by No. 23, 1955, s. 6; inserted by No. 80, 1989, s. 4; amended by No. 10, 2004, s. 39
32. Repealed by No. 23, 1955, s. 6; inserted by No. 80, 1989, s. 4; amended by No. 33, 1990, s. 9; No. 10, 2004, s. 24
- 32A. Inserted by No. 10, 2004, s. 25
33. Repealed by No. 23, 1955, s. 6; inserted by No. 80, 1989, s. 4; substituted by No. 10, 2004, s. 26
34. Repealed by No. 23, 1955, s. 6; inserted by No. 23, 1955, s. 7; amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; repealed by No. 56, 1983, s. 6; inserted by No. 80, 1989, s. 4; amended by No. 49, 1996, s. 5; substituted by No. 10, 2004, s. 26
- 34AA. Inserted by No. 49, 1996, s. 6; substituted by No. 10, 2004, s. 26
- 34A. Inserted by No. 80, 1989, s. 4; amended by No. 10, 2004, s. 27
- 34AB. Inserted by No. 10, 2004, s. 28
- 34B. Inserted by No. 33, 1994, s. 7 as amended by No. 50, 1994, s. 15; substituted by No. 10, 2004, s. 29
35. Repealed by No. 23, 1955, s. 6; inserted by No. 23, 1955, s. 7; amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 80, 1989, s. 10; substituted by No. 10, 2004, s. 29

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36. Amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 80, 1989, s. 10; substituted by No. 10, 2004, s. 29
- 36A. Inserted by No. 10, 2004, s. 29
37. Amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 56, 1983, s. 7; No. 80, 1989, s. 10; substituted by No. 10, 2004, s. 30
38. Amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 10, 2004, s. 31
39. Amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 10, 2004, s. 32
40. Amended by No. 63, 1968, s. 6; No. 90, 1981, s. 4; No. 80, 1989, s. 10; No. 10, 2004, s. 33
41. Amended by No. 23, 1959, s. 5; No. 73, 1981, s. 5
- 41A. Inserted by No. 66, 1963, s. 2; substituted by No. 63, 1968, s. 3; amended by No. 2, 1993, s. 25; No. 10, 2004, s. 34
42. Amended by No. 23, 1955, s. 8; No. 40, 1962, s. 5; No. 73, 1981, s. 6; No. 90, 1981, s. 4; No. 9, 1988, s. 4; No. 80, 1989, s. 5; No. 33, 1994, ss 8 and 9; No. 32, 1999, s. 5; No. 10, 2004, s. 35
- 42A. Inserted by No. 24, 1988, s. 2
43. Substituted by No. 26, 1957, s. 2; amended by No. 90, 1981, s. 4; No. 9, 1988, s. 5; substituted by No. 29, 1990, s. 5;
- 43A. Inserted by No. 68, 1983, s. 62; amended by No. 80, 1989, s. 6; No. 49, 1996, s. 7; No. 10, 2004, s. 39
- 43B. Inserted by No. 80, 1989, s. 7; amended by No. 17, 1996, s. 6; No. 10, 2004, s. 39
- 43C. Inserted by No. 49, 1996, s. 8; amended by No. 60, 2001, s. 14
44. Amended by No. 54, 1978, s. 4; No. 90, 1981, s. 4
45. Amended by No. 90, 1981, s. 4
46. Repealed by No. 63, 1968, s. 4; inserted by No. 10, 2004, s. 36
- 46A. Inserted by No. 10, 2004, s. 36
47. Amended by No. 54, 1978, s. 4; No. 90, 1981, s. 4; No. 33, 1994, s. 9 as amended by No. 50, 1994, s. 15
- 47A. Inserted by No. 80, 1989, s. 8
- 47B. Inserted by No. 10, 2004, s. 37

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48. Amended by No. 63, 1968, ss 5 and 6; No. 95, 1978, s. 14; No. 90, 1981, s. 4; No. 39, 1987, s. 3; No. 9, 1988, s. 5; No. 80, 1989, ss 9 and 10; No. 49, 1996, s. 9; No. 10, 2004, s. 38
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