**STOCK DISEASES ACT AMENDMENT BILL 1968**

**Legislative Council, 18 September 1968, page 1188**

Second reading

**The Hon. C. R. STORY (Minister of Agriculture) obtained** leave and introduced a Bill for an Act to amend the Stock Diseases Act, 1934-1962. Read a first time.

The Hon. C. R. STORY: I move:

*That this Bill be now read a second time.*

It makes a number of significant amendments to the Stock Diseases Act, 1934-1962, to extend and improve its operation in the control, and matters ancillary to the control, of animal diseases. Perhaps the most significant amendment is the inclusion of a provision dealing with the control and eradication of rabies. Australia is fortunate in being free of this disease, which is of such a deadly and infectious character that, in countries where it does occur, an outbreak can lead to public hysteria. The rabies virus is extraordinarily versatile and can adapt itself to many kinds of adverse environments. In countries with an extensive wildlife population, the infection may establish itself to such an extent that it cannot be eradicated. It is thought that dog rabies was introduced into the Antilles and the southern states of the United States of America by early Spanish and English colonists. It has now established itself amongst various species of feral and domestic animals from the Arctic to South America. It is found in a wide variety of ecological forms and has so far resisted intense efforts to eradicate it. An outbreak of rabies in Australia could have a disastrous effect upon the livestock industry.

The present Bill embodies one measure designed to prevent the growth of this problem in this country. It provides for the application of certain specific controls over dogs and cats which are, of course, potential carriers of the disease and, because of their frequently close association with human beings, are abnormally dangerous if infected with the disease. It is thought that the existing provisions of the Act provide adequate power to deal with the disease, as far as other animals are concerned.

The Bill empowers the Governor to prescribe the sprays, dips and medicines by which stock shall or shall not be treated. The use by some stockowners of dieldrin, prepared for white ant control and the treatment of lice in sheep, has been causing some concern. Dieldrin preparations of this type, diluted for use on sheep, can result in a high level of residue in meat, and residues have in fact been detected upon a random sampling of mutton by an inspector of stock. The sale of preparations containing dieldrin for use on stock is prohibited in South Australia but there are at present no provisions preventing the use of such preparations. The Bill remedies this deficiency.

Another provision of the Bill is designed to deal with the problems raised by the establishment of diagnostic laboratories by certain drug manufacturers. These laboratories present three main dangers to the stock industry. First, it is likely that diagnosticians employed by a drug manufacturing firm would recommend a preparation marketed by the firm whether or not it was the best treatment available. Secondly, the proper diagnosis of disease demands the availability of a number of scientists from different disciplines such as histopathologists, bacteriologists, virologists and biochemists. A private laboratory with a small staff could fail to make proper diagnoses of serious diseases. Thirdly, the use of such laboratories could lead to the suppression of any publicity that could give competitors of the firm an advantage. The Bill meets these problems by providing that diagnostic laboratories are not to be established in this State without permission of the Minister and it prevents diseased stock, or stock suspected of being diseased, from being sent out of the State without the permission of the chief inspector, for diagnosis by such laboratories in other States. The Bill provides for certain amendments to the provisions of the Act dealing with foot and mouth disease and other serious diseases. The amendments ensure that, where foot and mouth disease is suspected, the provisions are capable of effective operation, and that adequate power exists to enable disinfection and disinsectization to be carried out.

The provisions of the Bill are as follows: Clause 2 amends the interpretation section in the principal Act. The definition of “destroy” is struck out. The definition is redundant and to some extent in conflict with subsection (3), which also deals with the manner in which stock is to be destroyed. In fact, that subsection is repealed by the Bill and a more comprehensive provision dealing with the destruction of stock is inserted in lieu thereof. The words “infectious and contagious” in the definition of “disease” are struck out as that terminology is now outdated and misleading. The definition of “stock” is amended to include animals and birds that were not previously specified in the definition but have been declared under paragraph (b) of the definition to be stock for the purposes of the Act.n New subsection (2) is a re-enactment of the previous subsection (2), which is necessary because of an error made in the consolidation of the Act and its amendments in 1964. New subsections (3) and (4) deal more comprehensively with the destruction of stock.

Clause 3 expands the powers of the Governor under section 6 of the principal Act. He is empowered to prevent fodder and fittings from being moved into certain areas of the State in addition to his present power of preventing such movement from or within those areas. An amendment of similar effect in relation to quarantine areas is made to section 6 (1) (d) of the principal Act. Clause 4 amends section 8 of the principal Act. At present the Governor has, under section 8, power only to prevent the introduction of stock into the State “by land or water”. It is clearly necessary to extend this power to cover introduction by air, and the provision is amended accordingly. A new paragraph VIA is inserted to enable the Governor to prescribe the sprays, dips, vaccines and therapeutic substances by which stock shall or shall not be treated. This is necessary to prevent the use of medicinal preparations that may ultimately be injurious to human life or health. A new paragraph XV is inserted giving more extensive powers of inspection.

Clause 5 extends section 8a of the principal Act to enable the Governor to give the chief inspector power to destroy farm fittings, insects and vermin if such destruction is necessary to prevent the spread of foot and mouth disease. bClause 6 enacts new section 8b of the principal Act, which deals with the prevention and control of rabies. The Governor is empowered to make proclamations:

(a) requiring the owners of dogs or cats within an area specified in the proclamation to confine them within enclosures or to exercise such control over their movement as may be specified in the proclamation;

(b) requiring the owners of dogs to muzzle them;

(c) authorizing the destruction of dogs and cats that are not under the strict control of any person;

(d) requiring the vaccination of dogs and cats;

(e) authorizing the destruction of dogs and cats that have not been vaccinated or do not bear a mark indicating that they have been vaccinated.

Clause 7 amends section 10 to provide that quarantine grounds should be under the control of an inspector rather than of the chief inspector, as at present. Clause 8 amends section 10a of the principal Act, which at present provides that diagnostic tests, biological tests and inoculations given for the purpose of discovering whether stock is diseased must be given by a veterinary surgeon. These tests may be given properly and safely by persons not fully qualified as veterinary surgeons, and the amendment thus provides that such tests may be given either by a veterinary surgeon or by an inspector acting under the authority of the chief inspector. Clause 9 expands the kinds of marking that may be employed to indicate that stock has been examined under the Act. Clause 10 enables an inspector to place stock in quarantine in the place where they are found to be diseased; at present, they must be quarantined on the owner’s property. Clause 11 re-enacts section 16 of the principal Act. The powers of the inspector are expanded to enable him to subject stray stock to treatment designed to prevent or eradicate disease. Clause 12 makes a decimal currency amendment.

Clause 13 amends section 19 of the principal Act. The owner of diseased stock is required to notify an inspector who is an officer of the Agriculture Department of the existence of disease rather than simply to notify an inspector as at present. This is necessary in order to overcome administrative difficulties that have been experienced., A new paragraph (b) is inserted to require the owner of diseased stock to comply with oral or written directions given to him by an inspector for the purpose of controlling or eradicating disease. A new subsection (3) is inserted to overcome difficulties in prosecuting a small minority of stockowners who have proved unwilling to give the prescribed notification when their stock are found to be diseased.

Clauses 14 to 16 make a decimal currency amendment. Clause 17 makes a drafting amendment to the principal Act. Clause 18 enacts new sections 28a and 28b of the principal Act. These are provisions designed to deal with the difficulties encountered in relation to commercial diagnostic laboratories. New section 28a prevents diseased stock from being sent out of the State without the approval of the chief inspector. This section thus imposes restrictions upon diseased stock (or the carcasses of diseased stock) being sent to laboratories in other States for analysis. New section 28b provides that diagnostic laboratories are not to be established without the approval of the Minister.

Clauses 19 and 20 make decimal currency amendments. Clause 21 repeals sections 35 and 36 of the principal Act. Section 36 is now redundant in view of a provision in the Justices Act, and section 35 is re-enacted by the Bill in a more general form as new section 45a. Clause 22 makes a decimal currency amendment. Clause 23 enacts new section 45a. This new section is substantially a re-enactment of section 36 but its provisions are widened to embrace stock generally. Clause 24 makes a decimal currency amendment. Clause 25 makes a drafting amendment to the principal Act.

The Hon. S. C. BEVAN secured the adjournment of the debate.