**STOCK AND POULTRY DISEASES ACT AMENDMENT BILL 1946**

**Legislative Assembly, 5 November 1946, pages 811-3**

Second reading

**The Hon. Sir GEORGE JENKINS (Newcastle—Minister of Agriculture)—**This Bill makes a number of amendments to the Stock and Poultry Diseases Act. The amendments are of varying degrees of importance and range from administrative alterations to amendments which effect changes in the policy of the legislation. Clause 3 amends section 5 of the Act which is the interpretation section. Subclause (1) inserts a definition of "dip” in the section.

A definition of this term is needed to amplify the provisions of Part V. which deals with the dipping of sheep. The definition of “vessel’ is extended to include aircraft. This is necessary to cover the case of the transport of stock by air. Subclause (2) of clause 3 deals with the manner of destruction of diseased stock. The effect of the definition of “destroy” in section 5 is that, when diseased stock are ordered to be destroyed, the stock must be either burnt or buried. It is, however, the practice in appropriate cases to authorize diseased stock to be sent to an abattoirs for slaughter. Subclause (2) of clause 3 gives statutory sanction to this practice and provides that, where diseased stock are ordered to be destroyed, it shall be sufficient compliance with the order if the stock are sent for slaughter to an abattoirs, slaughterhouse, or other place specified by an inspector and are slaughtered in accordance with any directions given by the inspector.

At present, the diseases which for the purposes of the Act, are infectious or contagious diseases are set out in the second and fourth schedules to the Act. Although there is power to proclaim further diseases there is no power to alter the schedules. It is proposed by clause 4 to repeal these schedules and to provide that the Governor may from time to time proclaim diseases as infectious or contagious diseases and there will be power to vary or revoke any such proclamation. Such an alteration will make for convenience in administration, and, it should be noted, any proclamation made under the Act must, under section 7, be laid before Parliament and is subject to disallowance. If clause 4 is passed, it will be necessary to make a proclamation setting out a list of diseases simultaneously with the coming into force of the Bill and, in order to enable this to be done conveniently, it is provided by clause 2 that the Bill is to come into force on a day to be fixed by proclamation.

Section 18 of the Act provides that the Minister may order the destruction of diseased stock in order to eradicate the disease or to prevent its spread. In the case of some diseases of stock, it is essential, upon the outbreak of an epidemic, that immediate action should be taken and, on occasion, it may be that the Minister is not available to make the necessary order. Clause 5 therefore provides that, in addition to the Minister, the Chief Inspector of Stock may make an order under the section.

Mr. Macgillivray—It would be very unlikely that the Minister could not be contacted.

The Hon. Sir GEORGE JENKINS—The Minister might not be available and I am sure that such drastic action would not be taken by the Chief Inspector unless he were satisfied it was essential. Bear in mind it could not be done merely on suspicion of disease, but only where an outbreak had occurred. In any case the Chief Inspector is the technical officer on whom the Minister relies for guidance, and in a matter or this kind the Minister would doubtless act only on his advice. It is therefore considered that it could be safely left to the Chief Inspector to make the necessary order in the absence of the Minister.

Section 19 of the Act imposes the duty upon the owner of diseased stock to notify the disease to an inspector and to keep the stock from coming into contact with stock of other persons. Clause 6 extends this duty to a case where an owner suspects his stock of being diseased. Clause 7 makes a drafting alteration to section 20 of the Act. Clauses 8, 9 and 10 amend Part V. of the Act. This part imposes on owners of sheep the duty to dip their sheep. Section 29 provides that Part V. is to apply to the electoral districts of Alexandra and Victoria and to portion of the district of Albert. In addition, the Minister is authorized to apply Part V. by notice to other parts of the State; and, by virtue of notices so given, Part V. now applies to a considerable portion of the settled parts of the State. Clause 8 amends section 29 so as to delete references to any electoral districts and provides that Part V. is to apply within those portions of the State as the Minister by notice declares.

The Hon. R. S. Richards—You proclaim an area.

The Hon. Sir GEORGE JENKINS—We could proclaim the whole State. In recent years there has been a tremendous spread of lice infestation of sheep in areas previously not affected. At one time lice and tick infestation was confined practically to the hills and south-eastern districts, but now lice in particular have spread into the pastoral areas, partly as the result of the relaxation of control because of the drought, and in some cases through carelessness. The imposition of dipping conditions in any particular area is for the benefit of stockowners and generally, I should say, they appreciate the necessity anil conform very readily.

Mr. Lyons—Are lice and tick defined as “disease”?

The Hon. Sir GEORGE JENKINS—Yes. Section 30 of the Act provides that the Minis­ter may from time to time give directions for the dipping of sheep and section 31 provides that every person who is the owner of sheep during the period between September 1 and the following January 31, is to comply with these directions. Clause 9 expands these provisions so as to provide that, instead of dipping being required to be carried out between September 1 and January 31, the Minister may by notice given in respect of any particular part of the State, require sheep to be dipped at the times or on the occasions specified. Thus, the directions can require that sheep shall be dipped after shearing and can otherwise be given so as to be appropriate to the part of the State in question. When this legislation was first passed it was the general practice in South Australia to shear sheep in late winter or spring, and it was generally considered that sheep should be dipped within a certain time of shearing. Consequently the times mentioned, between, September 1 and January 31, fitted in with those conditions. Today many pastoralists shear their sheep in the autumn, which means that, to conform to the prescribed dates, sheep would have to be dipped when half or three-parts woolled. Consequently, the amendment makes it possible to proclaim a time for dipping to suit the general shearing conditions in the various parts of the State.

Clause 10 re-enacts section 31 of the Act, which is the section placing the duty on owners to dip their sheep. A new provision included in the clause gives power to the Chief Inspector of Stock to exempt the owner of any sheep from the obligation to dip if, by reason of drought conditions, shortage of water, the weakness of the sheep or for any like cause, the Chief Inspector considers that it would be impracticable or unduly burdensome to require the sheep to be dipped. During the severe drought through which we have just passed it was obvious that if we imposed the dipping provision on stockowners in the affected districts many sheep would have died because of their weak condition. Although there was no power to relax the provision it was looked at with a lenient eye. I have now made it plain to stockowners and to the Stock and Brands Department that the dipping provision must be complied with, and that where it is found that sheep have not been dipped prosecutions will follow. Already a number of prosecutions have taken place.

Mr. Lyons—If sheep were sprayed would that be equivalent to dipping?

The Hon. Sir GEORGE JENKINS—It would have to be a spray approved by the Chief Inspector of Stock. I would not agree to anyone spraying with a spray pump and saying that the sheep have been effectively dealt with, because I know that some of the sprays used are almost totally ineffective.

Clauses 11, 12 and 13 amend Part VI. of the Act. This Part provides for the inspection of poultry and for the quarantine and destruction of diseased poultry. Section 37 of the Act provides that Part VI. is to apply only within the metropolitan area and such other parts of the State as are declared by resolution of both Houses of Parliament. Clause 11 repeals section 37 and the effect will thus be that Part VI. will apply throughout the State, and the safeguards against the spread of poultry disease provided by Part VI. will apply generally. If section 37 is repealed, section 41, which is only an evidentiary section, should be repealed as a necessary consequence, and this section also is repealed by clause 11. Sections 38 and 39, among other things, provide for the appointment of a Chief Inspector of Poultry. In fact, the Chief Inspector of Stock has acted as Chief Inspector of Poultry and clauses 12 and 13 repeal the provisions requiring the appointment of a Chief Inspector of Poultry and define “inspector of poultry” to include the Chief Inspector of Stock, any inspector of stock and any inspec­tor appointed as an inspector of poultry.

Clause 14 makes some drafting amendments to section 42 of the Act. I move the second reading.

The Hon. E. S. RICHARDS secured the adjournment of the debate.