



Australian Capital Territory

Territory and Municipal Services Legislation Amendment Act 2013

A2013-42

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Australian Capital Territory

Territory and Municipal Services Legislation Amendment Act 2013

A2013-42

An Act to amend legislation about territory and municipal services

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Territory and Municipal Services Legislation Amendment Act 2013*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended—sch 1

This Act amends the legislation mentioned in schedule 1.

Schedule 1 Legislation amended

(see s 3)

Part 1.1 Animal Diseases Act 2005

[1.1] Section 53, new definition of *non-restricted animal material statement*

insert

non-restricted animal material statement—see section 55.

[1.2] Section 53, definition of *non-restricted feed material statement*

omit

[1.3] Section 53, new definition of *restricted animal material*

insert

restricted animal material means—

- (a) fishmeal; or
- (b) meal derived from poultry tissue; or
- (c) mammalian tissue or meal of mammalian origin other than—
 - (i) tallow; and
 - (ii) gelatine; and
 - (iii) milk, milk products or milk protein.

[1.4] Section 53, new definition of *restricted animal material statement*

insert

restricted animal material statement—see section 55.

[1.5] Section 53, definition of *restricted feed material*

omit

[1.6] Section 53, definition of *restricted feed material statement*

omit

[1.7] Section 55

substitute

55 Animal material statements

In this part:

non-restricted animal material statement means the following statement:

‘This product does not contain restricted animal material’.

restricted animal material statement means any of the following statements:

- (a) ‘This product contains restricted animal material—DO NOT FEED TO CATTLE, SHEEP, GOATS, DEER OR OTHER RUMINANTS’;
- (b) ‘This product contains restricted animal material—DO NOT FEED TO RUMINANTS’;
- (c) ‘DO NOT FEED TO RUMINANTS’;
- (d) ‘For non-ruminant use only’.

[1.8] Dictionary, new definition of *non-restricted animal material statement*

insert

non-restricted animal material statement, for part 5 (Restricted animal material—ruminants)—see section 55.

[1.9] Dictionary, definition of *non-restricted feed material statement*

omit

[1.10] Dictionary, new definition of *restricted animal material*

insert

restricted animal material, for part 5 (Restricted animal material—ruminants)—see section 53.

[1.11] Dictionary, new definition of *restricted animal material statement*

insert

restricted animal material statement, for part 5 (Restricted animal material—ruminants)—see section 55.

[1.12] Dictionary, definition of *restricted feed material*

omit

[1.13] Dictionary, definition of *restricted feed material statement*

omit

[1.14] Further amendments, mentions of *director-general*

omit

director-general

substitute

chief veterinary officer

in

- section 23
- sections 39 and 40
- sections 42 to 45
- section 52
- section 87A

[1.15] Further amendments, mentions of *feed material*

omit

feed material

substitute

animal material

in

- part 5 heading
- sections 56 to 61
- dictionary, definition of *analyst*
- dictionary, definition of *bag*
- dictionary, definition of *bulk*
- dictionary, definition of *compounded feed*
- dictionary, definition of *feed tag*
- dictionary, definition of *meal*

Part 1.2 Animal Diseases Regulation 2006

[1.16] Schedule 1, item 12, column 3

omit

feed material

substitute

animal material

[1.17] Dictionary, new definition of *property identification code*

insert

property identification code—see section 36.

[1.18] Dictionary, definition of *property identifier code*

omit

[1.19] Further amendments, mentions of *director-general*

omit

director-general

substitute

chief veterinary officer

in

- sections 6 to 10
- section 25
- sections 36 and 37

[1.22] Section 22 (1)

after

remains

insert

or stated foetal remains

[1.23] Section 22 (2)

after

remains

insert

or foetal remains

[1.24] Section 23 (4)

after

remains

insert

or foetal remains

[1.25] Section 24 (1), penalty

substitute

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

[1.26] New section 24 (3) to (5)

insert

- (3) A person may apply to the Minister for written permission to bury human remains other than at a cemetery.

- (4) The Minister may give the permission, either conditionally or unconditionally, if satisfied that it would not be contrary to the interests of public health to give permission.
- (5) If the Minister refuses to give the permission, the Minister must give the applicant written notice of the refusal and the reasons for it.

[1.27] Section 25 (1), penalty

substitute

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

[1.28] Section 26

after

remains

insert

or foetal remains

[1.29] Schedule 1, item 3

substitute

3	17 (3)	issue improvement notice requiring operator to end contravention of Act, remedy consequences of contravention of Act or both	operator of cemetery or crematorium
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[1.30] Schedule 1, item 5, column 3

after

remains

insert

or foetal remains

[1.31] Dictionary, definitions of *bury* and *exhume*

after

remains

insert

or foetal remains

Part 1.4 Stock Act 2005

[1.32] Section 6 (1)

omit

, in writing,

[1.33] New section 7 (2)

insert

(2) A determination is a notifiable instrument.

Note A notifiable instrument must be notified under the [Legislation Act](#).

[1.34] New section 7A

insert

7A Minimum stock levy

- (1) The Minister may determine a minimum stock levy (a *minimum stock levy*).
- (2) A determination is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

[1.35] Section 8 (3) (b)

after

levy

insert

(if any)

[1.36] Section 8 (4), definition of *minimum stock levy*

omit

[1.37] Section 68 (1)

omit

, in writing,

[1.38] Section 69 (1)

omit

, in writing,

[1.39] Dictionary, new definition of *minimum stock levy*

insert

minimum stock levy—see section 7A.

Part 1.5 Stock Regulation 2005

[1.40] Section 4

omit

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 6 June 2013.

2 Notification

Notified under the [Legislation Act](#) on 6 November 2013.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Territory and Municipal Services Legislation Amendment Bill 2013, which was passed by the Legislative Assembly on 24 October 2013.

Clerk of the Legislative Assembly

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