



Australian Capital Territory

Territory and Municipal Services Legislation Amendment Act 2014

A2014-32

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J2013-345

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

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Australian Capital Territory

Territory and Municipal Services Legislation Amendment Act 2014

A2014-32

An Act to amend legislation about territory and municipal services

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

Part 1 Preliminary

1 Name of Act

This Act is the *Territory and Municipal Services Legislation Amendment Act 2014*.

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

This Act amends the following legislation:

- *Animal Diseases Act 2005*
- *Domestic Animals Act 2000*
- *Magistrates Court (Domestic Animals Infringement Notices) Regulation 2005*
- *Public Unleased Land Act 2013*.

Part 2 Animal Diseases Act 2005

4 Section 34

substitute

34 Feeding of prohibited pig feed to controlled stock

- (1) A person commits an offence if the person feeds prohibited pig feed to controlled stock.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) In this section:

approved process includes—

- (a) rendering in accordance with AS 5008; and
- (b) a cooking process that ensures that an internal temperature of at least 70°C for at least 30 minutes is reached; and
- (c) treatment of cooking oil, which has been used for cooking in Australia, in accordance with the *National Standard for Recycling of Used Cooking Fats and Oils Intended for Animal Feeds*.

Note The *National Standard for Recycling of Used Cooking Fats and Oils Intended for Animal Feeds* is accessible at www.mincos.gov.au/communiques/Documents/pimc/resolution-pimc15.pdf, Annex A.

AS 5008 means AS 5008 (Hygienic rendering of animal products), as in force from time to time.

Note AS 5008 may be purchased at www.standards.org.au.

controlled stock means a pig or an animal declared by regulation to be controlled stock.

feed prohibited pig feed to controlled stock includes—

- (a) feed, or allow or direct another person to feed, prohibited pig feed to controlled stock; or
- (b) allow controlled stock to have access to prohibited pig feed; or
- (c) collect, store or possess prohibited pig feed on premises where controlled stock is kept; or
- (d) supply to another person prohibited pig feed for feeding controlled stock.

prohibited pig feed means—

- (a) material of mammalian origin, or any substance that has come in contact with this material; but
- (b) subject to section 34A, does not include—
 - (i) milk, milk products or milk by-products either of Australian provenance or legally imported for stockfeed use in Australia; or
 - (ii) material containing flesh, bones, blood, offal or mammal carcasses that is treated by an approved process; or
 - (iii) a carcass or part of a domestic pig, born and raised on the property on which the pig or pigs that are administered the carcass or part are held, that is administered for therapeutic purposes in accordance with the written instructions of a veterinary surgeon.

34A Foot-and-mouth disease outbreak

- (1) This section applies if there is an outbreak of foot-and-mouth disease in Australia.
- (2) The Minister may declare that prohibited pig feed includes—
 - (a) milk, milk products or milk by-products either of Australian provenance or legally imported for stockfeed use in Australia; or
 - (b) material containing flesh, bones, blood, offal or mammal carcasses that is treated by an approved process; or
 - (c) a carcass or part of a domestic pig, born and raised on the property on which the pig or pigs that are administered the carcass or part are held, that is administered for therapeutic purposes in accordance with the written instructions of a veterinary surgeon.
- (3) A declaration is a disallowable instrument.

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

- (4) In this section:

approved process—see section 34.

prohibited pig feed—see section 34.

Part 3 Domestic Animals Act 2000

5 Offences against Act—application of Criminal Code etc Section 4A, note 1

omit

curfew

substitute

containment

6 Section 81 heading

substitute

81 Declaration of cat containment

7 Section 82 heading

substitute

82 Cats in breach of cat containment

8 Dictionary, definition of *excluded offence*, paragraph (b) (ii)

omit

curfew

substitute

containment

Part 4

**Magistrates Court (Domestic
Animals Infringement Notices)
Regulation 2005**

**9 Domestic animals legislation infringement notice
offences and penalties
Schedule 1, part 1.1, item 38, column 3**

omit

curfew

substitute

containment

Part 5 Public Unleased Land Act 2013

10 Section 26 heading

substitute

26 Offence—place fixed sign on public unleased land without approval

11 Section 26 (1) (a)

before

sign

insert

fixed

12 Direction to remove objects from public unleased land Section 98 (4) (d) (i)

omit

section 101 (Offence—fail to comply with director-general's direction)

substitute

section 99 (Offence—fail to comply with removal direction)

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 8 May 2014.

2 Notification

Notified under the [Legislation Act](#) on 20 August 2014.

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 2014, which was passed by the Legislative Assembly on 7 August 2014.

Clerk of the Legislative Assembly

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