

2013

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Territory and Municipal Services)

Territory and Municipal Services Legislation Amendment Bill 2013

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(As presented)

(Minister for Territory and Municipal Services)

Territory and Municipal Services Legislation Amendment Bill 2013

A Bill for

An Act to amend legislation about territory and municipal services

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

1 **1 Name of Act**

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

4 **2 Commencement**

5 This Act commences on the day after its notification day.

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

8 **3 Legislation amended—sch 1**

9 This Act amends the legislation mentioned in schedule 1.

1 **Schedule 1** **Legislation amended**

2 (see s 3)

3 **Part 1.1** **Animal Diseases Act 2005**

4 **[1.1] Section 53, new definition of *non-restricted animal***
5 ***material statement***

6 *insert*

7 *non-restricted animal material statement*—see section 55.

8 **[1.2] Section 53, definition of *non-restricted feed material***
9 ***statement***

10 *omit*

11 **[1.3] Section 53, new definition of *restricted animal material***

12 *insert*

13 *restricted animal material* means—

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

20 **[1.4] Section 53, new definition of *restricted animal material***
21 ***statement***

22 *insert*

23 *restricted animal material statement*—see section 55.

1 **[1.5] Section 53, definition of *restricted feed material***

2 *omit*

3 **[1.6] Section 53, definition of *restricted feed material***
4 ***statement***

5 *omit*

6 **[1.7] Section 55**

7 *substitute*

8 **55 Animal material statements**

9 In this part:

10 *non-restricted animal material statement* means the following
11 statement:

12 ‘This product does not contain restricted animal material’.

13 *restricted animal material statement* means any of the following
14 statements:

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

- 1 **[1.8] Dictionary, new definition of *non-restricted animal***
2 ***material statement***
- 3 *insert*
- 4 *non-restricted animal material statement*, for part 5 (Restricted
5 animal material—ruminants)—see section 55.
- 6 **[1.9] Dictionary, definition of *non-restricted feed material***
7 ***statement***
- 8 *omit*
- 9 **[1.10] Dictionary, new definition of *restricted animal material***
- 10 *insert*
- 11 *restricted animal material*, for part 5 (Restricted animal material—
12 ruminants)—see section 53.
- 13 **[1.11] Dictionary, new definition of *restricted animal material***
14 ***statement***
- 15 *insert*
- 16 *restricted animal material statement*, for part 5 (Restricted animal
17 material—ruminants)—see section 55.
- 18 **[1.12] Dictionary, definition of *restricted feed material***
- 19 *omit*
- 20 **[1.13] Dictionary, definition of *restricted feed material statement***
- 21 *omit*

1 **[1.14] Further amendments, mentions of *director-general***

2 *omit*

3 director-general

4 *substitute*

5 chief veterinary officer

6 *in*

- 7 • section 23
8 • sections 39 and 40
9 • sections 42 to 45
10 • section 52
11 • section 87A

12 **[1.15] Further amendments, mentions of *feed material***

13 *omit*

14 feed material

15 *substitute*

16 animal material

17 *in*

- 18 • part 5 heading
19 • sections 56 to 61
20 • dictionary, definition of *analyst*
21 • dictionary, definition of *bag*
22 • dictionary, definition of *bulk*
23 • dictionary, definition of *compounded feed*
24 • dictionary, definition of *feed tag*
25 • dictionary, definition of *meal*

1 **Part 1.2** **Animal Diseases Regulation 2006**

2 **[1.16] Schedule 1, item 12, column 3**

3 *omit*

4 feed material

5 *substitute*

6 animal material

7 **[1.17] Dictionary, new definition of *property identification code***

8 *insert*

9 *property identification code*—see section 36.

10 **[1.18] Dictionary, definition of *property identifier code***

11 *omit*

12 **[1.19] Further amendments, mentions of *director-general***

13 *omit*

14 director-general

15 *substitute*

16 chief veterinary officer

17 *in*

- 18 • sections 6 to 10
19 • section 25
20 • sections 36 and 37

1 **[1.22] Section 22 (1)**

2 *after*
3 remains
4 *insert*
5 or stated foetal remains

6 **[1.23] Section 22 (2)**

7 *after*
8 remains
9 *insert*
10 or foetal remains

11 **[1.24] Section 23 (4)**

12 *after*
13 remains
14 *insert*
15 or foetal remains

16 **[1.25] Section 24 (1), penalty**

17 *substitute*
18 Maximum penalty: 50 penalty units, imprisonment for 6 months or
19 both.

20 **[1.26] New section 24 (3) to (5)**

21 *insert*
22 (3) A person may apply to the Minister for written permission to bury
23 human remains other than at a cemetery.

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

6 **[1.27] Section 25 (1), penalty**

7 *substitute*

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

10 **[1.28] Section 26**

11 *after*

12 remains

13 *insert*

14 or foetal remains

15 **[1.29] Schedule 1, item 3**

16 *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 **[1.30] Schedule 1, item 5, column 3**

2 *after*

3 remains

4 *insert*

5 or foetal remains

6 **[1.31] Dictionary, definitions of *bury* and *exhume***

7 *after*

8 remains

9 *insert*

10 or foetal remains

11 **Part 1.4 Stock Act 2005**

12 **[1.32] Section 6 (1)**

13 *omit*

14 , in writing,

15 **[1.33] New section 7 (2)**

16 *insert*

17 (2) A determination is a notifiable instrument.

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

1 **[1.39] Dictionary, new definition of *minimum stock levy***

2 *insert*

3 *minimum stock levy*—see section 7A.

4 **Part 1.5 Stock Regulation 2005**

5 **[1.40] Section 4**

6 *omit*

Endnotes

1 Presentation speech

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

2 Notification

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

3 Republications of amended laws

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