



Queensland

Protecting Primary Production Amendment Bill 2011



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Contents

		Page
Part 1	Preliminary	
1	Short title	6
2	Commencement	6
Part 2	Amendment of Agricultural Chemicals Distribution Control Act 1966	
3	Act amended	6
4	Omission of ss 8–10B	6
5	Amendment of s 12 (Pilot chemical rating licence)	6
6	Amendment of s 15 (Aerial distribution contractor licence)	7
7	Amendment of s 16 (Commercial operators' licence)	7
8	Amendment of s 16B (Ground distribution contractor licence)	7
9	Amendment of s 17 (Application for licences)	7
10	Amendment of s 18 (Term of licence)	7
11	Amendment of s 19 (Renewal of licence)	8
12	Amendment of s 19B (Notice of change in circumstances)	8
13	Amendment of s 20 (Suspension of licence by standards officer)	8
14	Replacement of s 21 (Cancellation or suspension of licence)	8
	21 Grounds for suspension or cancellation of licence by chief executive	8
	21A Show cause notice	9
	21B Representations about show cause notice	9
	21C Ending show cause process without further action	10
	21D Suspension or cancellation of licence	10
15	Amendment of s 22 (Right of review by QCAT)	11
16	Amendment of s 31 (Effect of failure to give notice)	11
17	Amendment of s 32 (Powers of inspection in case of damage to crops etc.)	11

Contents

18	Amendment of s 33 (Board to make statement on damage)	12
19	Amendment of s 44A (Protection from liability)	13
20	Amendment of s 45 (Evidence)	13
21	Amendment of schedule (Dictionary)	13
Part 3	Amendment of Agricultural Standards Act 1994	
22	Act amended	14
23	Amendment of s 20 (Entry to places)	14
24	Amendment of s 24 (Entry to vehicles)	14
Part 4	Amendment of Land Protection (Pest and Stock Route Management) Act 2002	
25	Act amended	15
26	Amendment of ch 2, pt 2 hdg (State pest management strategies and guidelines for managing pests)	15
27	Amendment of ch 2, pt 2, div 1 hdg (State pest management strategies)	16
28	Amendment of s 10 (State pest management strategies)	16
29	Amendment of s 11 (Preparing strategies)	16
30	Amendment of s 12 (Duration of strategies)	17
31	Amendment of s 13 (Implementing strategies)	17
32	Amendment of s 14 (Reviewing and renewing strategies)	17
33	Amendment of ch 2, pt 2, div 3 hdg (Inspecting strategies and guidelines)	18
34	Amendment of s 16 (Strategies and guidelines to be available for inspection)	18
35	Amendment of s 18 (Requirements of plan)	18
36	Amendment of s 26 (Requirements of plan)	18
37	Amendment of s 27 (Preparing draft plan)	19
Part 5	Amendment of Plant Protection Act 1989	
38	Act amended	19
39	Amendment of s 12 (Notification of pests)	19
Part 6	Amendment of Rural and Regional Adjustment Act 1994	
40	Act amended	20
41	Amendment of s 3 (Object of Act)	20
42	Amendment of s 8 (Authority's functions)	20
43	Amendment of s 11A (Authorisation for interstate schemes)	20
44	Amendment of s 35 (Acting chief executive officer)	21
45	Insertion of new s 35B	21

	35B	Delegation	21
46		Amendment of s 45 (Review of Act)	21
Part 7		Amendment of Veterinary Surgeons Act 1936	
47		Act amended	22
48		Amendment of s 4C (Membership)	22
49		Amendment of s 4D (Chairperson and deputy chairperson)	22
50		Amendment of s 8 (Board to hold triennial election)	22
51		Amendment of s 16 (Keeping registers)	23
52		Amendment of s 17 (Annual fee)	23
53		Amendment of s 18 (Registration of veterinary surgeons)	23
54		Insertion of new s 18B	24
	18B	Deemed registration as veterinary surgeon	24
55		Amendment of s 19 (Application for registration)	24
56		Amendment of s 19B (Registration for limited period)	25
57		Insertion of new s 19CA	25
	19CA	Deemed registration of veterinary specialists	25
58		Insertion of new s 22FA	26
	22FA	Board to notify registration authority of disciplinary action	26
59		Insertion of new ss 26 and 27	26
	26	Notice about change in contact information	26
	27	Veterinary surgeon to provide emergency contact details	27
60		Insertion of new s 29C	27
	29C	Registrar must give emergency contact details to chief executive	27
61		Amendment of schedule (Dictionary)	28

2011

A Bill

for

An Act to amend the *Agricultural Chemicals Distribution Control Act 1966*, the *Agricultural Standards Act 1994*, the *Land Protection (Pest and Stock Route Management) Act 2002*, the *Plant Protection Act 1989*, the *Rural and Regional Adjustment Act 1994* and the *Veterinary Surgeons Act 1936*, for particular purposes.

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3
This Act may be cited as the *Protecting Primary Production Amendment Act 2011*. 4
5

Clause 2 Commencement 6
Part 2 commences on a day to be fixed by proclamation. 7

Part 2 Amendment of Agricultural Chemicals Distribution Control Act 1966 8
9
10

Clause 3 Act amended 11
This part amends the *Agricultural Chemicals Distribution Control Act 1966*. 12
13

Clause 4 Omission of ss 8–10B 14
Sections 8 to 10B— 15
omit. 16

Clause 5 Amendment of s 12 (Pilot chemical rating licence) 17
Section 12(1), from ‘Act’ to ‘grant’— 18

omit, insert— 1
‘Act, the chief executive may grant’. 2

Clause 6 Amendment of s 15 (Aerial distribution contractor licence) 3
4
Section 15(1), from ‘Act’ to ‘grant’— 5
omit, insert— 6
‘Act, the chief executive may grant’. 7

Clause 7 Amendment of s 16 (Commercial operators’ licence) 8
Section 16(1), from ‘Act’ to ‘grant’— 9
omit, insert— 10
‘Act, the chief executive may grant’. 11

Clause 8 Amendment of s 16B (Ground distribution contractor licence) 12
13
Section 16B, ‘board’— 14
omit, insert— 15
‘chief executive’. 16

Clause 9 Amendment of s 17 (Application for licences) 17
Section 17, ‘board’— 18
omit, insert— 19
‘chief executive’. 20

Clause 10 Amendment of s 18 (Term of licence) 21
Section 18(2), ‘board’— 22
omit, insert— 23
‘chief executive’. 24

[s 11]

Clause	11	Amendment of s 19 (Renewal of licence)	1
		Section 19, ‘board’—	2
		<i>omit, insert</i> —	3
		‘chief executive’.	4
Clause	12	Amendment of s 19B (Notice of change in circumstances)	5
		Section 19B(2), ‘board’—	6
		<i>omit, insert</i> —	7
		‘chief executive’.	8
Clause	13	Amendment of s 20 (Suspension of licence by standards officer)	9
		Section 20, ‘board’—	10
		<i>omit, insert</i> —	11
		‘chief executive’.	12
Clause	14	Replacement of s 21 (Cancellation or suspension of licence)	13
		Section 21—	14
		<i>omit, insert</i> —	15
	‘21	Grounds for suspension or cancellation of licence by chief executive	16
		‘Each of the following is a ground for suspending or cancelling a licence under section 21D—	17
		(a) the licensee has committed an offence against this Act or the <i>Health (Drugs and Poisons) Regulation 1996</i> , section 290, made under the <i>Health Act 1937</i> ;	18
		(b) the licensee has done an act or made an omission that would not entitle the licensee to apply for a licence of the type held by the licensee;	19
			20
			21
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-
- (c) the licence was issued because of a materially false, fraudulent or misleading document, representation or declaration;
 - (d) the licensee is not, or is no longer, an appropriate person to continue to hold the licence;
 - (e) if the licence is an aerial distribution contractor licence or a ground distribution contractor licence—the licensed distribution contractor has not complied with a request made by the standards officer under section 26(2).

‘21A Show cause notice

- ‘(1) This section applies if the chief executive believes a ground exists to suspend or cancel a licence (the *proposed action*).
- ‘(2) Before taking the proposed action, the chief executive must give the licensee a notice (a *show cause notice*) stating the following—
 - (a) the proposed action;
 - (b) the grounds for the proposed action;
 - (c) an outline of the facts and circumstances forming the basis for the grounds;
 - (d) if the proposed action is suspension of the licence—the proposed suspension period;
 - (e) that the licensee may, within a stated period (the *show cause period*), make written representations to the chief executive to show why the proposed action should not be taken.
- ‘(3) The show cause period must end at least 21 days after the licensee is given the show cause notice.

‘21B Representations about show cause notice

- ‘(1) The licensee may, within the show cause period, make written representations to the chief executive about why the proposed action should not be taken.

[s 14]

- ‘(2) The chief executive must consider all representations (the *accepted representations*) made under subsection (1). 1
2

‘21C Ending show cause process without further action 3

‘If, after considering the accepted representations for a show 4
cause notice, the chief executive no longer believes a ground 5
exists to suspend or cancel the licence, the chief executive— 6

- (a) must not take any further action about the show cause 7
notice; and 8
(b) must give the licensee a notice that no further action is 9
to be taken about the show cause notice. 10

‘21D Suspension or cancellation of licence 11

‘(1) This section applies if— 12

- (a) there are no accepted representations for a show cause 13
notice; or 14
(b) after considering the accepted representations for a 15
show cause notice, the chief executive— 16
(i) still believes a ground exists to suspend or cancel 17
the licence; and 18
(ii) believes suspension or cancellation of the licence 19
is warranted. 20

‘(2) The chief executive may— 21

- (a) if the proposed action was to suspend the 22
licence—suspend the licence for no longer than the 23
proposed suspension period; or 24
(b) if the proposed action was to cancel the licence—cancel 25
the licence or suspend it for a period. 26

‘(3) If the chief executive decides to take action under subsection 27
(2), the chief executive must as soon as practicable give the 28
licensee an information notice for the decision. 29

‘(4) The decision takes effect on the later of the following days— 30

-
- (a) the day the information notice is given to the licensee; 1
(b) the day stated in the information notice for that 2
purpose.’. 3

- Clause 15 Amendment of s 22 (Right of review by QCAT)** 4
Section 22(1), from ‘the following’— 5
omit, insert— 6
‘a decision of the chief executive— 7
(a) to refuse an application for a licence or the renewal of a 8
licence; or 9
(b) to suspend or cancel a licence.’. 10

- Clause 16 Amendment of s 31 (Effect of failure to give notice)** 11
Section 31(2)(b)(ii), ‘or board or a member of the board’— 12
omit. 13

- Clause 17 Amendment of s 32 (Powers of inspection in case of damage to crops etc.)** 14
15
(1) Section 32(1), ‘The standards officer or another’— 16
omit, insert— 17
‘An’. 18
(2) Section 32(1)(a), from ‘standards officer’— 19
omit, insert— 20
‘inspector considers appropriate for making the report 21
mentioned in paragraph (c); and’. 22
(3) Section 32(1)(b), from ‘standards officer’— 23
omit, insert— 24
‘inspector considers appropriate for making the report 25
mentioned in paragraph (c); and’. 26

[s 18]

- | | | |
|-----|---|----|
| (4) | Section 32(1)(c)— | 1 |
| | <i>omit.</i> | 2 |
| (5) | Section 32(1)(d), from ‘in the case’ to ‘make’— | 3 |
| | <i>omit, insert—</i> | 4 |
| | ‘after entering land under this section, must give’. | 5 |
| (6) | Section 32(1)(d), as amended under this section— | 6 |
| | <i>renumber</i> as section 32(1)(c). | 7 |
| (7) | Section 32(1)(e)— | 8 |
| | <i>omit, insert—</i> | 9 |
| | ‘(d) must give to the standards officer all samples taken and | 10 |
| | removed under paragraphs (a) and (b).’. | 11 |
| (8) | Section 32(2), ‘the standards officer, or another’— | 12 |
| | <i>omit, insert—</i> | 13 |
| | ‘an’. | 14 |

- | | | |
|------------------|--|----|
| Clause 18 | Amendment of s 33 (Board to make statement on damage) | 15 |
| | | 16 |
| (1) | Section 33, heading, ‘Board’— | 17 |
| | <i>omit, insert—</i> | 18 |
| | ‘Standards officer’. | 19 |
| (2) | Section 33(1) and (1A)— | 20 |
| | <i>omit.</i> | 21 |
| (3) | Section 33(1B)— | 22 |
| | <i>renumber</i> as subsection 33(1). | 23 |
| (4) | Section 33(1), as renumbered under this section, from ‘Upon’ | 24 |
| | to ‘shall’— | 25 |
| | <i>omit, insert—</i> | 26 |
| | ‘On receiving a report made by an inspector under section | 27 |
| | 32(1)(c), the standards officer must’. | 28 |

-
- | | | |
|-----|--|---|
| (5) | Section 33(1)(a), as renumbered under this section, ‘standards officer’— | 1 |
| | | 2 |
| | <i>omit, insert—</i> | 3 |
| | ‘inspector’. | 4 |
| (6) | Section 33(2), ‘board’— | 5 |
| | <i>omit, insert—</i> | 6 |
| | ‘standards officer’. | 7 |

Clause 19	Amendment of s 44A (Protection from liability)	8
	Section 44A(1), definition <i>official</i> , paragraph (c)—	9
	<i>omit.</i>	10

Clause 20	Amendment of s 45 (Evidence)	11
(1)	Section 45(c)—	12
	<i>omit.</i>	13
(2)	Section 45(d)—	14
	<i>renumber</i> as section 45(c).	15

Clause 21	Amendment of schedule (Dictionary)	16
(1)	Schedule, definitions <i>board, chairperson, decision maker, deputy chairperson</i> and <i>member</i> —	17
	<i>omit.</i>	18
		19
(2)	Schedule—	20
	<i>insert—</i>	21
	‘ <i>accepted representations</i> see section 21B(2).	22
	<i>proposed action</i> see section 21A(1).	23
	<i>show cause notice</i> see section 21A(2).	24
	<i>show cause period</i> see section 21A(2)(e).’.	25

[s 22]

- (3) Schedule, definition *officer*, paragraph (e)— 1
omit. 2

Part 3 **Amendment of Agricultural** 3
Standards Act 1994 4

- Clause 22** **Act amended** 5
This part amends the *Agricultural Standards Act 1994*. 6

- Clause 23** **Amendment of s 20 (Entry to places)** 7
(1) Section 20(1)(e), after ‘made’— 8
insert— 9
‘at a reasonable time’. 10
(2) Section 20(1)(e)(i), ‘stock; and’— 11
omit, insert— 12
‘stock; or’. 13
(3) Section 20(1)(e)(iii)— 14
omit. 15

- Clause 24** **Amendment of s 24 (Entry to vehicles)** 16
(1) Section 24— 17
insert— 18
(1A) Also, an inspector may enter a vehicle other than a part of a 19
vehicle used only as a living area— 20
(a) to check compliance with a provision of this Act about 21
the content, labelling or sale of food for stock; or 22

-
- (b) for the purpose of preventing the introduction of an exotic disease into the State or controlling the spread of an exotic disease.’ 1
 - (2) Section 24(2)— 2
 - omit, insert—* 3
 - ‘(2) Before entering a vehicle under this section, the inspector must do or make a reasonable attempt to do all of the following— 4
 - (a) comply with section 19(1); 5
 - (b) tell the owner or person in control of the vehicle the inspector is authorised under this Act to enter the vehicle; 6
 - (c) give the owner or the person in control of the vehicle an opportunity to consent to the entry. 7
 - ‘(2A) If the inspector enters the vehicle after being unable to locate the owner or person in control of the vehicle, the inspector must leave a notice in a conspicuous position and in a reasonably secure way stating the date, time and purpose of the entry.’. 8

Part 4 **Amendment of Land Protection** 20 **(Pest and Stock Route** 21 **Management) Act 2002** 22

- Clause 25 Act amended** 23
- This part amends the *Land Protection (Pest and Stock Route Management) Act 2002*. 24
- Clause 26 Amendment of ch 2, pt 2 hdg (State pest management strategies and guidelines for managing pests)** 26
- Chapter 2, part 2, heading, ‘strategies’— 27
- Chapter 2, part 2, heading, ‘strategies’— 28

[s 27]

omit, insert— 1
‘strategy’. 2

Clause 27 Amendment of ch 2, pt 2, div 1 hdg (State pest management strategies) 3
4
Chapter 2, part 2, division 1, heading, ‘strategies’— 5
omit, insert— 6
‘strategy’. 7

Clause 28 Amendment of s 10 (State pest management strategies) 8
(1) Section 10, heading, ‘strategies’— 9
omit, insert— 10
‘strategy’. 11
(2) Section 10(1), ‘separate State pest management strategies’— 12
omit, insert— 13
‘a State pest management strategy’. 14
(3) Section 10(2), ‘A State’— 15
omit, insert— 16
‘The State’. 17

Clause 29 Amendment of s 11 (Preparing strategies) 18
(1) Section 11, heading, ‘strategies’— 19
omit, insert— 20
‘strategy’. 21
(2) Section 11, ‘a State’— 22
omit, insert— 23
‘the State’. 24

Clause 30	Amendment of s 12 (Duration of strategies)	1
	(1) Section 12, heading, ‘strategies’—	2
	<i>omit, insert—</i>	3
	‘ strategy ’.	4
	(2) Section 12(1), ‘A State’—	5
	<i>omit, insert—</i>	6
	‘The State’.	7
Clause 31	Amendment of s 13 (Implementing strategies)	8
	(1) Section 13, heading, ‘strategies’—	9
	<i>omit, insert—</i>	10
	‘ strategy ’.	11
	(2) Section 13, ‘each’—	12
	<i>omit, insert—</i>	13
	‘the’.	14
Clause 32	Amendment of s 14 (Reviewing and renewing strategies)	15
	(1) Section 14, heading, ‘strategies’—	16
	<i>omit, insert—</i>	17
	‘ strategy ’.	18
	(2) Section 14(1), ‘a State’—	19
	<i>omit, insert—</i>	20
	‘the State’.	21
	(3) Section 14(2), ‘a strategy’—	22
	<i>omit, insert—</i>	23
	‘the strategy’.	24

[s 33]

Clause 33	Amendment of ch 2, pt 2, div 3 hdg (Inspecting strategies and guidelines)	1 2
	Chapter 2, part 2, division 3, heading, ‘strategies’—	3
	<i>omit, insert—</i>	4
	‘strategy’.	5
Clause 34	Amendment of s 16 (Strategies and guidelines to be available for inspection)	6 7
	(1) Section 16, heading, ‘Strategies’—	8
	<i>omit, insert—</i>	9
	‘Strategy’.	10
	(2) Section 16(1), ‘strategies and guidelines’—	11
	<i>omit, insert—</i>	12
	‘State pest management strategy and the guidelines for pest management’.	13 14
	(3) Section 16(2), ‘strategies’—	15
	<i>omit, insert—</i>	16
	‘strategy’.	17
Clause 35	Amendment of s 18 (Requirements of plan)	18
	Section 18(b), ‘strategies’—	19
	<i>omit, insert—</i>	20
	‘strategy’.	21
Clause 36	Amendment of s 26 (Requirements of plan)	22
	Section 26(b), ‘strategies’—	23
	<i>omit, insert—</i>	24
	‘strategy’.	25

Clause 37	Amendment of s 27 (Preparing draft plan)	1
	Section 27(5)(b), ‘strategies’—	2
	<i>omit, insert—</i>	3
	‘strategy’.	4
Part 5	Amendment of Plant Protection Act 1989	5
		6
Clause 38	Act amended	7
	This part amends the <i>Plant Protection Act 1989</i> .	8
Clause 39	Amendment of s 12 (Notification of pests)	9
	(1) Section 12(2), ‘becomes aware of the existence’—	10
	<i>omit, insert—</i>	11
	‘is aware, or ought reasonably to have been aware, of the existence’.	12
		13
	(2) Section 12(3)—	14
	<i>omit, insert—</i>	15
	‘(3) The owner or person must notify an inspector about the pest as soon as practicable, but not more than 24 hours, after the owner or person is aware, or ought reasonably to have been aware, of the existence of it.	16
		17
		18
		19
	Maximum penalty—1000 penalty units.	20
	‘(4) The notification mentioned in subsection (3) may be given orally or in writing.’.	21
		22

[s 40]

Part 6	Amendment of Rural and Regional Adjustment Act 1994	1 2
---------------	--	--------

Clause 40	Act amended	3
	This part amends the <i>Rural and Regional Adjustment Act 1994</i> .	4 5
Clause 41	Amendment of s 3 (Object of Act)	6
	Section 3(2)(b), from ‘schemes’—	7
	<i>omit, insert—</i>	8
	‘schemes or parts of schemes for the Commonwealth and other States in rural and regional sectors outside Queensland.	9 10
	<i>‘Examples of administering parts of schemes—</i>	11
	• conducting financial analysis of applications for assistance under an authorised interstate scheme	12 13
	• reviewing an authorised interstate scheme	14
	• providing advice on applications for financial assistance under an authorised interstate scheme’.	15 16
Clause 42	Amendment of s 8 (Authority’s functions)	17
	Section 8(2)(f), after ‘schemes’—	18
	<i>insert—</i>	19
	‘or parts of the schemes’.	20
Clause 43	Amendment of s 11A (Authorisation for interstate schemes)	21 22
	(1) Section 11A(2), ‘the scheme’, first and second mention—	23
	<i>omit, insert—</i>	24
	‘the scheme or a part of the scheme’.	25
	(2) Section 11A(2), ‘the scheme’, third mention—	26

‘the scheme or part’. 1
(3) Section 11A(5), ‘scheme’— 2
omit, insert— 3
‘scheme or part of the scheme’. 4

Clause 44 Amendment of s 35 (Acting chief executive officer) 5
Section 35, ‘Governor in Council’— 6
omit, insert— 7
‘Minister’. 8

Clause 45 Insertion of new s 35B 9
Part 5, division 1— 10
insert— 11

‘35B Delegation 12
‘(1) The chief executive officer may, with the board’s approval, 13
delegate the chief executive officer’s functions, including a 14
function delegated to the chief executive officer by the 15
authority, to an appropriately qualified employee of the 16
authority. 17
‘(2) In this section— 18
appropriately qualified, for an employee of the authority, 19
includes having the qualifications, experience or standing 20
appropriate for the function. 21
Example of standing— 22
an employee’s seniority level within the staff of the authority 23
function includes power.’. 24

Clause 46 Amendment of s 45 (Review of Act) 25
(1) Section 45(1)— 26
omit, insert— 27

[s 47]

- | | |
|---|---|
| ‘(1) The Minister must, within each period of 10 years after 1 July | 1 |
| 2012, review this Act to decide whether its provisions remain | 2 |
| appropriate.’. | 3 |
| (2) Section 45(2), ‘finishing the review’— | 4 |
| <i>omit, insert—</i> | 5 |
| ‘finishing each review’. | 6 |

Part 7	Amendment of Veterinary	7
	Surgeons Act 1936	8

Clause 47	Act amended	9
	This part amends the <i>Veterinary Surgeons Act 1936</i> .	10

Clause 48	Amendment of s 4C (Membership)	11
	Section 4C(2), ‘veterinary surgeons’—	12
	<i>omit, insert—</i>	13
	‘eligible veterinary surgeons’.	14

Clause 49	Amendment of s 4D (Chairperson and deputy chairperson)	15
	Section 4D(3), ‘a veterinary surgeon’—	16
	<i>omit, insert—</i>	17
	‘an eligible veterinary surgeon’.	18

Clause 50	Amendment of s 8 (Board to hold triennial election)	20
	Section 8(4), ‘each registered veterinary surgeon’—	21
	<i>omit, insert—</i>	22
	‘each eligible veterinary surgeon’.	23

Clause 51	Amendment of s 16 (Keeping registers)	1
	(1) Section 16(3)(d), ‘particulars decided’—	2
	<i>omit, insert—</i>	3
	‘particulars, other than the emergency contact details for a	4
	veterinary surgeon, decided’.	5
	(2) Section 16(4)(d), ‘particulars decided’—	6
	<i>omit, insert—</i>	7
	‘particulars, other than the emergency contact details for a	8
	veterinary surgeon, decided’.	9
	(3) Section 16—	10
	<i>insert—</i>	11
	‘(4A) Subsections (3) and (4) do not apply to veterinary	12
	practitioners.’.	13
Clause 52	Amendment of s 17 (Annual fee)	14
	Section 17—	15
	<i>insert—</i>	16
	‘(6) In this section—	17
	<i>veterinary surgeon</i> does not include a veterinary	18
	practitioner.’.	19
Clause 53	Amendment of s 18 (Registration of veterinary surgeons)	20
	Section 18—	21
	<i>insert—</i>	22
	‘(3A) Also, if the board considers it appropriate in the	23
	circumstances, the board may refuse an application for	24
	registration as a veterinary surgeon if satisfied the applicant is	25
	not suitable to be registered because the applicant has, under	26
	the law of another State—	27

[s 54]

- (a) applied for registration as a veterinary practitioner in that State and the application was refused by the registering authority for that State; or
- (b) been disqualified from applying, or is not entitled to apply, for registration as a veterinary practitioner in that State.

‘(3B) Subsections (3) and (3A) apply despite subsection (1).’.

Clause 54 Insertion of new s 18B

After section 18A—

insert—

‘18B Deemed registration as veterinary surgeon

‘(1) A person who is a veterinary practitioner is taken to be registered as a veterinary surgeon under this Act.

‘(2) The person’s registration as a veterinary surgeon is subject to the same conditions, limitations or restrictions that apply to the person’s registration in another State as a veterinary practitioner.’.

Clause 55 Amendment of s 19 (Application for registration)

Section 19(2)—

omit, insert—

‘(2) The approved form must provide for the inclusion of the applicant’s contact information.

‘(3) To avoid any doubt, it is declared that a person who is taken to be registered as a registered veterinary surgeon under section 18B is not required to—

- (a) apply for registration under this section; or
- (b) pay the prescribed fee mentioned in subsection (1)(c).

‘(4) However, a person—

- (a) who is taken to be registered as a veterinary surgeon under section 18B; and

- (b) whose principal place of residence will be in Queensland after the expiry of the person's registration in another State as a veterinary practitioner (the *interstate registration*); and
 - (c) who intends to carry on practice as a veterinary surgeon in Queensland after the expiry of the interstate registration—
- must apply for registration in Queensland before the expiry of the interstate registration.’.

Clause 56 Amendment of s 19B (Registration for limited period)

Section 19B(3) and (5), ‘another State or’—
omit.

Clause 57 Insertion of new s 19CA

After section 19C—
insert—

‘19CA Deemed registration of veterinary specialists

‘(1) This section applies to a veterinary practitioner—

- (a) who is taken to be registered as a veterinary surgeon under section 18B; and
- (b) whose registration as a veterinary practitioner in another State provides, by endorsement or otherwise, that the veterinary practitioner is qualified to practise as a veterinary specialist in that State; and
- (c) whose qualification to practice as a veterinary specialist in the other State was gained after practising veterinary science for a period of at least 5 years.

‘(2) The veterinary practitioner is taken to be registered as a veterinary specialist under this Act if the specialty in which the veterinary practitioner is qualified to practise in the other State is a veterinary specialty under this Act.’.

[s 58]

Clause 58	Insertion of new s 22FA	1
	Part 4, division 2—	2
	<i>insert—</i>	3
‘22FA	Board to notify registration authority of disciplinary action	4
		5
	‘(1) If, under section 22C, 22D or 22E, the tribunal makes an order about a veterinary surgeon, or admonishes or reprimands a veterinary surgeon, the board must give each registering authority of another State written notice of—	6
		7
		8
		9
	(a) the order, admonishment or reprimand; and	10
	(b) for an order under section 22C or 22D—the grounds on which the order was made; and	11
		12
	(c) for an order, admonishment or reprimand under section 22E—the details of the misconduct for which the order, admonishment or reprimand was made or given.	13
		14
		15
	‘(2) If the board takes action under section 22A(1)(a) or (b) about a veterinary surgeon, the board must give each registering authority of another State written notice of—	16
		17
		18
	(a) the action; and	19
	(b) the details of the misconduct for which the action was taken.	20
		21
	‘(3) A notice under subsection (1) or (2) must be given as soon as practicable after the order, admonishment or reprimand was made or given or the action was taken.’.	22
		23
		24
Clause 59	Insertion of new ss 26 and 27	25
	Part 4B—	26
	<i>insert—</i>	27
‘26	Notice about change in contact information	28
	‘(1) If a veterinary surgeon’s contact information changes, the veterinary surgeon must, within 21 days after the change, give the board written notice of the change unless the veterinary surgeon has a reasonable excuse.	29
		30
		31
		32

Maximum penalty—10 penalty units. 1

‘(2) In this section— 2

veterinary surgeon does not include a veterinary practitioner. 3

**‘27 Veterinary surgeon to provide emergency contact details 4
5**

‘(1) If the registrar does not have the emergency contact details for 6
a veterinary surgeon, the registrar may, by written notice given 7
to the veterinary surgeon, ask the veterinary surgeon to give 8
the registrar the emergency contact details. 9

‘(2) A veterinary surgeon must comply with a notice given under 10
subsection (1) within 21 days after receiving it, unless the 11
veterinary surgeon has a reasonable excuse. 12

Maximum penalty—10 penalty units. 13

‘(3) In this section— 14

veterinary surgeon does not include a veterinary 15
practitioner.’. 16

Clause 60 Insertion of new s 29C 17

After section 29B— 18

insert— 19

**‘29C Registrar must give emergency contact details to 20
chief executive 21**

‘(1) This section applies if the chief executive considers it is 22
necessary to contact a veterinary surgeon to give the 23
veterinary surgeon information about controlling, eradicating 24
or preventing the spread of— 25

(a) an exotic disease; or 26

(b) a declared pest; or 27

(c) a disease. 28

[s 61]

- ‘(2) The chief executive may ask the registrar to give the chief executive the emergency contact details for the veterinary surgeon. 1
2
3
- ‘(3) The registrar must comply with the request. 4
- ‘(4) The chief executive may only use the emergency contact details for a veterinary surgeon for a purpose mentioned in subsection (1). 5
6
7
- ‘(5) In this section— 8
- declared pest*** means— 9
- (a) a declared pest under the *Land Protection (Pest and Stock Route Management) Act 2002*, schedule 3; or 10
11
- (b) a pest under the *Plant Protection Act 1989*, schedule 1. 12
- disease*** means— 13
- (a) a disease under the *Stock Act 1915*, schedule 2; or 14
- (b) a disease not previously recognised as defined under the *Stock Act 1915*, section 27(5). 15
16
- exotic disease*** see the *Exotic Diseases in Animals Act 1981*, schedule 2. 17
18
- veterinary surgeon*** does not include a veterinary practitioner.’. 19
20

- Clause 61 Amendment of schedule (Dictionary)** 21
- (1) Schedule, definitions *veterinary specialist* and *veterinary surgeon*— 22
23
omit. 24
- (2) Schedule— 25
- insert—* 26
- ‘contact information***, for a veterinary surgeon or an applicant for registration as a veterinary surgeon, means the veterinary surgeon’s or applicant’s business address, postal address, residential address and emergency contact details. 27
28
29
30

eligible veterinary surgeon means a veterinary surgeon who is registered as a veterinary surgeon under this Act and whose name remains on the register of veterinary surgeons.

emergency contact details, for a veterinary surgeon or an applicant for registration as a veterinary surgeon, means a telephone number and email address at which the veterinary surgeon can be contacted during and outside of the veterinary surgeon's ordinary business hours.

registering authority, of another State, means the authority responsible for the registration of veterinary practitioners in that State.

veterinary practitioner—

1 *Veterinary practitioner* means a person authorised under a law of another State to carry out, in that State, activities substantially the same as the activities that may be carried out by a person registered as a veterinary surgeon under this Act.

2 However, a *veterinary practitioner* does not include a person who is registered as a veterinary surgeon on application under this Act and whose name remains on the register of veterinary surgeons.

veterinary specialist means—

(a) a veterinary surgeon who is registered on application under this Act as a veterinary specialist for a veterinary specialty and whose name remains on the register of veterinary specialists for the veterinary specialty; or

(b) a person who is taken to be registered as a veterinary specialist under section 19CA.

veterinary surgeon means a person who—

(a) is registered as a veterinary surgeon on application under this Act and whose name remains on the register of veterinary surgeons; or

(b) is taken to be registered as a veterinary surgeon under section 18B.'.

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