

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1990, No. 9\*

Regulations under the *Stock Diseases Act*

I, JAMES HENRY MUIRHEAD, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Stock Diseases Act*.

Dated 26 April 1990.

J. H MUIRHEAD  
Administrator

AMENDMENTS OF THE STOCK DISEASES REGULATIONS

1. PRINCIPAL REGULATIONS

The Stock Diseases Regulations are in these Regulations referred to as the Principal Regulations.

2. REPEAL AND SUBSTITUTION

The Principal Regulations are amended by repealing regulation 4 and substituting the following:

"4. PRESCRIBED DISEASES

"(1) In this regulation -

"'Code' means the Food Standards Code within the meaning of the Food Standards Regulations;

"'stock product' means food obtained from stock, and includes meat, fat of meat, edible offal, milk and milk products and, where the stock is poultry, eggs.

\* Notified in the Northern Territory Government Gazette on 9 MAY 1990.

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"(2) For the purposes of the Act, each of the diseases or conditions specified in Schedule 1 is a prescribed disease.

"(3) For the purposes of the Act, the presence in a stock product specified in Column 3 of Schedule 1 to Part A.14 of the Code (residues in food) of a substance specified in Column 1 that, as determined in accordance with the Code, exceeds the maximum residue limit specified in Column 2 in relation to that stock product, is a prescribed disease."

3. NEW REGULATION

The Stock Diseases Regulations are amended by inserting, after regulation 10, the following:

"10A. DETERMINATION OF COMPENSATION FOR CATTLE

"(1) In this regulation -

"'CALM' means the marketing system relating to the sale and auction prices of various classes of cattle more fully known as the computer aided livestock marketing system, being a system at presently administered by a committee appointed under section 16(1) of the *Australian Meat and Live-stock Corporation Act 1977* of the Commonwealth;

"'panel' means a valuation panel appointed under section 33(1) of the Act.

"(2) The owner or the Chief Inspector shall muster or cause to be mustered the cattle, or a representative portion of the cattle, for which compensation is to be determined by a panel.

"(3) As far as practicable, the cattle are to be classed in accordance with criteria used for CALM classifications.

"(4) Compensation is to be determined as being the on-farm value of each head of cattle, valued as if it were disease free and as it stands in the yard on the day of valuation, taking into account its age, sex, breed, body condition, liveweight and other matters relevant to its class and, as far as practicable, being the value of a similar head of cattle in a similar CALM class at the time but, where transport and selling costs would otherwise have been likely to have been incurred, deducting from that value an amount representing those costs.

"(5) In making their determination, members of a panel should -

(a) work independently until each has completed the valuation;

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- (b) after completion, discuss the valuations until a consensus or majority agreement is reached, or a consensus or majority agreement appears unlikely to be reached; and
- (c) sign an agreed determination, with or without dissenting views, and deliver it to the Chief Inspector or the Chief Inspector's nominee.

"(6) Where a panel determines the compensation payable for cattle, that determination may, without new valuations but with the agreement of the owner of the cattle, determine the compensation payable in respect of cattle of a similar class taken from the holding or part of the holding from which the originally valued cattle were taken."

4. REPEAL OF SCHEDULE 1A

Schedule 1A of the Principal Act is repealed.

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