**STOCK AND POULTRY DISEASES ACT AMENDMENT BILL1941**

**Legislative Assembly,** **23 September 1941, page 744**

Second reading

**The Hon. R. J. RUDALL (Angas—Commissioner of Crown Lands)—**The purpose of this Bill is to make the necessary alterations of the law to enable the policy of the Government to be carried forward for eradication of disease among stock. One of the most important diseases which it is necessary to control is tuberculosis in cattle. For some time it has been the practice of inspectors of the Stock and Brands Department to examine cattle in dairy herds with a view to ascertaining which of the cattle are suffering from tuberculosis. The cattle so affected are destroyed and the long range policy is to secure that all herds are free from this disease, an objective which, from the public health point of view, is obviously highly desirable to be achieved. If a herd is tested and ultimately free from this disease, it is obviously important that the disease-free condition should continue. To secure this end, it is necessary to see that additions to the herd are free from disease and consequently inspections must be spread over areas so that all the cattle within a district are tested.

At present inspections are largely confined to cases where the owner of a herd requests an inspection, of where the department suspects that the disease exists. If inspections are to be fully effective, all the cattle in a district must be inspected systematically and infected a:nimals must be destroyed. Such a policy cannot be put into force throughout the State at any one time, but the problem .must be tackled district by district. It also follows that if the result of inspections is that any substantial number of cattle is found to be affected with tuberculosis and is destroyed, claims under the Cattle Compensation Act, 1939, will be increased. If the amounts claimed are such that the Cattle Compensation Fund cannot meet the claims, the intention of the Government is to make advances to the fund and, if necessary, to ask Parliament to make a grant to the fund for the purpose.

Clause 2 makes it clear that an inspector of stock will have the right to examine any stock for the purpose of ascertaining whether or not the stock are affected with disease. If the inspector is registered as a veterinary surgeon, he is given authority by the clause to apply any diagnostic or biological test, inoculation, or other method necessary to prosecute his inquiries. To ascertain the presence of some diseases, it is necessary that the animal be inoculated or similarly treated and there is some doubt whether, under the present law, an inspector has these essential powers. As before mentioned, if the owner of a herd of cattle takes steps to have his cattle tested for tuberculosis and secures that his herd is free from disease, it is most important that he should be protected against the introduction of any diseased replacements into his herd. Clause 3 therefore provides that if cattle are sold and within three months they are examined and are found to be suffering from tuberculosis and are for that reason destroyed, the purchaser may recover from the vendor the difference between the purchase price and the amount recoverable as compensation under the Cattle Compensation Act. Under that Act, an owner of cattle destroyed because they are suffering from tuberculosis is entitled to receive as compensation three-quarters of the market value of the cattle so that clause 3 provides, in effect, that the vendor warrants that the cattle are free from tuberculosis and that he will, if the cattle are suffering from tuberculosis, be liable to recoup the purchaser the amount of damage he suffers by reason of the fact that the cattle were suffering from tuberculosis. If the cattle were inspected by a qualified inspector within three months before the sale and the inspector certified that the cattle were free from tuberculosis, no compensation will be payable. In such a case, it is obvious that the vendor has done all that he could reasonably be expected to have done. I move the second reading.

The Hon. R. S. RICHARDS secured the adjournment of the debate.