

South Australia

Primary Industry Funding Schemes (Cattle Industry Fund) Variation Regulations 2008

under the *Primary Industry Funding Schemes Act 1998*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Primary Industry Funding Schemes (Cattle Industry Fund) Variation Regulations 2008*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Primary Industry Funding Schemes (Cattle Industry Fund) Regulations 2000*

4—Variation of regulation 3—Interpretation

- (1) Regulation 3, definition of *compensable disease*, (b)—before "Johne's" insert:

Bovine

- (2) Regulation 3—after its present contents as varied by this regulation (now to be designated as subregulation (1)) insert:
- (2) For the purposes of these regulations, a person is in default in relation to contributions to the Fund if, within the immediately preceding 5 financial years—
 - (a) all or some of the contributions payable to the Fund by the person have not been paid; or
 - (b) the person has been refunded a contribution from the Fund.

5—Variation of regulation 7—Application of Fund

Regulation 7(2)—delete subregulation (2) and substitute:

- (2) A person who is in default in relation to contributions to the Fund is not entitled to receive any direct benefit or service under a program funded under subregulation (1)(c).

6—Variation of regulation 10—Amount of compensation

Regulation 10(1)—delete subregulation (1) and substitute:

- (1) Subject to this regulation, the amount of compensation that may be claimed is as follows:
 - (a) for an animal destroyed for the purpose of controlling or eradicating Bovine brucellosis or Tuberculosis—the lesser of—
 - (i) \$2 000; or
 - (ii) the value of the animal immediately prior to its destruction;
 - (b) for an animal destroyed for the purpose of controlling or eradicating Bovine Johne's disease—
 - (i) if the Minister is satisfied that the animal was visibly affected by the disease and that infection of the animal with the disease was confirmed by testing of a kind approved by the Minister—\$100;
 - (ii) in any other case—\$300.

7—Variation of regulation 11—Procedure for claiming compensation and determination of claim

Regulation 11(4)(e) and (f)—delete paragraphs (e) and (f) and substitute:

- (e) the owner is in default in relation to contributions to the Fund.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 18 December 2008

No 316 of 2008

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