



ANNO UNDECIMO

**GEORGII VI REGIS.**

A.D. 1947.

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**No. 10 of 1947.**

An Act to amend the Impounding Act, 1920-1938.

[Assented to 16th October, 1947.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the " Impounding Act Amendment Act, 1947 ". Short titles.

(2) The Impounding Act, 1920-1938, as amended by this Act, may be cited as the " Impounding Act, 1920-1947 ".

(3) The Impounding Act, 1920-1938, is hereinafter referred to as " the principal Act ".

2. Section 11 of the principal Act is amended—

(a) by striking out the words " each week by the Government Printer with a copy of the *Government Gazette* " in the fourth, fifth and sixth lines thereof and by inserting in lieu thereof the words " by the Government Printer with a copy of the *Government Gazette* containing the notice of the appointment of that poundkeeper " ;

(b) by striking out the words " and a file of the *Government Gazette* for the last six months " in the first and second lines of subsection (4) thereof and by inserting in lieu thereof the words " and the copy of the *Government Gazette* containing the notice of his appointment and " ,

Amendment of  
principal Act,  
s. 11—  
Duties of  
poundkeeper.

(c) by striking out the word "file" in the third line of subsection (6) thereof and by inserting in lieu thereof the word "copy";

(d) by striking out the words "for the past six months" in the fourth line of subsection (6) thereof.

Amendment of  
principal Act,  
s. 12—  
Table of fees.

3. Section 12 of the principal Act is amended—

(a) by striking out the words "having painted thereon, in legible black characters on a white ground" in the fourth and fifth lines thereof and by inserting in lieu thereof the words "on which shall be displayed";

(b) by adding at the end of subsection (1) thereof the words "Any such table may be printed or typed in legible characters upon white cloth or paper in which event the table shall be protected from the weather by clear glass or may be painted upon the said board in legible characters";

(c) by striking out the word "painted" in the fourth line of subsection (2) thereof.

Amendment of  
principal Act,  
s. 14—  
Impounding of  
cattle.

4. Section 14 of the principal Act is amended by striking out the words "Commissioner of Crown Lands" in the third and fourth lines of subsection (5) thereof and by inserting in lieu thereof the words "Minister of Lands".

Amendment of  
principal Act,  
s. 25—  
Publication of  
advertisement.

5. Section 25 of the principal Act is amended by striking out the words "in the *Government Gazette* or" in the sixth line of subsection (5) thereof.

Amendment of  
principal Act,  
s. 26—  
Payment for  
advertisement.

6. Section 26 of the principal Act is amended by striking out paragraph (b) of subsection (1) thereof and by inserting in lieu thereof the following paragraph :—

(b) the amount incurred in publishing the notice in a newspaper as provided by this Act.

Amendment of  
principal Act,  
s. 32—  
Proceedings  
for unclaimed  
cattle.

7. (1) Section 32 of the principal Act is amended by striking out paragraph (b) of subsection (1) thereof and by inserting in lieu thereof the following paragraph :—

(b) where any such notice has been given by post, within fourteen days after the time when, in the ordinary course of post, such notice should have been received by the owner, or

(2) Section 32 of the principal Act is amended by striking out the words "the *Government Gazette*" in the second line of paragraph (c) of subsection (1) thereof and by inserting in lieu thereof the words "a newspaper as provided by this Act".

## 8. Section 33 of the principal Act is amended—

Amendment of  
principal Act,  
s. 33—

(a) by striking out the words “the *Government Gazette*” in the third line of paragraph (b) of subsection (1) thereof and by inserting in lieu thereof the words “a newspaper as provided by this Act”;

Time for sale  
of impounded  
cattle.

(b) by striking out the words “the *Government Gazette*” in paragraph (c) of subsection (2) thereof and by inserting in lieu thereof the words “a newspaper circulating in the area in which the pound is situated”.

## 9. Section 34 of the principal Act is amended by striking out the proviso thereto.

Amendment of  
principal Act,  
s. 34—Publication of  
notice.

## 10. Section 39 of the principal Act is amended by adding the following subsection at the end thereof:—

Amendment of  
principal Act,  
s. 39—Disposal of  
dying cattle.

(3) If any such carcass is disposed of other than by sale, the cost incurred in the disposal shall be recoverable from the owner of the stock as a debt due and owing to the council or Minister, as the case may be, by which or whom the pound aforesaid is maintained.

## 11. Section 42 of the principal Act is amended by adding the following subsection at the end thereof:—

Amendment of  
principal Act,  
s. 42—Stray cattle  
upon land of  
another  
person.

(3) If the land of any person is a road to which the public has right of access then, notwithstanding the provisions of this section, it shall not be necessary to give any notice which would otherwise be required to be given by this section.

## 12. Section 46 of the principal Act is amended—

Amendment of  
principal Act,  
s. 46—

(a) by striking out the word “two” in the third line thereof and by inserting in lieu thereof the word “five”;

Liability for  
stray cattle.

(b) by adding the following subsection at the end thereof:—

(4) If, in any proceedings for an offence against this section, the court is satisfied upon evidence that any cattle, although in charge of any person, were in any street or public place for depasturing purposes only, the cattle shall, for the purposes of this section, be deemed to be at large.

Amendment of  
principal Act,  
seventh  
schedule.

**13.** The seventh schedule to the principal Act is amended by striking out the words "the *Government Gazette* or" in the heading thereto and by inserting in lieu thereof the word "a".

In the name and on behalf of His Majesty, I hereby assent to this Bill.

J. M. NAPIER, Lieutenant Governor.