



ANNO DECIMO

GEORGI VI REGIS.

A.D. 1946.

No. 29 of 1946.

An Act to amend the Stock and Poultry Diseases Act, 1934-1941.

[Assented to 5th December, 1946.]

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

Short titles.

1. (1) This Act may be cited as the "Stock and Poultry Diseases Act Amendment Act, 1946".

(2) The Stock and Poultry Diseases Act, 1934-1941, as amended by this Act, may be cited as the "Stock and Poultry Diseases Act, 1934-1946".

(3) The Stock and Poultry Diseases Act, 1934-1941, is hereinafter referred to as "the principal Act".

Commencement of Act.

2. This Act shall come into force on a day to be fixed by proclamation.

**Amendment of principal Act, s. 5—
Interpretation.**

3. (1) Subsection (1) of section 5 of the principal Act is amended—

(a) by inserting therein after the definition of "destroy" the following definition :—

"dip" means to plunge in or immerse or spray with some effective parasite destroying preparation :

(b) by adding at the end of the definition of "vessel" the words "or aircraft" :

(2) Section 5 of the principal Act is amended by adding the following subsection at the end thereof:—

(3) If pursuant to any provision of this Act any stock are required to be destroyed, an inspector may direct that the stock may be slaughtered at an abattoirs or slaughterhouse or other place specified by the inspector and subject to any conditions specified by the inspector as to the time within which the stock shall be slaughtered, the manner of slaughter, the disposal of the carcass (or any portion thereof) of the stock, or otherwise, and if the stock are slaughtered in accordance with the direction of the inspector the stock shall be deemed to have been destroyed in accordance with such provision of this Act.

4. (1) The definition of "disease" in subsection (1) of section 5 of the principal Act is amended so as to read as follows:—

Amendment of
principal Act,
ss. 5, 6 and 48—
Proclamation of
"disease".

"disease" means any disease affecting stock which the Governor by proclamation declares to be an infectious or contagious disease for the purposes of this Act:

(2) Subsection (1) of section 6 of the principal Act is amended by inserting therein before paragraph (a) thereof the following paragraph:—

(aa) declare any disease affecting stock to be an infectious or contagious disease for the purposes of this Act:

(3) Section 48 of the principal Act is amended by striking out the words "of the infectious or contagious diseases named in the fourth schedule, or any other disease which the Governor by proclamation declares to be an infectious or contagious disease for the purposes of this section," and by inserting in lieu thereof the word "disease".

(4) The second and fourth schedules to the principal Act are repealed.

5. Section 18 of the principal Act is amended—

(a) by inserting after the word "Minister" in the first line thereof the words "or the chief inspector";

(b) by striking out the words "he is" in the first line thereof.

Amendment of
principal Act,
s. 18—
Power to order
destruction of
stock.

6. (1) Section 19 of the principal Act is amended—

(a) by inserting after the word "stock" in the first line thereof the words "and every owner of stock which are suspected by the owner to be suffering from disease";

Amendment of
principal Act,
s. 19—
Duties of
owners of stock.

- (b) by inserting after the word "diseased" in the third line thereof the words "or are suspected by the owner to be suffering from disease";
- (c) by striking out the word "diseased" in paragraph (b) of subsection (1) thereof;
- (d) by striking out the words "the diseased stock" in paragraph (c) of subsection (1) thereof and by inserting in lieu thereof the words "any such stock which are diseased stock".

(2) The third schedule to the principal Act is amended—

- (a) by inserting after the word "Diseased" in the heading to the schedule the words "or Suspected to be Suffering from Disease";
- (b) by inserting after the words "are diseased" the passage "(or are suspected to be suffering from disease)".

Amendment of
principal Act,
s. 20—
Travelling
stock.

7. Section 20 of the principal Act is amended by striking out the passage "section 94 of the Pastoral Act, 1904" in subsection (3) thereof and by inserting in lieu thereof the passage "section 99 of the Pastoral Act, 1936".

Amendment of
principal Act,
s. 29—

8. Section 29 of the principal Act is amended so as to read as follows :—

Application of
Part.

29. (1) The Minister may, from time to time, by notice published in the *Government Gazette* and in a newspaper circulating in the portion of the State to which the notice relates, declare that from the day specified in the notice any portion of the State shall be an area to which this Part shall apply, and from the day so specified this Part shall apply within that area.

(2) The Minister may, from time to time, by notice published as aforesaid revoke any notice declaring any portion of the State to be an area to which this Part applies either as to the whole of that area or any portion thereof, and thereupon this Part shall cease to apply to that area or portion, as the case may be.

Amendment of
principal Act,
s. 30—

9. Section 30 of the principal Act is amended so as to read as follows :—

Directions as to
dipping of
sheep.

30. (1) The Minister may, from time to time, by notice published in the *Government Gazette* and in a newspaper circulating in the portion of the State to which the notice relates, give directions for the dipping of sheep within any area or areas to which this Part applies and specified in the notice, which shall be observed by the owner of every sheep in the area or areas aforesaid.

(2) Every such notice may specify all or any of the following, namely :—

- (a) the intervals at which the sheep shall be dipped ;
- (b) the time or times at or occasions on which the sheep shall be dipped ;
- (c) the manner in which the sheep shall be dipped.

(3) Any such notice may include a statement that it shall continue in force until a day specified in the notice in which case it shall continue in force until that day. If no such day is specified in the notice the notice shall continue in force until revoked by the Minister.

(4) The Minister, by notice published in manner provided by subsection (1), may revoke any notice given pursuant to subsection (1).

10. Section 31 of the principal Act is amended so as to read as follows :—

Amendment of
principal Act,
s. 21—

31. (1) Every person who is the owner of any sheep within any area to which this Part applies, shall dip the sheep in accordance with the provisions of any notice given under section 30 in respect of that area which is in force and, except as provided by subsection (2), shall comply in all respects with the requirements of the said notice.

Duty to dip
sheep.

(2) In any case where the chief inspector is satisfied that, by reason of drought conditions, shortage of water, the weakness of any sheep, or for any like cause, it would be impracticable or unduly burdensome on the owner of any sheep to require the owner to comply with the provisions of subsection (1), the chief inspector may, by notice in writing, exempt the owner from compliance with the provisions of subsection (1) in respect of the sheep specified in the notice and for the period specified in the notice. Any such exemption may be given subject to such conditions as the chief inspector may deem proper.

(3) Any person who fails to dip his sheep as required by subsection (1) shall be guilty of an offence and liable to a penalty not exceeding ten pounds for a first offence and not exceeding fifty pounds for any subsequent offence : Provided that it shall be a sufficient defence to prove—

- (a) that the sheep were dipped as required by the notice aforesaid and in accord with that notice by some other person ; or

(b) that an exemption was given by the chief inspector pursuant to subsection (2) in respect of the sheep and that all the conditions of the exemption were complied with.

Repeal of ss. 37
and 41 of
principal Act.

11. Sections 37 and 41 of the principal Act are repealed.

Amendment of
principal Act,
s. 38—

12. Section 38 of the principal Act is amended so as to read as follows:—

Interpretation.

38. In this Part “inspector of poultry” means the chief inspector, deputy chief inspector, any inspector of stock under this Act, or any inspector of poultry appointed under this Part.

Amendment of
principal Act,
s. 39—
Appointment of
inspectors of
poultry.

13. Section 39 of the principal Act is amended by striking out the words “a Chief Inspector of Poultry (who shall be duly qualified in manner provided by regulation),” in subsection (1) thereof and by inserting in lieu thereof the word “any”.

Amendment of
principal Act,
s. 42—
Right to travel
stock.

14. Section 42 of the principal Act is amended—

- (a) by striking out “1904” in the fourth line thereof and by inserting in lieu thereof “1936”;
- (b) by striking out “1904” in the fourth line of subsection (4) thereof and by inserting in lieu thereof “1936”;
- (c) by striking out the passage “section 94 of the Pastoral Act, 1904” occurring in subsections (5) and (7) thereof and by inserting in lieu thereof in each case the passage “section 99 of the Pastoral Act, 1936”.

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

C. W. M. NORRIE, Governor.