



ANNO QUADRAGESIMO OCTAVO ET QUADRAGESIMO
NONO

VICTORIÆ REGINÆ.

A.D. 1885.

No. 346.

An Act to repeal "The Vermin Destruction Act, 1882,"
and "The Vermin Destruction Amendment Act,
1884," to revive and amend "The Rabbit
Suppression Act, 1879," and for other purposes.

[Assented to, November 11th, 1885.]

WHEREAS it is desirable to repeal "The Vermin Destruction Act, 1882," and "The Vermin Destruction Amendment Act, 1884," and to revive and amend "The Rabbit Suppression Act, 1879": Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

1. This Act may be cited for all purposes as "The Vermin Act Repeal Act." Short Title.

2. "The Vermin Destruction Act, 1882," and "The Vermin Destruction Amendment Act, 1884," are hereby repealed, but such repeal shall not apply to— Repeal.

- i. Anything done or suffered under any enactment hereby repealed; nor,
- ii. Any right, privilege, power, obligation, or liability acquired, imposed, accrued, or incurred under any enactment hereby repealed; nor,
- iii. Any penalty, forfeiture, or punishment incurred in respect of any offence against any enactment hereby repealed; nor,
- iv. Any

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iv. Any investigation, legal proceeding, or remedy, in respect of such right, power, privilege, obligation, liability, penalty, forfeiture, or punishment, as aforesaid, and any such investigation, legal proceeding, or remedy may be carried on as if this Act had not passed, and notwithstanding such repeal scalp-money shall be payable in respect of rabbits for the period and at the rate hereinafter mentioned.

Revival of Act No. 139 of 1879.

3. So much of the Rabbit Suppression Act, 1879, as is repealed either expressly or by implication by "The Vermin Destruction Act, 1882," or the Vermin Destruction Amendment Act, 1884, is hereby revived.

Rating power reserved to pay off liabilities.

4. Nothing herein shall operate to prevent the levying and collection of rates for the purpose of liquidating any liabilities already incurred by any body or Vermin Board now having authority to levy and collect rates for the destruction of vermin.

Scalp-money to cease after notice of passing of Act.

5. Scalp-money shall be payable as heretofore for all scalps for the destruction of which duly-authorized certificates have been given within seven days after the publication in the *Government Gazette* of a notice by the Commissioner of the passing of this Act; and after such period of seven days scalp-money shall be payable in respect of rabbits only of which duly-authorized certificates for the destruction of scalps have been given during a further period of twenty-three days, but at the reduced rate of one penny for every rabbit; and for scalps destroyed after such further period of twenty-three days no scalp-money shall be paid.

Vermin districts to be rabbit districts.

6. All vermin districts proclaimed under "The Vermin Destruction Act, 1882," shall be rabbit districts under this Act, and all boards of directors appointed under the said Act shall (except in so far as the exercise of their duties or powers would be inconsistent with the exercise of the duties and powers of municipal corporations or district councils) be Boards of Advice under this Act for their respective rabbit districts, and shall hold office until the thirty-first day of December, one thousand eight hundred and eighty-six; and all municipal corporations and district councils situate within any rabbit district shall be Boards of Advice under this Act for their respective municipalities or districts.

Rabbit Boards of Advice may be appointed.

7. The Governor may, from time to time, appoint a board of advice, consisting of five members, for every rabbit district, to act as a Board of Advice under this Act, after the said thirty-first day of December, one thousand eight hundred and eighty-six, and may at all times appoint persons to fill any vacancies that may occur in any Board of Advice of any rabbit district, and may remove all or any of the members of such Board.

Duties of Board of Advice.

8. It shall be the duty of every Board of Advice to meet from time to time and report to the Commissioner any neglect on the part of

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of the owner or occupier of any land within their district to comply with "The Rabbit Suppression Act, 1879," and this Act, and generally to report to the Commissioner as to the manner in which the said Acts are being carried out, and to make suggestions for the better carrying out of the same within their respective districts. Three members of every Board of Advice shall form a quorum.

9. Any pastoral lessee whose lease would expire on or before December 31st, 1888, who shall be required to destroy rabbits on the lands comprised in such lease under the provisions of "The Rabbit Suppression Act, 1879" and this Act, may, in the event of any authorised person entering on such land for the purpose of destroying rabbits, pursuant to the provision of section 12 of "The Rabbit Suppression Act, 1879," surrender such lease, on giving written notice to the Commissioner within twenty-eight days after the date of such entry of his desire to surrender such lease on or before a time to be stated in such notice, not exceeding six months after the date thereof, and shall surrender accordingly, and such surrender shall operate in like manner, and the lessee shall have the like rights, as if such lease had expired by effluxion of time.

Lessee required to destroy rabbits may surrender lease.

10. Any person who shall wilfully remove, damage, or destroy any post-and-wire or rabbit-proof fence shall, on conviction for every such offence, be liable to forfeit and pay a penalty of not less than Ten Pounds nor more than One Hundred Pounds, in addition to the amount of damage done; or to be imprisoned with or without hard labor for any period not exceeding six months. One half of the penalty recovered on any such information may, in the discretion of the Court inflicting such penalty, be ordered to be paid to the informer.

Penalty for injuring rabbit-proof fence.

11. Any person who shall wilfully open and leave unclosed any rabbit-proof gate in any fence, or who shall pass through any such gate without closing the same, shall, on conviction for every such offence, be liable to forfeit and pay a penalty of not less than Ten Shillings nor more than Fifty Pounds.

Penalty for not closing gates.

12. The provisions of "The Rabbit Suppression Act, 1879," shall be incorporated and read with this Act, save so far as inconsistent therewith.

Incorporation of 139 of 1879.

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

JAS. P. BOUCAUT, Deputy Governor.