

of the owner of the lands situate at _____ and known as
 [or more particularly described in certi-
 ficate of title volume _____ folio _____]
 bounded by [or through which runs]
 dedicate to the use of the public as
 the land described in the schedule hereto.

Given at _____ this _____ day of _____
 M.N. Minister for _____

STOCK.

No. 89 of 1957.

AN ACT to amend the *Stock Act 1932*.

[23 December 1957.]

BE it enacted by His Excellency the Governor of Tasmania,
 by and with the advice and consent of the Legislative
 Council and House of Assembly, in Parliament assembled,
 as follows:—

1—(1) This Act may be cited as the *Stock Act 1957*.

Short title
and citation.

(2) The *Stock Act 1932*, as subsequently amended, is in
 this Act referred to as the Principal Act.

2 Section thirteen of the Principal Act is amended—

Compensation
to owner of
destroyed
stock.

(a) by omitting from subsection (1) the word
 “Where” and substituting therefor the words
 “Except in a case to which section thirteen A
 applies, where”; and

(b) by omitting from that subsection the words
 “paragraphs II, III, and IV of”.

3 After section thirteen of the Principal Act the following
 section is inserted in Part V:—

“13A—(1) Notwithstanding anything in section thirteen,
 where—

Compensation
where
animal, &c.,
destroyed on
account of
foot and
mouth
disease.

I An animal is destroyed in pursuance of an order
 under section eleven made in relation to the disease
 known as foot and mouth disease: or

II Any fittings that have been in a place in which that
 disease has occurred are ordered, in pursuance of
 the regulations, to be destroyed,

the owner of that animal or of those fittings shall be paid
 compensation in accordance with this section.

“(2) The compensation to be paid in pursuance of this section shall comprise an amount equal to—

- I In the case of an animal that at the time of its destruction was diseased, the full market value of the animal immediately before it became diseased:
 - II In the case of any other animal, the full market value of the animal immediately before it was destroyed: and
 - III In the case of fittings, the full market value of the fittings immediately before they were destroyed,
- or so much, if any, of that value as is not covered by insurance payable to the owner in respect of the destruction.

“(3) Compensation under this section shall be paid by the Treasurer on the application, as prescribed, of the owner of the animal or fittings and upon the certificate of the Chief Inspector that the destruction of the animal or fittings was ordered for the purpose of preventing the spread of foot and mouth disease.

“(4) The provisions of subsections (3) and (5) of section thirteen, as modified by subsection (5) of this section, apply to and in relation to the determination of compensation under this section.

“(5) In the application of subsection (3) of section thirteen to the determination of compensation under this section, that subsection has effect as if the words ‘or fittings’ were inserted therein after the word ‘animal’.”

4 After section forty-one R of the Principal Act the following Part is inserted:—

“ PART VIII B.

“ ARTIFICIAL INSEMINATION OF STOCK.

“ 41S In this Part, unless the contrary intention appears—

‘ Approved sire ’ means a sire that is declared by the Board, pursuant to section forty-one W, to be an approved sire for the purposes of this Part:

‘ Artificial insemination ’ includes—

- I The collection, dilution, chilling, freezing, processing, storing, distribution, sale, and use of semen:
- II Any process connected with the handling of semen during the period between its collection from a sire and its deposition in a female of the relevant species of stock: and
- III The performance of the operation of artificially inseminating stock:

‘ Board ’ means the Artificial Breeding Board constituted under this Part:

Interpreta-
tion.

Cf. No. 11,
1948
(N.S.W.), s.
2.

‘Fund’ means the Artificial Breeding Fund established under section forty-one Z:

‘Licence’ means a licence of any class under this Part:

‘Licensed premises’ means premises in respect of which a licence is in force:

‘Licensee’ means the holder of a licence and, in the case of a licence in respect of premises, means the occupier of those premises:

‘Semen’ means semen obtained from any species of stock:

‘Sire’ means an entire male animal of any species of stock:

‘Veterinary surgeon’ means a person who is registered as a veterinary surgeon under the *Veterinary Act 1918*.

“41T—(1) For the purposes of this Part there shall be a board, to be known as the Artificial Breeding Board.

“(2) The provisions of the second schedule apply to and in relation to the Board and the members thereof,

“41U The Board—

I May establish and carry on in this State such centres providing services for artificial insemination, or for the conduct of research and experiment in matters affecting the practice of artificial insemination, as the Board may think fit:

II May contribute towards any expenditure incurred, with the Board’s approval, by any society or person in providing services for artificial insemination or in the conduct of research or experiment in matters affecting the practice of artificial insemination, or make loans on such terms as it thinks fit to any such society or person:

III May do all such acts and things as the Board may think necessary or desirable with respect to developing and improving the breeding of stock by the practice of artificial insemination: and

IV Generally, may exercise such other powers as are conferred on it, and perform such duties as are imposed on it, by or under this Part.

“41V—(1) Except as provided in subsection (2) of this section, no person—

I Shall—

(a) Obtain semen, for use for the purposes of the artificial insemination of stock: or

(b) Use semen for the purposes of the artificial insemination of stock,

unless the sire from which the semen was obtained is an approved sire:

Artificial
Breeding
Board.

Functions of
the Board.

Cf. 9 & 10
Geo. 6, c. 29,
(Imp.), s. 1.

Regulation of
artificial
insemination.
N.S.W., ss.
3, 8.

II Perform any operation in connection with the artificial insemination of stock unless he is the holder of a licence: or

III Use any premises other than licensed premises for the purposes of the collection, examination, dilution, chilling, freezing, processing, storing, distribution, or sale of semen.

Penalty: Fifty pounds.

“(2) Nothing in subsection (1) of this section prevents—

I A veterinary surgeon who is the holder of a permit under this section from obtaining semen or artificially inseminating stock, whether on licensed premises or elsewhere, in conformity with the terms and conditions (if any) of the permit: or

II A person other than a veterinary surgeon (being a person who is the holder of a permit under this section) from obtaining semen from, or artificially inseminating, any stock of which he is the owner, but so long only as the semen is obtained or the stock are inseminated on the premises of which he is the occupier, and the semen is obtained, and the insemination is carried out, in conformity with the terms and conditions (if any) of the permit.

“(3) The Board may, in its absolute discretion, grant to—

I A veterinary surgeon: or

II A person who is the owner of any stock,

a permit authorizing the veterinary surgeon to obtain semen from, and artificially inseminate, any stock, or, as the case may be, authorizing that person to obtain semen from, and artificially inseminate, stock of which he is the owner.

“(4) A permit under this section—

I May be granted upon and subject to such terms and conditions (if any) as the Board may think desirable and as may be specified in the permit: and

II May be revoked by the Board, at any time, by notice in writing to the holder of the permit, if the Board considers that it is desirable in the interests of the livestock industry that the permit should be revoked.

Approval of
sires.

“41W—(1) An application for the approval of a sire for the purposes of this Part shall be made to the Board as prescribed.

“(2) The Board shall not declare a sire to be an approved sire for the purposes of this Part unless the sire has first been examined by a veterinary surgeon approved by the chairman of the Board and the veterinary surgeon has reported to the Board in writing that—

I The sire is free from disease:

II The health, general condition, and conformation of the sire, and, in appropriate cases, the records of production of the ancestors and progeny (if any) of the sire are satisfactory: and

III The sire complies with such other conditions (if any) as the Board may, either generally or in a particular case, determine.

“(4) If, having regard to the report of the veterinary surgeon by whom a sire has been examined, the Board is of the opinion that it is desirable that the sire be approved it may declare the sire to be an approved sire for the purposes of this Part.

“(5) Where the Board declares a sire to be an approved sire for the purposes of this Part, it shall give to the owner of the sire notice in writing of the approval of the sire.

“(6) Where—

I The owner of an approved sire so requests the Board, in writing: or

II An approved sire—

(a) Becomes infected with disease:

(b) In the opinion of the Board, becomes infertile or suffers a substantial reduction in fertility:

(c) Shows evidence of any undesirable trait, deformity, or malformation: or

(d) Produces any progeny considered by the Board to be unsatisfactory,

the Board may declare the sire to be no longer an approved sire, and, if it does so, shall forward to the owner, as prescribed, notice in writing that the sire is no longer an approved sire.

“41x—(1) Licences shall be of the following classes, namely:—

Licences.
N.S.W., ss.
4, 5, 6.

I Licences in respect of premises, granted to the occupier of the premises:

II Managers' licences: and

III Operators' licences.

“(2) A licence—

I Under paragraph I of subsection (1) of this section, may authorize the use of any number of premises: and

II In any case, shall be restricted to one species of stock.

“(3) Subject to the prescribed conditions—

I A licence in respect of premises has effect to authorize the use of the premises to which it relates for all or any of the following purposes, namely:—

(a) The distribution of semen for use elsewhere:

- (b) The collection, examination, dilution, chilling, freezing, processing, storing, distribution, and sale of semen for use either on the premises or elsewhere: and
- (c) The performance of the operation of artificially inseminating stock,

according as may be specified in the licence:

- II A manager's licence has effect to authorize the licensee to perform, direct, supervise, and control all operations in connection with artificial insemination: and
- III An operator's licence has effect to authorize the licensee to perform such operations in connection with artificial insemination as may be specified in the licence.

“(4) Unless sooner revoked, a licence continues in force for a period of one year from the date on which it is issued.

“(5) Upon application to the Board, as prescribed, a licence under this Part may be renewed, and on each renewal continues in force for a period of one year from the date on which it is renewed, unless it is sooner revoked.

“(6) If a licensee is convicted of an offence against any of the provisions of this Part or of the regulations under this Part, the court before which he is convicted may, in addition to or in lieu of imposing any other penalty that it may impose in respect of that offence, order that the licence be revoked or be suspended for such period as the court thinks fit, or, in the case of a licence granted in respect of premises, that it be varied so as to exclude therefrom for such period as the court thinks fit the premises authorized to be used thereunder, and the licence shall, for the purposes of this Part, be deemed to have been revoked, suspended, or varied accordingly as from the date of the making of the order.

“(7) Where a licence is revoked, suspended, or varied pursuant to subsection (6) of this section, the licensee shall forthwith surrender the licence to the chairman of the Board, in default whereof he is guilty of an offence under this Part.

“(8) Upon the surrender of a licence pursuant to subsection (7) of this section, the chairman shall indorse it with the terms of the order and—

- I If it has not been revoked or suspended, return it, as so indorsed, to the holder: or
- II If it has been suspended, return it, as so indorsed, to the holder at the expiration of the period of suspension.

“(9) Without prejudice to the powers conferred on a court by subsection (6) of this section, the Board may revoke a licence, or suspend a licence for such period as it thinks fit, if—

- I The licensee requests it so to do:

II In the opinion of the Board—

- (a) The licensee is incompetent in the performance of the operations authorized by the licence:
- (b) The licensee, in the performance of the operations authorized by the licence, has failed to observe any precautions that are necessary to prevent the dissemination of disease or has performed those operations in such a manner as to infect any stock or disseminate a disease: or
- (c) It is desirable so to do in the interests of the livestock industry: or

III The licensee has failed to keep, to the satisfaction of the Board, any records that he is required by the regulations to keep in relation to any operations carried out by him under the authority of the licence.

“41Y In addition to exercising any powers conferred on him by or under any other provision of this Act, an inspector may— Powers of inspectors. N.S.W., s. 9.

- I Enter and inspect licensed premises and examine and make copies of, or take abstracts from, any records required by the regulations to be kept in relation to operations connected with artificial insemination that are performed on those premises, and examine any semen or package containing semen that he finds on those premises:
- II Enter, search, and examine any place that is being used, or that he has reasonable grounds to suspect is being used, for or in connection with the carrying on of any operations relating to the practice of artificial insemination, and examine any semen or package containing semen that he finds in that place:
- III Enter and search any vehicle, ship, or aircraft that is being used, or that he has reasonable grounds to suspect is being used, for the conveyance of semen, and examine any semen or package containing semen that he finds in that vehicle, ship, or aircraft:
- IV Take possession of any semen or package containing semen in respect of which, in his opinion, an offence against this Part or the regulations under this Part has been committed:
- V Require any person to produce to the inspector any records or other documents relating to semen or packages containing semen that are in the possession or custody, or under the control, of that person, and to answer truly any questions put to him by the inspector in relation thereto or in relation to any suspected contravention of the provisions of this Part or of the regulations: and

VI Require a licensee to produce for inspection any licence held by him.

Artificial
Breeding
Fund.

“41Z—(1) There shall be a fund, to be known as the Artificial Breeding Fund.

“(2) The Fund is under the management and control of the Board.

“(3) There shall be paid into the Fund all—

I Moneys received by the Board by way of licence fees :

II Contributions by owners of stock under section forty-one ZB :

III Moneys provided by Parliament for the purposes of the Fund :

IV Fines imposed in respect of offences against this Part or the regulations under this Part: and

v Moneys received by the Board from any other source.

“(4) There shall be paid out of the Fund all—

I Fees and allowances payable to members of the Board :

II Fees payable to examiners appointed by the Board :

III Expenses payable to persons who, at the request of the Board, attend a meeting of the Board for the purposes of giving evidence or information in relation to any matter being considered by the Board: and

IV Contributions and loans made by the Board pursuant to paragraph II of section forty-one U.

“(5) The accounts relating to the Fund are subject to the provisions of the *Audit Act 1918*.

“(6) The Fund is not liable to taxation imposed by or under any Act.

“(7) With the approval of the Treasurer, the moneys belonging to the Fund from time to time, or any part of those moneys—

I May be invested by the Board in any investments authorized by law for the investment of trust funds: or

II May be placed to the credit of the Trust Fund established under the *Public Account Act 1957*.

Bank
account.

“41ZA—(1) For the purposes of the Fund, the Board may, and if directed by the Treasurer shall, open and operate on a current account in the Commonwealth Trading Bank of Australia.

“(2) The Board's current account shall be operated upon only by cheque signed by at least two members of the Board.

Contributions
by owners.

“41ZB—(1) The owner of any stock that are subjected to artificial insemination shall, as prescribed, pay to the Board such contribution, in such cases, and of such amount, as may be prescribed.

“(2) The regulations may, for the purposes of this section, differentiate between different species of stock and prescribe different amounts in respect of different species of stock.

“41ZC Notwithstanding anything in the *Justices Procedure Act 1919*, all fines imposed in respect of offences against the provisions of this Part or of the regulations under this Part shall be paid to the Board.” Penalties to be paid to Board.

5 Section sixty-two of the Principal Act is amended by Regulations. adding at the end thereof the following subsection:—

“(4) The Governor may make regulations for the purposes of Part VIII B with respect to—

- I The terms and conditions of licences under that Part:
- II The fees payable in respect of licences under that Part:
- III The cases in which, and conditions upon which, duplicates of licences under that Part may be issued:
- IV The sale, exportation, and importation of the semen of stock:
- V The manner in which premises licensed under that Part shall be equipped:
- VI The manner of collecting, examining, diluting, chilling, freezing, processing, storing, and packing the semen of stock on premises licensed under that Part:
- VII The conditions of eligibility of stock for use in the collection of semen:
- VIII The records to be kept by the holders of licences under that Part, and the records to be kept in relation to the use of premises in connection with the practice of the artificial insemination of stock:
- IX The qualifications of persons for the grant of licences under that Part (with power to prescribe different qualifications in respect of different classes of licences), and the training to be undergone and the examinations to be passed by persons applying for licences under that Part, and the other conditions to be fulfilled by applicants therefor:
- X The appointment and remuneration of examiners appointed for the purposes of that Part:
- XI The expenses to be paid to persons appearing before the Artificial Breeding Board to give evidence or information with respect to any matter being considered by the Board:
- XII The registers and other records to be kept by the Artificial Breeding Board:
- XIII The procedure at meetings of the Artificial Breeding Board: and

XIV Such other matters as may be necessary or convenient for carrying out or giving effect to the provisions of that Part, and those regulations may prescribe penalties, not exceeding fifty pounds, for offences against the regulations.”.

The schedule. **6** The schedule to the Principal Act is amended by inserting therein, before the word “SCHEDULE” in the heading thereto, the word “FIRST”.

7 The Principal Act is amended by adding at the end thereof the following schedule:—

“ THE SECOND SCHEDULE.

“(Section 41T.)

“ THE ARTIFICIAL BREEDING BOARD.

**Interpreta-
tion.**

“ 1 In this schedule—

‘ Board ’ means the Artificial Breeding Board constituted under section forty-one T:

‘ Breed society ’ means a society or an association of breeders of stock of any species or variety that is declared by the Minister, by notice in the *Gazette*, to be a breed society for the purposes of this schedule:

‘ Chairman ’ means the chairman of the Board.

**Constitution
of the Board.**

“ 2—(1) The Board shall consist of five members, of whom—

I One shall be the Chief Veterinary Officer, who shall be the chairman of the Board:

II One shall be the Chief Dairy Officer: and

III Three shall be persons appointed by the Minister.

“ (2) Of the members appointed by the Minister—

I One shall be a person who is nominated by the Tasmanian Farmers’ Federation:

II One shall be a person who is nominated by the Tasmanian Farmers’, Stockowners’, and Orchardists’ Association: and

III One shall be a person who is nominated by the breed society or jointly (in such manner as the Minister may approve or direct) by all the breed societies, if there are more such societies than one.

“ (3) The members appointed by the Minister shall, subject to this schedule, hold office for a term of three years.

“ (4) If an organization mentioned in sub-paragraph (2) of this paragraph does not nominate a person for appointment as a member of the Board within thirty days after being requested by the Minister so to do, the Minister may, without any nomination, appoint a person as the member of the Board representing that organization.

“(5) On the nomination of the appropriate organization, the Minister may appoint a person as the deputy of any member appointed by the Minister, and the person so appointed may act as a member of the Board during the illness, absence, or inability to act of the member for whom he is appointed deputy, and while so acting has all the powers and may perform all the functions of the member for whom he is appointed deputy.

“3—(1) The members of the Board shall be paid such fees and allowances, if any, as the Governor may determine. Remuneration of members of the Board.

“(2) The Governor shall not determine the fees and allowances to be paid to a member of the Board who is a person to whom the *Public Service Act 1923* applies except on the recommendation of the Public Service Commissioner.

“4—(1) The office of a member of the Board becomes vacant if he dies or if— Vacation of office.

I Being a member mentioned in clause I or clause II of sub-paragraph (1) of paragraph 2 of this schedule, he ceases to hold the office by virtue of which he became a member of the Board: or

II Being a member appointed by the Minister, he—

(a) Resigns his office by writing under his hand addressed to the Minister: or

(b) is removed from office by the Minister pursuant to sub-paragraph (2) of this paragraph.

“(2) The Minister may remove from office any of the members appointed by the Minister if—

I The organization by which that member was nominated requests the Minister so to do:

II That member becomes, in the opinion of the Minister, incapable, by reason of any physical or mental disability, of properly performing his duties as a member:

III That member has been convicted of a crime or an offence of such a nature that, in the opinion of the Minister, it is not proper that he should be permitted to continue in office as a member: or

IV Except on leave granted by the Minister, that member absents himself from three or more consecutive meetings of the Board.

“5 Three members constitute a quorum of the Board, and the Board may function, notwithstanding a vacancy in its membership, so long as a quorum remains. Quorum.

“6—(1) The chairman shall preside at all meetings of the Board at which he is present. Proceedings of Board.

“(2) If the chairman is absent from a meeting of the Board the members present shall choose one of their number to preside thereat.

“(3) The chairman or other member presiding at a meeting of the Board has a deliberative vote only.

“(4) Questions arising at meetings of the Board shall be determined by a majority of the votes of the members present and voting thereon, and in the event of an equality of votes the question shall be deemed to be resolved in the negative.

“(5) Subject to this schedule and to the regulations, the Board may regulate its own procedure.”

LAUNCESTON CORPORATION.

No. 90 of 1957.

AN ACT to amend the *Launceston Corporation Act 1941.* [23 December 1957.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title
and citation.

1—(1) This Act may be cited as the *Launceston Corporation Act 1957.*

(2) The *Launceston Corporation Act 1941*, as subsequently amended, is in this Act referred to as the Principal Act.

2 After section thirty-one of the Principal Act the following sections are inserted:—

Record of
occupiers.

“31A—(1) When Part VII of the *Land Valuation Act 1950* comes into operation in the city the town clerk shall prepare a record of the occupiers of all lands shown on the assessment roll who are not the owners thereof.

(2) The record of occupiers may be kept by entry on the assessment roll of the city or in such other form as the council may determine.

(3) Where any lands are occupied, but not owned, in portions by more persons than one, the town clerk may for the purpose of setting down the annual value of each portion in the record of occupiers, apportion the assessed annual value shown on the assessment roll between each of the portions in such manner as he shall think fit.

(4) The town clerk shall give to each of the occupiers of those lands notice in writing of the apportionment made under subsection (3) of this section.