

PASTURES PROTECTION (AMENDMENT) ACT.

Act No. 39, 1951.

An Act to amend the Pastures Protection Act, 1934, and certain other Acts, in certain respects; and for purposes connected therewith. [Assented to, 7th December, 1951.]

George VI.
No. 39, 1951.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Pastures Protection (Amendment) Act, 1951".

Short title
and
citation.

(2) The Pastures Protection Act, 1934, as amended by subsequent Acts and by this Act, may be cited as the Pastures Protection Act, 1934-1951.

2. The Pastures Protection Act, 1934-1949, is amended—

Amendment
of Act No.
35, 1934.

- (a) (i) by omitting subparagraph (ii) of paragraph (b) of subsection two of section twelve;
- (ii) by omitting paragraph (c) of subsection three of the same section and by inserting in lieu thereof the following paragraphs:—
- (c) is the occupier of land in respect of which the return required by section thirty-nine

Sec. 12.
(Qualifica-
tion
for enrol-
ment, voting
and
elections.)

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thirty-nine of this Act, if any such is required to be made, has been made;

(d) is not otherwise ineligible.

New sec.
12A.

(b) by inserting next after the same section the following new section:—

Disqualifica-
tion from
office where
certain
offences
committed.

12A. Where a person has, either before or after the commencement of the Pastures Protection (Amendment) Act, 1951, been convicted of an offence under section eighty-one or eighty-two of this Act and is subsequently convicted of an offence under either of such sections, he shall—

(a) if he is a chairman, deputy-chairman or director cease to hold office as such chairman, deputy-chairman or director as from the date of such lastmentioned conviction;

(b) be ineligible for election as a director for a period of three years from the date of such lastmentioned conviction.

Sec. 30.
(Amount of
rate.)

(c) (i) by omitting from subsection four of section thirty the word “sixpence” and by inserting in lieu thereof the word “eightpence”;

(ii) by omitting from the same subsection the words “three farthings” and by inserting in lieu thereof the words “one penny”;

Sec. 42.
(Withdrawal
of lands
from
reserves.)

(d) by omitting subsection one of section forty-two and by inserting in lieu thereof the following subsection:—

(1) The Minister for Lands may upon the recommendation of the Minister withdraw any reserve or part thereof from the control of a board.

Any such recommendation may be made by the Minister of his own motion or after reference to the local land board of such matters relating to the withdrawal of any reserve or part thereof from the control of a board as the Minister may think necessary.

The

The local land board to which any such reference is made shall hear such reference and report thereon to the Minister. No. 39, 1951.

The provisions of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, regulating proceedings before local land boards in the matter of references to such boards under that Act, as so amended, shall, as far as practicable, be applied to proceedings before such boards in the matter of references to such boards under this subsection.

The Minister shall not be bound to adopt such report and such report shall not be the subject of an appeal or reference to the Land and Valuation Court.

- (e) (i) by omitting from subsection two of section forty-three the word "tenpence" and by inserting in lieu thereof the words "one shilling"; Sec. 43.
(Rate on travelling stock.)
- (ii) by omitting from the same subsection the words "one shilling" and by inserting in lieu thereof the words "one shilling and sixpence";
- (iii) by inserting in subsection seven of the same section after the word "shall" the words "or where such district is situated in the Western Division may";
- (f) by inserting in subsection two of section forty-nine after the word "are" the words "or a permit officer for such district authorised in that behalf by the Minister"; Sec. 49.
(Stock starting from previous destination to pay travelling charge.)
- (g) by omitting from section fifty all the words after the word "proceeding" and by inserting in lieu thereof the words— Sec. 50.
(Persons in charge of travelling stock to produce permit or statement.)
 - produce for inspection—
 - (a) in the case where a permit or renewed permit is required for the journey on which the stock are travelling—a permit or renewed permit for such journey;
 - (b)

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Sec. 61.
(Carcases
to be
destroyed or
buried.)

Sec. 81.
(Duty of
occupiers
to destroy
noxious
animals.)

Sec. 82.
(Power to
order
destruction.)

- (b) in the case where a travelling statement is required for the journey on which the stock are travelling—a travelling statement for such journey;
- (c) in the case where a license is required for working large stock—a working large stock license in respect of such stock;
- (d) any other document under this or any other Act, the issue of which or the possession of which by the person in charge of the stock is prescribed as a condition necessary for travelling such stock;
- (h) by omitting from section sixty-one the words “one pound” and by inserting in lieu thereof the words “three pounds”;
- (i) by omitting from section eighty-one all words after the words “summary conviction” and by inserting in lieu thereof the words “for the first offence to a penalty not exceeding fifty pounds and for any subsequent offence to a penalty not exceeding one hundred pounds”;
- (j) (i) by inserting at the end of subsection two of section eighty-two the words “An order may specify that any prescribed method specified in the order may be used as alternative to any other prescribed method specified in the order”;
- (ii) by omitting from subsection three of the same section the words “and the work may be carried out at his expense”;
- (iii) by omitting from subsection four of the same section the words “and of carrying out the work if it has not been carried out by the occupier or owner”;
- (iv) by omitting subsection five of the same section and by inserting in lieu thereof the following subsections:—
 - (5) The board may, upon not less than seven days’ notice of its intention so to do being

being given to the occupier or owner of any land, by its officers, servants, agents or contractors enter upon such land and take such measures and carry out such work as the board deems necessary for or with respect to the suppression and destruction of noxious animals thereon and the destruction and removal of harbour of noxious animals thereon. No. 39, 1951.

(6) Any costs or expenses reasonably incurred by the board in the exercise of its powers under subsection five of this section may be recovered in any court of competent jurisdiction by the board from the occupier or owner for the time being of the land in respect of which such powers were exercised as a debt due and owing by him to the board. The amount of any judgment recovered by the board under this subsection and of any costs awarded to the board in respect of its claim shall, notwithstanding the provisions of section one hundred and eighty-nine of the Conveyancing Act, 1919, as amended by subsequent Acts, be a charge on the said land and such charge shall be a charge upon land within the meaning of section one hundred and eighty-seven of the said Act, as so amended, and may be registered accordingly.

- (k) (i) by omitting from subsection two of section ninety-one the word "farthing" and by inserting in lieu thereof the word "penny"; Sec. 91.
(Special rate.)
- (ii) by omitting from the same subsection the word "twopence" and by inserting in lieu thereof the word "fourpence";
- (l) by omitting from section ninety-two the words "and he may on the application of a board in like manner exclude the pastures protection district for which such board is constituted from the application of this Division" and by inserting in lieu thereof the words "or to such parts"; Sec. 92.
(Application of Division re Alsatian dogs.)

**War Service Land Settlement and Closer Settlement
(Amendment) Act.****No. 39, 1951.**

parts of other pastures protection districts as may be specified therein and he may in like manner exclude any pastures protection district or part of any pastures protection district from the application of this Division”.
