

No. , 1922.

A BILL

To amend the Stock Diseases (Tick) Act, 1901; the Stock Diseases (Tick) Amendment Act, 1915; the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith.

[CAPTAIN CHAFFEY;— *November, 1922.*]

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. This Act may be cited as the "Stock Diseases Short title. (Tick) Amendment Act, 1922."

Principal Act.

2. The Stock Diseases (Tick) Act, 1901, as amended by the Stock Diseases (Tick) Amendment Act, 1915, is in this Act referred to as the Principal Act.

Amendment of Principal Act, s. 3.

3. Section three of the Principal Act is amended by omitting the words "not being scab in sheep." 5

Ibid. s. 4.

4. Section four of the Principal Act is amended as follows:—

(1) By inserting in subsection one after the word "diseased" where firstly occurring the words "or infected"; 10

(2) by inserting in subsection two after the word "diseased" the words "or infected";

(3) by inserting in subsection three after the word "diseased" where firstly and secondly occurring the words "or infected." 15

Ibid. s. 5.

5. Section five of the Principal Act is amended as follows:—

(1) By inserting in paragraph (a) after the word "stock" where firstly occurring the words "or the occupier of the land upon which such stock are found or are kept or pastured"; and by omitting from the same paragraph the words "Animals Infectious Diseases Act of 1888" and inserting in lieu thereof the words "Noxious Microbes Act, 1900"; 25

(2) by inserting in paragraph (b) after the word "stock" where secondly occurring the words "or the occupier of the land upon which the same are found."

Ibid. s. 6.

6. Section six of the Principal Act is amended— 30

(1) by omitting from subsection one the words "with the approval of the Minister, by notification in the Gazette, and in two newspapers circulating in the locality where such stock then are" and by inserting in lieu thereof the words "by notice in writing"; 35

(2) by inserting at the end of the same subsection the words "Such notice shall have effect for the period specified therein not exceeding fourteen days"; 40

(3)

(3) by inserting the following new subsection after subsection two :—

5 (2A) The Minister may if he thinks fit, instead of declaring land to be a quarantine area in pursuance of the last preceding subsection, accept an undertaking in the prescribed form to comply with the requirements mentioned therein, and given by the owner or occupier of the land.

10 Upon the acceptance by the Minister of any such undertaking, the land mentioned therein shall for the period therein specified be deemed to be a quarantine area, and the person so giving the undertaking shall comply with all the terms and conditions contained therein.

15 **7.** The Principal Act is further amended by inserting the following new sections next after section six :— Amendment of Principal Act— new sections.

20 6A. (1) Where any land within a quarantine area upon which stock are pastured or kept is not in the opinion of an inspector sufficiently fenced or enclosed to prevent the ingress or egress of stock, an inspector may in the prescribed manner order that such fencing or repairs or additions to fencing as he deems necessary shall be carried out within a time specified in the order. Fencing of land in quarantine area.

25 (2) The order shall be served upon and the said fencing, repairs, or additions shall be carried out by—

- 30 (a) the owner of the land ; or
- (b) when the land is held by any person under a lease from the Crown, by the lessee.

35 (3) Any person who has erected any fencing or repaired or carried out any additions to fencing in pursuance of an order under this section may demand and recover in any court of competent jurisdiction from—

- 40 (a) the owner of adjoining land ; or
- (b) any lessee from the Crown of adjoining land, a contribution towards the cost of such fencing, repairs, or additions to the extent of one-half the value thereof, but only so far as the said fencing makes

makes a common boundary line. Such contribution may be demanded and recovered notwithstanding anything contained in the Dividing Fences Act, 1902.

Closing of roads, &c., on boundaries of quarantine area.

6B. The Minister may by notification in the Gazette and in a daily newspaper circulating in or in the vicinity of a quarantine area—

- (a) appoint places on the boundary of such quarantine area, which shall be the only places at which any stock or class of stock specified in such notification may lawfully cross such boundary;
- (b) authorise the erection of fencing and gates across any road within a quarantine area for the purpose of regulating or preventing the movement of stock therein;
- (c) close any road in a quarantine area in such manner as to prevent the ingress or egress of stock or of any class of stock specified in the notification.

Amendment of Principal Act, s. 8.

8. Section eight of the Principal Act is amended by inserting in paragraph (c) after the word "order" the words "the occupier of land upon which stock are pastured or kept, or upon which stock are found, or."

Ibid. s. 9.

9. Section nine of the Principal Act is amended as follows:—

- (1) By omitting from paragraph (a) of subsection one the words "and management" and inserting in lieu thereof the words "management and control";
- (2) by omitting from paragraph (b) of the same subsection the words "of such areas" and by inserting in lieu thereof the words "and control of such areas, and of any stock therein";
- (3) by inserting in paragraph (h) of the same subsection after the word "diseased" the words "or infected";
- (4) by inserting after paragraph (k) of the same subsection the following new paragraphs:—
 - (l) regulate or prohibit the movement of any hide, skin, hair, or wool of any stock within a quarantine area;
 - (m)

- (m) prescribe the payment of fees for examination and treatment of stock by or under the supervision of an inspector;
 - 5 (n) provide for the examination and treatment of any stock or class of stock within a quarantine area;
 - 10 (o) require the owners or persons in charge of stock within a quarantine area, or the occupiers of land within a quarantine area, upon which stock are found or are pastured or kept, to furnish returns showing the number and description of such stock and such other particulars as may be required;
 - 15 (p) provide for the treatment and for the disposal, whether by removal, sale, destruction or otherwise, of any stock seized or taken possession of by an inspector;
 - (q) require the closing of any gates on land adjoining the boundary of a quarantine area.
- 20 **10.** Section ten of the Principal Act is amended by inserting after the word "Act" the words "or the regulations." Amendment of Principal Act, s. 10.
- 11.** Section twelve of the Principal Act is amended Ibid. s. 12. by inserting in paragraph (a) after the word "stock" the words "which are within a quarantine area or."
- 25 **12.** Section thirteen of the Principal Act is amended Ibid. s. 13. as follows:—
- (1) By omitting from paragraph (a) the word "month" and inserting in lieu thereof the word "week";
 - 30 (2) by omitting from paragraph (b) the word "seven" and inserting in lieu thereof the word "three";
 - 35 (3) by omitting from paragraph (c) the word "month" and inserting in lieu thereof the word "week."
- 13.** Section fourteen of the Principal Act is amended Ibid. s. 14. by inserting after the word "Act" wherever occurring the words "or the regulations."