

4 GEO. VI. No. 11, 1940. *Diseases in Stock Acts, Etc., Act.*

(4.) The sale price of any stock sold under subsection three of this section shall be paid to the Under Secretary, Department of Agriculture and Stock, who, after defraying thereout all expenses incurred by any inspector in seizing and detaining such stock, shall pay the balance (if any) to the owner of such stock.

(5.) No person shall have any claim for any loss or damages sustained or alleged to have been sustained by him, whether directly or indirectly, or, except as hereinafter provided, any other right or remedy whatsoever against the Crown or the Minister or any inspector or any other person whomsoever by reason or in respect of the seizure and/or detention and/or sale of any stock under this section: Provided that this subsection shall not prejudice the right of an owner of stock which, having been seized and detained hereunder, have not been forfeited to the Crown as herein provided, to recover possession thereof upon paying in full all expenses incurred by the inspector concerned in relation to such seizure and detention before such stock have been sold pursuant to subsection three of this section."

**An Act to Amend "The Diseases in Stock Acts, 1915 to 1936," "The Dairy Produce Acts, 1920 to 1939," and "The Stallions Registration Acts, 1923 to 1934," each in certain particulars.**

4 GEO. VI.  
NO. 11.  
THE  
DISEASES IN  
STOCK ACTS  
AND OTHER  
ACTS  
AMENDMENT  
ACT OF  
1940.

[ASSENTED TO 31ST OCTOBER, 1940.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

**PART I.—PRELIMINARY.**

PART I.—  
PRELIMINARY.

1. This Act may be cited as "*The Diseases in Stock Acts and Other Acts Amendment Act of 1940.*"

Short title.

2. This Act is divided into Parts as follows:—

Parts of  
Act.

**PART I.—PRELIMINARY;**

**PART II.—AMENDMENTS OF \*"THE DISEASES IN STOCK ACTS, 1915 TO 1936";**

\* 6 Geo. V. No. 16 and amending Acts, *supra*, pages 7015 *et seq.*

PART III.—AMENDMENT OF \**“THE DAIRY  
PRODUCE ACTS, 1920 TO 1939”*;PART IV.—AMENDMENT OF †*“THE STALLIONS  
REGISTRATION ACTS, 1923 TO 1934.”*PART II.—  
AMENDMENTS  
OF *“THE  
DISEASES IN  
STOCK ACTS,  
1915 TO 1936.”*PART II.—AMENDMENTS OF ‡*“THE DISEASES IN  
STOCK ACTS, 1915 TO 1936.”*Inter-  
pretation.3. In this Part ‡*“The Diseases in Stock Acts, 1915  
to 1936,”* are referred to as the Principal Act.Collective  
title.The Principal Act and this Part may be collectively  
cited as *“The Diseases in Stock Acts, 1915 to 1940.”*Amendments  
of s. 3.4. Section three of the Principal Act is amended  
as follows:—(a) The following definitions *“Convey”* and  
*“Destination”* are inserted after the definition *“Chief  
Inspector,”* namely:—

Convey.

*““Convey”*—The term and derivatives of the term  
when used with respect to any stock or  
carcass mean to carry or transport in or  
upon a vehicle, train, vessel, aeroplane, or  
seaplane;

Destination.

*“Destination”*—Any saleyard, railway trucking  
yard or platform, slaughter-house, abattoir,  
or place for final delivery or acceptance of  
stock.”(b) The following definition *“Dip”* is inserted after  
the definition *“Destroy,”* namely:—

Dip.

*““Dip”*—When used as a noun the term includes  
any vat, bath, or apparatus whatsoever used  
in connection with the dipping of stock.”(c) The definition *“Disease”* is amended by inserting  
therein the words and brackets *“sheep ked or tick  
(Melophagus ovinus), sheep louse (Bovicola ovis,  
Linognathus pedalis, or any other sheep louse), necrotic  
enteritis, swine paratyphoid, swine erysipelas, blackleg,”*  
after the words *“Texas or tick fever.”*\* 10 Geo. V. No. 15 and amending Acts, *supra*, pages 9079 *et seq.*† 14 Geo. V. No. 16 and amending Acts, *supra*, pages 10839 *et seq.*‡ 6 Geo. V. No. 16 and amending Acts, *supra*, pages 7015 *et seq.*

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AMENDMENTS  
OF "THE  
DISEASES IN  
STOCK ACTS,  
1915 TO 1936."

(d) The following definition "Drive" is inserted after the definition "District," namely:—

" "Drive"—The term and derivatives of the term **Drive** when used with respect to stock mean causing or suffering to travel on the hoof but not conveying."

(e) The following definition "Legibly branded" is inserted after the definition "Introduced stock," namely:—

" "Legibly branded"—Branded in a manner **Legibly** decipherable without scientific means at a **branded** distance of not less than thirty feet."

(f) The following definitions "Neighbouring holding" and "Order" are inserted after the definition "Minister," namely:—

" "Neighbouring holding"—Any holding **con-** **Neigh-**  
**tiguous** to, and any holding distant not **bouring**  
more than forty miles by land from, the **holding.**  
holding on which stock are ordinarily  
depastured ;

" "Order"—Includes any command or direction **Order** whether given orally or in writing."

(g) The following definition "Premises" is inserted after the definition "Owner," namely:—

" "Premises"—Includes any land or saleyard and **Premises** any house or other building or structure whatsoever or wheresoever situated and its curtilage."

(h) The following definition "Saleyard" is inserted after the definition "Road," namely:—

" "Saleyard"—Any yard, premises, or place **Saleyard** where stock are sold or offered or exposed for sale, or where stock are held or kept for the purpose of being sold or offered or exposed for sale or where stock are kept or held on sale."

(i) In the definition "Travelling stock" the words "land or water" are repealed, and the words "land, air, or water" are inserted in lieu of such repealed words.

(j) In the definition "Vessel" the words "or ferry-boat" are repealed and the words "ferry-boat, aeroplane, or seaplane" are inserted in lieu of such repealed words.

PART II.—  
AMENDMENTS  
OF "THE  
DISEASES IN  
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1915 TO 1936."

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Amendment  
of s. 9.

5. The following new subsection is inserted after subsection three of section nine of the Principal Act, namely :—

"(3A.) Every owner or drover of stock shall, not less than two nor more than fourteen days before he introduces such stock into Queensland, give notice in writing of their proposed introduction to the inspector at the crossing-place or port of introduction, or, if no inspector is stationed at such crossing-place or port, then to the inspector stationed nearest thereto."

Amendment  
of s. 15.

6. The word "Government" is inserted after the word "State" in paragraph (a) of the proviso to section fifteen of the Principal Act.

Amendment  
of s. 18.

7. The following paragraph is added to section eighteen of the Principal Act, namely :—

"Upon satisfactory proof of the *bona fides* of an application made in that behalf, an inspector may issue a permit to travel stock to and from neighbouring holdings for the purpose of feeding and/or watering same, but no such permit shall be for a longer period than three months, and any such permit may be cancelled at any time."

Amendment  
of s. 22.

8. The proviso to section twenty-two of the Principal Act is repealed and the following provisos are inserted in lieu thereof, namely :—

"Provided that where travelling sheep are legibly branded with the owner's registered sheep paint brand, and such sheep—

(i.) Are intended to be driven from the time of their removal for not more than forty miles to a destination ; or

(ii.) Are conveyed by rail or motor vehicle to a destination,

it shall not be necessary to so brand such sheep :

Provided further, that it shall not be necessary to so brand sheep which are intended to be driven to a pound."

Amendments  
of s. 25.

9. Section twenty-five of the Principal Act is amended as follows :—

(a) In paragraph (i.) of subsection one thereof the words "or premises" are inserted after the word

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"holding," and the words "or any carcass" are inserted after the word "stock" where such last-mentioned word twice occurs.

(b) The words "or stop and detain any carcass which is being conveyed by any means whatsoever for the purpose of examining same" are added to paragraph (ii.) of subsection one thereof.

(c) In paragraph (iii.) of subsection one thereof the words "or any carcass which is being conveyed by any means whatsoever" are inserted after the words "travelling stock."

(d) The words "or order any carcass which is being conveyed by any means whatsoever to be forthwith taken back to any place or district from which it has been or is being removed" are added to paragraph (iv.) of subsection one thereof.

(e) The words "or impound or quarantine any carcass which, in his opinion, is or is suspected to be diseased" are added to paragraph (v.) of subsection one thereof.

(f) In subsection two thereof the words "or carcasses" are inserted after the word "stock" where such last-mentioned word twice occurs.

(g) In the first and second paragraphs of subsection three thereof the words "or carcasses" are inserted after the word "stock" where such last-mentioned word twice occurs.

(h) In subsection four thereof the words "or any carcass" are inserted after the word "stock."

10. The words "or by an inspector" are added to subsection two of section twenty-six of the Principal Act. Amendment of s. 26 (2).

11. Schedule II. of the Principal Act is amended as follows:— Amendments of Schedule II.

(a) The words "or by air" are inserted after the word "roads" in clause ten thereof.

(b) The words "or made in respect of the treatment of stock by an inspector" are added to clause thirteen thereof.

PART III.—  
AMENDMENT  
OF “THE  
DAIRY  
PRODUCE  
ACTS, 1920  
TO 1939.”

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PART III.—AMENDMENT OF \**“THE DAIRY PRODUCE ACTS, 1920 TO 1939.”*

Collective  
title.

12. (1.) \**“The Dairy Produce Acts, 1920 to 1939,”* and this Part may be collectively cited as *“The Dairy Produce Acts, 1920 to 1940.”*

(2.) Section 12A of \**“The Dairy Produce Acts, 1920 to 1939,”* is amended as follows:—

Amendment  
of s. 12A.

(a) In subsection one thereof the words “The Director of Dairying or the Chief Inspector of Stock” are repealed and the words “The Director of Veterinary Services or, in his absence, such other person as the Minister may appoint” are inserted in lieu of such repealed words.

(b) In subsection eleven thereof the words “the Director of Dairying or the Chief Inspector of Stock” are repealed and the words “The Director of Veterinary Services or by the person appointed by the Minister to give such authority in the absence of the Director of Veterinary Services” are inserted in lieu of such repealed words.

(c) In subsection thirteen thereof the words “the Director of Dairying or Chief Inspector of Stock” are repealed and the words “the Director of Veterinary Services or by the person appointed by the Minister to give such authority in the absence of the Director of Veterinary Services” are inserted in lieu of such repealed words.

PART IV.—  
AMENDMENT  
OF “THE  
STALLIONS  
REGISTRATION  
ACTS, 1923  
TO 1934.”

PART IV.—AMENDMENT OF †*“THE STALLIONS REGISTRATION ACTS, 1923 TO 1934.”*

Collective  
title.

13. †*“The Stallions Registration Acts, 1923 to 1934,”* and this Part may be collectively cited as *“The Stallions Registration Acts, 1923 to 1940.”*

Amendment  
of s. 8 (3).

In subsection three of section eight of †*“The Stallions Registration Acts, 1923 to 1934,”* the words “Chief Inspector of Stock” are repealed and the words “Director of Veterinary Services” are inserted in lieu thereof.

\* 10 Geo. V. No. 15 and amending Acts, *supra*, pages 9079 *et seq.*

† 14 Geo. V. No. 16 and amending Acts, *supra*, pages 10839 *et seq.*