

Queensland



ANNO QUARTO DECIMO

ELIZABETHAE SECUNDAE REGINAE

No. 40 of 1965

An Act to Amend "The Stock Acts, 1915 to 1960," in
certain particulars

[ASSENTED TO 29TH OCTOBER, 1965]

BE IT ENACTED by the Queen'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:—

1. (1) **Short title.** This Act may be cited as "*The Stock Acts Amendment Act of 1965.*"

(2) **Principal Act.** "*The Stock Acts, 1915 to 1960.*" are in this Act referred to as the Principal Act.

(3) **Collective title.** The Principal Act and this Act may be collectively cited as "*The Stock Acts, 1915 to 1965.*"

(4) **Commencement of Act.** The provisions of section sixteen of this Act shall come into operation on a date to be fixed by the Governor in Council by Proclamation published in the *Gazette*.

2. Amendments of s. 3. Section three of the Principal Act is amended by—

(a) inserting before the definition “Approved Veterinary Surgeon” the following definition:—

““Actual owner”—A person who, apart from definition in this Act as such, would be, in law, owner of the stock or other thing in question;”;

(b) amending the definition “Carcass” by inserting after the words “carcass of an animal” the words “whether in an uncooked, partly cooked, or cooked state”;

(c) omitting the definition “Disease” and inserting in its stead the following definition:—

““Disease”—Any of the following diseases:—

abscess;	enteritis (ducks);
actinobacillosis;	enterohepatitis (blackhead);
actinomycosis;	eperythrozoonosis;
African horse sickness;	ephemeral fever;
African swine fever;	epididymitis;
anaplasmosis;	epithelioma or cancer of eye;
anthrax;	epizootic lymphangitis;
arthritis;	equine encephalomyelitis;
aspergillosis;	equine rhinopneumonitis;
Aujesky's disease;	equine viral arteritis;
avian encephalomyelitis	erysipelas;
(epidemic tremor);	eye worm (<i>Oxyuris</i>
avian pneumoencephalitis	<i>mansonii</i>);
(Newcastle disease);	facial eczema;
avian monocytosis	fascioliasis;
(bluecomb);	favus;
avian mycoplasmosis	filariasis;
(chronic respiratory	foot and mouth disease;
disease);	fowl cholera;
babesiosis;	fowl plague (fowl pest);
blackleg;	fowl pox;
bluetongue (catarrhal fever	fowl typhoid;
of sheep);	gapes (<i>Syngamus trachea</i>);
botulism;	glanders;
brucellosis;	Glasser's disease;
buffalo fly (<i>Siphona exigua</i>);	haemonchosis;
cancer;	heatstroke;
caseous lymphadenitis;	hepatitis;
cattle tick (<i>Boophilus</i>	hexamitiasis;
<i>microplus</i>);	hydatid (<i>Echinococcus</i>
coccidiosis;	<i>granulosus</i>);
contagious ecthyma (scabby	infectious bronchitis (fowls);
mouth);	infectious equine anaemia;
contagious mastitis;	infectious laryngotracheitis;
contagious pleuropneumonia	infectious rhinitis;
(bovine);	infectious rhinotracheitis;
coryza (fowls);	influenza;
cowpox;	Johne's disease;
cysticercosis;	leptospirosis;
distemper;	leucosis;
dourine;	lice infestation;
encephalitis;	listeriosis;

lumpy skin disease;	sheep scab;
lung worm infestation;	sinusitis (turkeys);
malignant catarrh;	sparganosis;
malignant oedema;	spirochaetosis;
meliodosis;	stickfast flea (<i>Echidnophaga</i>
mite infestation;	<i>gallinacea</i>);
mucosal disease;	strangles.
mycosis;	surra;
myiasis;	swine dysentery;
oedema disease (swine);	swine fever;
ophthalmia;	taeniasis;
oesophagostomiasis;	Talfan disease (swine);
omphalitis;	Teschen disease (swine);
papilloma;	tetanus;
paramphistomiasis;	toxaemic jaundice;
pasteurellosis;	toxoplasmosis;
piroplasmiasis;	trichinosis;
poultry tick (<i>Argas persicus</i>);	trichomoniasis (bovine);
pregnancy toxæmia (sheep);	trichostrongylosis;
psittacosis (ornithosis);	tuberculosis;
pullorum disease;	tularæmia;
pustular vaginitis (bovine);	tumours;
rabies;	turkey pox;
Rift Valley fever;	variola;
rinderpest;	vent gleet;
salmonellosis;	vesicular exanthema;
scrapie;	vesicular stomatitis;
screw worm infestation;	vibriosis;
septicaemia;	virus abortion;
sheep ked (<i>Melophagus</i>	virus pneumonia;
<i>ovinus</i>);	warble fly infestation;
sheep pox;	Wesselbron disease,

and any other disease which the Governor in Council, by Order in Council published in the *Gazette*, declares to be a disease under and for the purposes of this Act;”;

(d) inserting after the definition “Infected stock” the following definition:—

“ “Inoculate” —The injection or insertion into the tissues of stock of a biological preparation for the purpose of protecting such stock against disease or of testing such stock for disease: the term includes vaccination;”;

(e) inserting after the definition “Neighbouring holding” the following definition:—

“ “Notifiable disease” —Any of the following diseases:—

actinomycosis;	cattle tick (<i>Boophilus</i>
African horse sickness;	<i>microplus</i>);
African swine fever;	contagious pleuropneumonia
anthrax;	(bovine);
Aujesky's disease;	dourine;
avian pneumoencephalitis	epithelioma or cancer of the
(Newcastle disease):	eye;
babesiosis;	equine encephalomyelitis;
bluetongue (catarrhal fever	equine rhinopneumonitis;
of sheep);	equine viral arteritis;

foot and mouth disease;	scrapie;
fowl plague (fowl pest);	screw worm infestation;
glanders;	sheep pox;
infectious laryngotracheitis;	sheep scab;
Johne's disease;	surra;
lice infestation (sheep);	swine fever;
lumpy skin disease;	trichomoniasis (bovine);
melioidosis;	tuberculosis;
mucosal disease;	tularaemia;
psittacosis (ornithosis);	vesicular exanthema;
pullorum disease;	vesicular stomatitis;
rabies;	warble fly infestation;
Rift Valley fever;	Wesselbron disease,
rinderpest;	

and any other disease which the Governor in Council, by Order in Council published in the *Gazette*, declares to be a notifiable disease under and for the purposes of this Act;”;

(f) omitting the definition “ Person ” and inserting in its stead the following definition:—

“ “ Police officer ” and “ Officer of police ”—Any member of the Police Force of Queensland;”.

3. Amendments of s. 4. Section four of the Principal Act is amended by—

(a) in subsection (1), inserting after the first paragraph the following paragraph:—

“ The Governor in Council may appoint a person to be an inspector (other than the Chief Inspector, an acting inspector or an honorary inspector) in respect of the stock specified in his appointment and, if he does so, such appointee shall be an inspector in respect of the stock so specified and may exercise or perform the powers, duties and functions of an inspector only with a view to carrying this Act into effect in relation to the stock so specified.”;

(b) omitting subsection (3) and inserting in its stead the following subsection:—

“ (3) **Appointment of Approved Veterinary Surgeons.** The Minister may enter into an agreement in writing with any veterinary surgeon registered as such under “ *The Veterinary Surgeons Acts, 1936 to 1964*,” and who is qualified under paragraph (i) of subsection (1) of section eighteen of those Acts to be so registered, upon the terms, provisions and conditions upon and subject to which such veterinary surgeon will carry out the powers, functions and duties of an Approved Veterinary Surgeon and may, from time to time, enter into a like agreement varying, renewing or extending such an agreement.

The Minister may appoint a veterinary surgeon with whom he has entered into such an agreement an Approved Veterinary Surgeon by notification published in the *Gazette*.

Without prejudice to any right or remedy which the Minister may have against a party to such an agreement in respect of a breach thereof the Minister may, by notification published in the *Gazette*, terminate the appointment of an Approved Veterinary Surgeon if such veterinary surgeon contravenes or fails to comply with any term, provision or condition of his agreement with the Minister.”;

(c) adding the following subsections:—

“(4) **Agreements between the Minister and Approved Veterinary Surgeons.** The Minister may (and shall be deemed always to have had power to) enter into an agreement in writing with an Approved Veterinary Surgeon upon the terms, provisions and conditions upon and subject to which such veterinary surgeon will provide veterinary services (either generally or of a particular type or types) for the producers of milk or cream defined in such agreement upon whose produce an assessment made and levied under sections 7A or 7B of this Act subsists and may (and shall be deemed always to have had power to), from time to time, enter into a like agreement varying, renewing or extending such an agreement.

(5) For the purpose of determining the producers of milk or cream for whom veterinary services are to be provided pursuant to an agreement entered into under subsection (4) of this section such producers shall be deemed to include (subject always to the provisions of any such agreement) a person who—

(a)—

(i) where such agreement exists in respect of the supply of milk or cream for use within a prescribed area or in respect of the suppliers of milk or cream for use within a prescribed area, has supplied milk or cream for use within such prescribed area; or

(ii) where such agreement exists in respect of the supply of milk or cream to a prescribed factory or in respect of the suppliers of milk or cream to a prescribed factory, has supplied milk or cream to such prescribed factory,

within a period of six months immediately preceding the date on which the veterinary service in question is to be provided and upon whose produce an assessment made and levied under sections 7A or 7B of this Act subsisted for any part of such period; and

(b) if he is a producer of milk or cream upon whose produce there subsists an assessment made and levied under sections 7A or 7B of this Act for the purpose of defraying payments to be made from the Compensation Fund pursuant to such agreement which assessment is expressed by this Act to be payable by the producer, is not more than six months in arrear in the payment of such assessment at the date on which the veterinary service in question is to be provided.

(6) The Minister may enter into an agreement in writing with any veterinary surgeon registered as such under “*The Veterinary Surgeons Acts, 1936 to 1964*,” and who is qualified under paragraph (i) of subsection (1) of section eighteen of those Acts to be so registered, upon the terms, provisions and conditions upon and subject to which such veterinary surgeon will provide veterinary services (either generally or of a particular type or types) for the stock of persons in such areas of the State as are defined in such agreement and may, from time to time, enter into a like agreement varying, renewing or extending such an agreement.

(7) Without prejudice to any right or remedy which either party to an agreement entered into pursuant to any provision of this section may have against the other in respect of a breach thereof, either such party may, subject to the terms of the agreement in question, by notice to the other such party, terminate such an agreement whether or not there has been a breach thereof and, thereupon, neither party shall be further obliged by the terms thereof.”

4. Amendments of s. 6A. Section 6A of the Principal Act is amended by—

(a) in subsection (1), omitting the symbols and words “The Stock Diseases Compensation Fund,” and inserting in their stead the symbols and words “The Stock Diseases Compensation and Stock Improvement Fund”;

(b) omitting subsection (3) and inserting in its stead the following subsection:—

“(3) Payments may be made from the Compensation Fund in respect of—

- (a) payment of compensation pursuant to section 25B of this Act;
- (b) payment to an Approved Veterinary Surgeon pursuant to an agreement made by him with the Minister in relation to the testing of stock for tuberculosis;
- (c) payment to an Approved Veterinary Surgeon pursuant to an agreement made by him with the Minister in relation to the rendering of veterinary services;
- (d) payment of all other expenses incurred in the administration and execution of this Act in relation to the testing of stock for tuberculosis;
- (e) improvement, through artificial insemination, of dairy cattle, the stock of producers of milk or cream in respect of which products an assessment is made and levied under sections 7A or 7B of this Act.”

5. Amendments of s. 7A. Section 7A of the Principal Act is amended by—

(a) in subsection (3), omitting subparagraphs (i), (ii) and (iii) of the first paragraph and inserting in their stead the following subparagraphs:—

“(i) An assessment upon milk, but so that such assessment shall not exceed—

- (a) where the assessment is based upon volume of milk one-half of one penny upon every gallon of that milk;
- (b) where the assessment is based upon weight of butterfat contained in that milk, one and one-fifth of a penny upon every pound of such butterfat;

(ii) An assessment upon cream used in the manufacture of butter, but so that such assessment shall not exceed—

- (a) where the assessment is based upon the weight of butter manufactured from that cream, one penny upon every pound of such butter;
- (b) where the assessment is based upon the weight of butterfat contained in that cream, one and one-fifth of a penny upon every pound of such butterfat;

(iii) An assessment upon cream other than cream used in the manufacture of butter but so that such assessment shall not exceed such amount as is prescribed.”;

(b) omitting subsection (4) and inserting in its stead the following subsection:—

“(4) The Minister may make and levy an assessment under this section upon any one of the following bases:—

(a) in respect of milk—

- (i) the volume of such milk; or
- (ii) the weight of butterfat contained in such milk;

- (b) in respect of cream used in the manufacture of butter—
- (i) the weight of butter manufactured from such cream; or
 - (ii) the weight of butterfat contained in such cream;
- (c) in respect of cream other than cream used in the manufacture of butter, the base determined by the Minister in relation to the assessment concerned.”;

(c) in subsection (5), omitting from the second paragraph the general words preceding subparagraph (a) and inserting in their stead the following general words:—

“The Minister may, from time to time by notice published in the *Gazette*, revoke any assessment made and levied by him under this section whether made and levied before or after the commencement of “*The Stock Acts Amendment Act of 1965*” and may in like manner amend any such assessment—”;

(d) omitting subsection (6) and inserting in its stead the following subsection:—

“(6) Where an assessment upon milk or cream made and levied under this section by the Minister is expressed by this section to be payable by a person other than the producer of that milk or cream such person may deduct the amount of such assessment from the moneys payable by him to such producer for that milk or cream.”;

(e) omitting subsection (8) and inserting in its stead the following subsection:—

“(8) Assessments made and levied under this section shall be payable as follows:—

(a) In respect of milk or cream supplied by the producer thereof to a wholesale vendor, manufacturer of ice-cream, or to an owner of a factory, the assessment shall be paid by such wholesale vendor, manufacturer or owner, as the case may be, within fifteen days after the last day of the month in which the milk or cream, the subject of the assessment, was supplied to him;

(b) In respect of milk or cream supplied by the producer thereof to a person other than a person specified in the preceding subparagraph the assessment shall be paid by such producer within fifteen days after the thirtieth day of June and the thirty-first day of December in each year in respect of milk or cream, the subject of the assessment, produced by him during the period of six months last preceding the thirtieth day of June or, as the case may be, the thirty-first day of December last preceding.

All moneys payable under this subsection shall be remitted to the Under Secretary, Department of Primary Industries, for payment by him into the Compensation Fund.”;

(f) in subsection (9),—

(i) omitting the words and symbols “*The Milk Supply Act of 1938*,” and inserting in their stead the words and symbols “*The Milk Supply Acts, 1952 to 1961*”;

(ii) omitting the words “Brisbane Milk Board, or, as the case may be, the Under Secretary, Department of Agriculture and Stock” and inserting in their stead the words “Under Secretary, Department of Primary Industries”.

6. Amendments of s. 9. Section nine of the Principal Act is amended by—

(a) in subsection (1).—

(i) inserting after the word “introduced” where that word first occurs the words “into the State”;

(ii) omitting the words “or drover”;

(b) in subsection (2), inserting after the words “the period necessary for” the words “testing, ascertainment of the result of such testing.”

7. Amendment of s. 11. Section eleven of the Principal Act is amended by omitting the words “of either of the two last preceding sections” and inserting in their stead the words “of any one or more of the three last preceding sections”.

8. Amendments of s. 12. Section twelve of the Principal Act is amended by—

(a) renumbering the existing section as subsection (1); and

(b) adding the following subsection:—

“(2) Where pursuant to an Order in Council made under this section the introduction into Queensland from another State or territory of the Commonwealth of any carcass is—

(a) prohibited unless such carcass is accompanied by; or

(b) restricted by requiring such carcass to be accompanied by,

a prescribed document or prescribed documents an inspector may seize any carcass introduced into Queensland in contravention of such Order in Council by reason of its not being accompanied by the prescribed document or documents and, if he does seize any such carcass, shall destroy such carcass or cause the same to be destroyed unless within forty-eight hours after such seizure the prescribed document or documents are produced to him.”

9. Amendments of s. 14. Section fourteen of the Principal Act is amended by—

(a) numbering that section as subsection (1);

(b) in the first paragraph, inserting after the word “pasture” the words “or fodder”;

(c) in the third paragraph, inserting after the word “pasture,” the word “fodder,”;

(d) in the fourth paragraph, omitting the word “section” where it twice appears and inserting in its stead where so omitted the word “subsection”;

(e) adding the following subsection:—

“(2) Upon a failure in any respect to comply with the requirements of an order made under subsection (1) of this section and without prejudice to any proceedings which may be taken upon such a failure, the Minister may, after the expiration of seven days from the date of such failure, direct in writing an inspector to enter upon the premises or holding in or upon which the stock, carcass, article or thing, pasture or fodder ordered to be destroyed is or are situated and destroy or cause to be destroyed such stock, carcass, article or thing, pasture or fodder specified in the order.

For the purposes of such destruction the inspector may, if he thinks fit, remove or cause to be removed any such stock, carcass, article or thing or fodder to any other place.”

10. Amendments of s. 18. Section eighteen of the Principal Act is amended by—

(a) numbering that section down to and including the paragraph commencing with the words “No person other than an inspector” as subsection (1);

(b) omitting the paragraph commencing with the words “Upon satisfactory proof” and inserting in its stead the following subsection:—

“(2) An owner of stock who desires to travel such stock repeatedly to and from neighbouring holdings for the purpose of feeding, watering, dipping, spraying or other purpose incidental to animal husbandry shall, before so travelling such stock, apply to the nearest inspector for a special permit.

An applicant for such a permit shall particularize in his application the purpose or purposes for which he desires to repeatedly travel his stock.

The inspector to whom such an application is made, upon being satisfied of the *bona fides* of the applicant, may in his discretion issue to such applicant a special permit which shall be subject to the provisions of subsection (1) of this section so far as those provisions are not inconsistent with the provisions of this subsection.

A special permit shall subsist until it is cancelled by an inspector and, while it subsists, shall authorise the owner concerned to travel his stock to and from neighbouring holdings as often as is necessary for a purpose for which such special permit was issued.”;

(c) numbering the paragraphs from and including the paragraph commencing with the words “Where an inspector” to and including the paragraph commencing with the words “Notwithstanding the cancellation” as subsection (3).

11. Amendments of s. 19. Section nineteen of the Principal Act is amended by—

(a) omitting subsections (1), (2) and (3) and inserting in their stead the following subsections:—

“(1) A drover of stock shall, at the time of his entering upon his journey with such stock as travelling stock, and at all times throughout such journey, be in possession of—

(a) a duly completed waybill as prescribed; and

(b) a permit prescribed by section eighteen of this Act.

Where the drover of stock which, in the course of the journey concerned, will become travelling stock is not the actual owner of such stock the actual owner thereof or his superintendent or manager or authorised agent shall supply such drover with a duly completed waybill and permit specified in the preceding paragraph before he enters upon his journey with such stock as travelling stock.

(2) If a waybill is lost or destroyed after it has been supplied to the drover of the stock to which it refers and before completion of the journey for which it has been made out the drover of such stock shall forthwith take and do all steps and things necessary to obtain for himself a duly completed waybill as prescribed in lieu of the waybill so lost or destroyed.

(3) Any justice, member of the Police Force or inspector duly authorised in that behalf may inspect any travelling stock and any waybill and permit relating to such stock.

The drover of such stock shall, upon the request of a person specified in the preceding paragraph, submit for the inspection of such person such stock and such waybill and permit.”;

(b) in subsection (4), omitting from paragraphs (c) and (d) the words “police officer” and inserting in their stead in each case the words “member of the Police Force”;

(c) omitting subsection (5) and inserting in its stead the following subsections:—

“(5) Any person to whom the second paragraph of subsection (1) of this section applies who fails to comply with the provisions of that paragraph shall be liable to a penalty not exceeding one hundred pounds.

(6) Any person who purchases or receives any stock from a drover—

(a) which stock is not fully and accurately described in a duly completed waybill as prescribed; or

(b) which drover, being other than the actual owner of such stock, does not produce a written authority from the actual owner thereof to sell or otherwise dispose of such stock,

shall be liable to a penalty not exceeding one hundred pounds.”;

(d) renumbering subsection (6) as subsection (7);

(e) renumbering subsection (7) as subsection (8) and omitting from that subsection the words “subsection six” and inserting in their stead the word, brackets and figure “subsection (7)”.

12. New s. 19A. The Principal Act is amended by inserting after section nineteen the following section:—

“[19A.] **ss. 18 and 19 inapplicable in certain circumstances.** The Governor in Council may from time to time by Order in Council published in the *Gazette* declare that the provisions of sections eighteen and nineteen of this Act shall not apply in respect of stock therein prescribed either generally throughout the State or within the area or areas of the State therein prescribed and, upon such a declaration for so long as the Order in Council concerned remains in force, the provisions of those sections shall cease to apply in respect of such stock throughout the State or in such area or areas in accordance with the terms of the Order in Council.”

13. Repeal of and new s. 23. The Principal Act is amended by repealing section twenty-three and inserting in its stead the following section:—

“[23.] **Notifiable diseases.** (1) When a notifiable disease exists in stock on any holding or in travelling stock, the prescribed person shall—

(a) forthwith upon his becoming aware of the existence of such disease draft out and, as far as practicable, keep separate all stock affected with such disease from stock not so affected; and

(b) within forty-eight hours after his becoming aware of the existence of such disease give notice to the nearest inspector of the existence of such disease.

In this subsection the expression “prescribed person” means whichever of the persons in this paragraph specified first becomes aware of the existence of the notifiable disease in the stock concerned, such persons being—

(i) the owner of the stock concerned;

(ii) the owner of the holding on which the stock concerned are at the time located.

(2) When a veterinary surgeon registered as such under “*The Veterinary Surgeons Acts, 1936 to 1964*,” diagnoses a notifiable disease in stock on any holding or in travelling stock (whether in making such diagnosis he is acting as an Approved Veterinary Surgeon under this Act or in his own practice) he shall, within forty-eight hours after making such diagnosis, give notice to the nearest Government Veterinary Officer of the existence of such disease.

When such veterinary surgeon is an Approved Veterinary Surgeon the duty imposed upon him by this subsection is in addition to the duties imposed upon him by section 25A of this Act.

(3) The Governor in Council may from time to time by Order in Council published in the *Gazette* declare that the provisions of this section shall not apply in respect of the notifiable diseases therein prescribed either generally throughout the State or within the area or areas of the State therein prescribed and, upon such a declaration for so long as the Order in Council concerned remains in force, the provisions of this section shall not apply in respect of such a notifiable disease throughout the State or in such area or areas in accordance with the terms of such Order in Council.”

14. Amendment of s. 25A. Section 25A of the Principal Act is amended by inserting after subsection (13) the following subsection:—

“(14) The owner of stock inspected and tested pursuant to this section shall pay to the Under Secretary, Department of Primary Industries, for such inspection and test such amount as is prescribed if—

(a) he is a producer of milk or cream upon which an assessment made and levied under section 7A or 7B of this Act subsists; and

(b) at the time of such inspection and test he is at least six months in arrear in the payment of such assessment,

and not otherwise.”

15. Amendments of s. 26A. Section 26A of the Principal Act is amended by, in subsection (3),—

(a) inserting in paragraph (i) after the word “into” the word “within”;

(b) inserting after paragraph (iv) the following paragraph:—

“(v) For prescribing the restraint and supervision to which animals in infected areas are to be subject;”;

(c) renumbering paragraphs (v) and (vi) as paragraphs (vi) and (vii) respectively;

(d) renumbering paragraph (vii) as paragraph (viii) and inserting in that paragraph after the word “from” the words “or within”.

16. New s. 26D. The Principal Act is amended by inserting after section 26C the following section:—

“[26D.] **Pet shops.** (1) In this section, unless the context otherwise indicates or requires, the following terms shall have the meanings respectively assigned to them, that is to say:—

“Holder”—In relation to a pet shop licence granted under this section, the person in whose name such licence is, for the time being, issued whether by way of grant, assignment or transfer;

“ Pet shop ”—Premises in which there is any dog or cat for the purpose of sale (in such premises or elsewhere) of dogs or cats: The term does not include such premises wherein the occupier resides as his usual residence unless the number of dogs or cats therein for the purpose aforesaid exceeds the number for the time being prescribed.

(2) (a) The Chief Inspector, if he is satisfied that an application therefor is in conformity with this Act, may grant a pet shop licence to the applicant and may, from time to time, renew such a licence or approve of the assignment or transfer of such a licence.

(b) A pet shop licence shall, while in force, authorise the holder thereof, for so long as he complies in all respects with the conditions prescribed for a licence of that kind, to use the premises in respect of which such licence is granted as a pet shop.

(c) An application for the grant of a pet shop licence or for the renewal thereof or for the approval of an assignment or transfer thereof shall be made to the Chief Inspector in or to the effect of the prescribed form and shall contain or be accompanied by such particulars and information as are prescribed and shall be accompanied by the prescribed fee:

Provided that the Chief Inspector may waive payment of any fee where the person who would otherwise be required to pay such fee, in the opinion of the Chief Inspector conducts or, as the case may be, proposes to conduct the pet shop concerned as an adjunct to the carrying on therein of a charitable activity directed to the prevention or relief of suffering amongst animals.

(d) A pet shop licence and every renewal thereof shall be in force for such period as is prescribed and shall be granted or, as the case may be, assigned or transferred subject to the conditions prescribed for a licence of that kind.

(e) A holder of a pet shop licence shall not purport to assign or transfer such licence except with the approval of the Chief Inspector first had and obtained in writing.

A purported assignment or transfer of a pet shop licence without such approval shall be void.

(3) (a) A person shall not use premises as a pet shop unless he is authorised by a pet shop licence which is in force in respect of such premises so to do.

(b) The holder of a pet shop licence shall take all reasonable precautions to prevent the introduction into and the spreading amongst animals therein of any malady.

(4) If, in the opinion of the Chief Inspector, the holder of a pet shop licence contravenes or fails to comply with any provision of this Act the Chief Inspector may cause notice to be given to such holder calling upon him to show cause within a time limited in such notice why such licence should not be cancelled.

If within the time so limited such cause is not shown to the satisfaction of the Chief Inspector he may cancel or suspend such licence which shall thereupon cease to be in force but, in the case of a suspension thereof, only for the period of such suspension.

(5) The power of the Governor in Council to make regulations under section thirty-one of this Act shall be deemed to include power to make regulations for all or any of the following purposes:—

- (a) providing for, regulating and controlling the granting, renewal, assignment and transfer of pet shop licences, the fees payable in respect of any of the same, the period of such a licence and the conditions to which it shall be subject;
- (b) prescribing forms to be used in respect of pet shop licences and the purposes for which they are to be used;
- (c) providing for the cancellation and surrender of pet shop licences and the surrender of licences so dealt with;
- (d) providing for, regulating and controlling the inspection, cleaning and disinfection of pet shops and of animals and things therein, the seizure, treatment, destruction or other disposal of animals and things in a pet shop;
- (e) prescribing the powers of inspectors in relation to pet shops and the animals and things therein;
- (f) providing for the making of returns and the supply of information to an inspector by persons conducting pet shops;
- (g) providing for the standard of accommodation, food and drink of animals in a pet shop, providing for, regulating and controlling the proper treatment of such animals and (without limiting the scope of the expression "reasonable precautions" where used in this section) the precautions to be taken in and about pet shops against the introduction and spread of maladies;
- (h) prescribing all matters which, by this section, are required or permitted to be prescribed.

The power to regulate includes the power to prohibit."

17. Insertion of new s. 29B. The Principal Act is amended by inserting after section 29A the following section:—

"[29B.] **Protection of Minister, &c.** Subject to this Act, no matter or thing done by the Minister or by any inspector or by any officer of the Department administered by the Minister, or by any person acting with the authority of any of the persons aforesaid in good faith and without negligence for the purpose of executing this Act, shall subject the Crown, or the Minister, inspector, officer, or person as aforesaid to any liability in respect thereof."

18. Amendment of s. 31. Section thirty-one of the Principal Act is amended by, in the second paragraph, omitting the words "vaccination and".

19. Amendments of Schedule II. Schedule II to the Principal Act is amended by—

- (a) in clause 12, omitting the words "or vaccination";
- (b) in clause 17—
 - (i) inserting after the words "infected or suspected stock" the words "or carcass";
 - (ii) inserting after the words "contrary to this Act" the words "semen or other thing seized pursuant to this Act";
- (c) in clause 21, adding the words "and providing for the verification of any of the same by statutory declaration".

20. Ratification of certain payments. Payments made prior to the commencement of this Act from the Compensation Fund for the purpose of assisting the development of artificial insemination of dairy cattle are ratified and shall be deemed to be and to have always been lawful.

21. Application and validation of certain regulations. (1) Regulations with respect to any matter specified as subject matter for regulations in section sixteen of this Act may be made upon the passing of this Act and, to the extent that they are directed—

- (a) to securing that pet shop licences may be granted, assigned or transferred in accordance with the provisions of the section thereby inserted into the Principal Act prior to or forthwith upon the coming into operation of section sixteen of this Act; or
- (b) to providing for the period of or fees payable in respect of such a licence; or
- (c) to providing the conditions of such a licence,

shall be in force in accordance with the provisions of section thirty-one of the Principal Act notwithstanding that section sixteen of this Act has not come into operation.

(2) A regulation made pursuant to the Principal Act prior to the passing of this Act providing for verification or any return, notice, waybill, document or writing under the Principal Act by statutory declaration shall, to the extent it so provides, be deemed to be and to have always been a valid exercise of power to make regulations conferred by the Principal Act.