

BRANDS.

No. 59 of 1967.

AN ACT to amend the Brands Act, 1904-1966.

[Assented to 5th December, 1967.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Brands Act Amendment Act, 1967*. Short title and citation.

(2) In this Act the Brands Act, 1904-1966, is referred to as the principal Act. Reprinted in Vol. 14 of the Reprinted Acts.

(3) The principal Act as amended by this Act may be cited as the Brands Act, 1904-1967. Approved for reprint 9th April, 1959 and amended by Acts Nos. 7 of 1964 and 5 of 1966.

S. 4
amended.

2. Section four of the principal Act is amended—

- (a) by substituting for the passage, “wool brand, and tattoo-mark;” in line four of the interpretation “Brand”, the passage, “and tattoo-mark, the impression of a wool brand, and any other identifying device approved for use as a brand by the Registrar;” ;
- (b) by substituting for the words, “or any metal tag affixed to the ear of any sheep” in lines seven and eight of the interpretation “Brand” the words, “not being a device approved for use as a brand by the Registrar”; and
- (c) by adding after the interpretation “Brand Directory”, the following interpretation—

“Breed Society” means a body that carries out the registration of a particular breed of stock and that is recognised as such by the Royal Agricultural Society of Western Australia Incorporated. .

S. 8
amended.

3. Section eight of the principal Act is amended—

- (a) by substituting for the words, “or goats may” in line one of subsection (1), the passage, “shall, and a proprietor of goats may,”; and
- (b) by substituting for the word, “It” in line one of subsection (3), the passage, “Except in connection with the control of stock diseases, it”.

S. 10 repealed
and
re-enacted.

4. Section ten of the principal Act is repealed and re-enacted with amendments, as follows—

Same brand
for all stock.

10. Every proprietor possessing a registered stock brand shall use the same registered brand for all of his stock. .

5. Section eleven of the principal Act is amended— ^{S. 11} amended.

(a) by repealing and re-enacting subsection (1) as follows—

(1) Every horse and cattle brand shall—

(a) be not less than six inches in length and two inches in width, and each letter or number whether upright or horizontal shall be not less than two inches in length or width, as the case may be, and be spaced not less than three-quarters of an inch from any adjacent letter or number; and

(b) not exceed nine inches by three inches in overall measurements. ;

and

(b) by repealing and re-enacting subsection (3) as follows—

(3) Every earmark for cattle shall—

(a) be not less than seven-eighths of an inch in length and five-eighths of an inch in width;

(b) be not more than one and one-half inches in length and three-quarters of an inch in width. .

6. Section thirteen of the principal Act is amended— ^{S. 13} amended.

(a) by substituting for the passage, "stock." in line seven of subsection (2), the passage, "stock; or"; and

(b) by adding after subsection (2) a subsection as follows—

(3) remove any branding iron, pliers or other branding instrument from the run for which they are registered. .

S. 27
amended.

7. Subsection (1) of section twenty-seven of the principal Act is amended by adding after the word, "Schedule", in the last line of the proviso to paragraph (a), the passage, "and that, in the case of stud Friesian cattle, the animal may be identified by means of the photograph attached to a certificate of registration of the Friesian Cattle Club of Australia".

S. 28
amended.

8. Section twenty-eight of the principal Act is amended—

(a) by repealing and re-enacting subsection (1) as follows—

(1) (a) Subject to paragraph (b) of this subsection, the owner of any sheep shall—

(i) earmark the sheep with his registered brand; or

(ii) tattoo his registered brand on the ear of the sheep,

before the sheep attain the age of six months or, if they are removed from the run before they attain that age, before so removing the sheep.

(b) The breeder of any stud sheep may, in lieu of marking or tattooing sheep in the manner required by paragraph (a) of this subsection,—

(i) tattoo his Breed Society mark on the ear of the sheep; or

(ii) firebrand the sheep with his registered brand or Breed Society mark,

so long as the tattooing or firebranding carried out under this paragraph is carried out within the time specified in paragraph (a) of this subsection. ; and

(b) by adding after subsection (2) a subsection as follows—

(3) This section does not apply with respect to sucker lambs accompanied by their mothers. .

9. Subsections (1) and (2) of section twenty-nine of the principal Act are repealed and the following subsection substituted—

S. 29
amended.

(1) The owner of any sheep, not being stud sheep or sucker lambs accompanied by their mothers, or sucker lambs that have not attained the age of six months, that have not been shorn and that are being removed from the run for the purpose of slaughter, shall not cause or permit the sheep to be removed from the run for any purpose unless the owner has first placed his woolbrand, or some other identifying device approved for the purpose by the Registrar, in such manner as to be legible, on the sheep. .

10. The principal Act is amended by adding after section twenty-nine a section as follows—

S. 29A
added.

29A. The owner of any pigs shall not cause or permit any pig that has attained the age of ten weeks to be removed from the run for the purposes of sale or slaughter unless it has been first identified by the placing of a tattoo-mark, in the form of the owner's registered brand, on its forequarter. .

Certain pigs
to be
marked.

11. Section thirty-two of the principal Act is amended—

S. 32
amended.

(a) by substituting for subsection (3) the following subsection—

(3) seize, remove and impound any stock not branded in accordance with the provisions of this Act; ; and

(b) by deleting the words, "and shall not be removed from the run without the consent in writing of an inspector" in lines eight, nine and ten of subsection (6).

12. Section forty-five of the principal Act is amended by deleting the proviso to subsection (2).

S. 45
amended.

13. Section forty-six of the principal Act is repealed.

S. 46
repealed.

S. 47
amended.

14. Section forty-seven of the principal Act is amended—

(a) by repealing and re-enacting subsection (1) with amendments as follows—

(1) An owner of sheep shall not sell or offer for sale any of his sheep unless they are branded in accordance with the provisions of this Act. ; and

(b) by adding at the end thereof a subsection as follows—

(3) Any person who fails to comply with the provisions of this section shall be guilty of an offence against this Act. .