

VERMIN.

No. 47 of 1965.

AN ACT to amend the Vermin Act, 1918-1964.

[Assented to 8th November, 1965.]

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:—

Short title
and citation.

1. (1) This Act may be cited as the *Vermin Act Amendment Act, 1965*.

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approved
for reprint
27th June,
1963, as
amended by
Acts Nos.
32 of 1963 and
2 of 1964.

(2) In this Act the Vermin Act, 1918-1964, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Vermin Act, 1918-1965.

2. Section ninety-eight of the principal Act is amended— S. 98
amended.

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

(a) that the owner or occupier of each such holding shall suppress and destroy vermin or destroy eggs on the holding and upon the roads bounding or intersecting the holding and the means and methods to be adopted by the owner or occupier for the purpose; ;

(b) by repealing subsection (2) and re-enacting it as follows—

(2) (a) The Protection Board or a board in respect of any holding situated wholly or partly within its district may, by an inspector or authorised person cause to be served on the owner or occupier of that holding, notice in writing directing him to suppress and destroy vermin or destroy eggs on the holding and upon such roads bounding or intersecting the holding, as may be specified in the notice.

(b) The notice may be given to the owner or occupier of a holding, notwithstanding that a notice published under subsection (1) of this section, is in force in relation to that holding, and the notice may specify—

(i) the means and methods to be taken by the owner or occupier for suppressing and destroying vermin or destroying eggs on the holding and such roads; and

(ii) the time, or the period within or during which, those means and methods are to be commenced and continued. .

S. 99
amended.

3. Section ninety-nine of the principal Act is amended—

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

(1) For the purposes of section ninety-eight of this Act, a person who—

(a) being an owner or occupier of a holding does not—

(i) forthwith after the date specified in a notice published pursuant to subsection (1) of that section, comply with the notice; or

(ii) comply with a notice served on him pursuant to subsection (2) of that section;

or

(b) being a person having vermin in his possession or under his control, does not forthwith after service on him of a notice served pursuant to subsection (3) of that section, comply with the notice,

is guilty of an offence.

Penalty: For a first offence, not less than five pounds nor more than fifty pounds; for any subsequent offence not less than ten pounds nor more than fifty pounds, and where the offence is a continuing offence a further penalty of not less nor more than one pound, for each day on which the offence continues. ;

(b) by adding a subsection as follows—

(1a) Where any offence is committed by a person by reason of his failure to comply with any notice given under

section ninety-eight of this Act, by or under which he is required or directed to do anything at a particular time or within or during a particular period, that offence for the purposes of subsection (1) of this section is a continuing offence so long as the thing so required or directed to be done by the person remains undone, and notwithstanding that the particular time or period has elapsed. .

4. Section one hundred and thirteen of the principal Act is amended by adding after subsection (2) a subsection as follows—

S. 113
amended.

(3) (a) Subject to this section, any person who enters or remains upon any Crown land adjoining a Government fence and set apart for the protection or maintenance of that fence, without the written permission of the Chief Vermin Control Officer is guilty of an offence.

Penalty: One hundred pounds.

(b) Any person who enters or remains upon any such Crown land contrary to the provisions of paragraph (a) of this subsection and who on being required by an inspector, Vermin Control Officer or authorised person within the meaning of subsection (2) of section ninety-four of this Act, to give his name and address—

(i) refuses to do so; or

(ii) gives a false name and address,

is guilty of an offence.

Penalty: Twenty-five pounds. .
