

VERMIN.

2° Elizabeth II., No. V.

No. 5 of 1953.

AN ACT to amend the Vermin Act, 1918-1951.

[Assented to 3rd November, 1953.]

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 *Vermin Act Amendment Act, 1953*. Short title and citation.

(2) In this Act the Vermin Act, 1918-1951, Act No. 2 of 1919, as reprinted with amendments to and including Act No. 5 of 1943, incorporated pursuant to the provisions of the Amendments Incorporation Act, 1938 in The Reprinted Acts of the Parliament of Western Australia, Volume 2, 1943 and further amended by Acts Nos. 49 of 1946, 61 of 1950 and 44 of 1951, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Vermin Act, 1918-1953.

2. Section forty-seven of the principal Act is amended by— S. 47 amended.

- (a) adding after the section number "47" in line one the figure "1" in brackets thus—(1);
- (b) adding a subsection as follows:—

(2) The Commissioner may be paid such salary from the moneys of The Vermin Fund of the district as the Protection Board may determine from time to time.

S. 59
amended.

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

- (a) substituting for all words after the word, “substituted” in line six of paragraph (a) of subsection (2) to the end of the paragraph the words, “be not more than nine pence and not less than three-eighths of a penny for each pound of the unimproved capital value of the holding, any amount in excess of any multiple of but less than one pound to be regarded as one pound”;
- (b) adding a new subsection to follow subsection (4) as follows:—

(5) Where the total sum which may be obtained from a district by a Board when levying a rate at the maximum amounts mentioned in paragraphs (a) and (b) of subsection (2) of this section, is not sufficient to pay the cost of vermin destruction within the district, the Protection Board, subject to the approval of the Minister, may by declaration approve of a rate being levied in excess of the maximum amounts and sufficient to pay the cost.

S. 97
amended.

4. Subsection (3) of section ninety-seven of the principal Act is amended by—

- (a) adding after the word “inspector” in line one the words “or authorised person”;
- (b) adding after the word “every” in line two the words “authorised person or”.

S. 98
amended

5. Subsection (2) of section ninety-eight of the principal Act is amended by adding after the word “may” in line two the words “by an inspector or authorised person”.

S. 99
amended

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

- (a) substituting for all words in line thirteen the following:—

Penalty: For a first offence not less than five pounds or more than fifty pounds; for any subsequent offence not

less than ten pounds or more than fifty pounds and in any case where the offence is a continuing offence to a fine of one pound for each day during which the offence continues.

The minimum penalties provided by this section are penalties irreducible in mitigation notwithstanding the provisions of section one hundred and sixty-six of the Justices Act, 1902-1948 or of any other Act. ;

- (b) substituting for the word "residence" in line fifteen the word "resident".

7. Subsection (5) of section one hundred and three of the principal Act is amended by adding after the word "time" where secondly occurring in line two the words "appoint and". S. 103
amended.

8. Section one hundred and twenty-eight of the principal Act is amended by adding— S. 128
amended.

- (a) after the word "hand" in line two of paragraph (b) the following:—

or

- (c) an Inspector, an authorised person as defined in section ninety-four of this Act, or a person appointed by the Chief Vermin Control Officer in writing under his hand,
- (b) after the word "board" in line six the words "or the Agriculture Protection Board as the case may be".