

# GOVERNMENT STOCK SALEYARDS.

5° GEO. VI., No. XV.

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No. 15 of 1941.

**AN ACT** relating to the establishment, control and management of stock saleyards owned and conducted by the Crown.

*[Assented to 7th November, 1941.]*

**BE** it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western

Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.      1. This Act may be cited as the *Government Stock Saleyards Act, 1941.*

Saving provision as to Sales by Auction Act, 1937.      2. The provisions of the Sales by Auction Act, 1937 (No. 43 of 1937), shall apply, notwithstanding anything to the contrary contained in this Act, and this Act shall not be deemed to authorise the making of any regulation which may be inconsistent with or repugnant to any of the provisions of the Sales by Auction Act, 1937, aforesaid.

Interpretation.      3. In this Act, unless the context otherwise requires—  
“Controller” means the officer appointed under this Act to control saleyards to which this Act applies;  
“Minister” means the Minister of the Crown from time to time charged with the administration of this Act;  
“Officer” means an officer appointed under this Act and includes the Controller;  
“Saleyards” means a place conducted by the Crown (including a reserve) where stock are held pending or for the purpose of sale;  
“Stock” means all classes of livestock.

Administration.      4. Subject to the Minister, this Act shall be administered by the Controller.

Appointment of Controller and other officers.      5. The Governor shall appoint a Controller of Saleyards, and may appoint such other officers, inspectors, and persons as may be necessary to carry out the provisions of this Act.

Provided that, until the Governor shall determine otherwise, the person holding office for the time being or from time to time as Controller of Abattoirs under the provisions of the Abattoirs Act, 1909-1931, shall be the Controller under and for the purposes of this Act.

Establishment of saleyards.      6. (1) All saleyards established and conducted by the Crown prior to the commencement of this Act shall be

deemed to have been lawfully so established to the same extent as if this Act had been in force, and the said saleyards had been established in accordance with the provisions of this Act.

(2) The Minister may, with the approval of the Governor, from time to time establish saleyards as adjuncts of or in connection with abattoirs established and conducted as Government Abattoirs under the provisions of the Abattoirs Act, 1909-1931.

7. (1) All saleyards hitherto established by the Crown shall be maintained and controlled subject to the provisions of this Act. Saleyards to be subject to this Act.

(2) All saleyards hereafter established by the Minister under the authority of this Act shall be maintained and controlled subject to the provisions of this Act.

(3) The Minister shall in every year cause a full and true balance sheet and a profit and loss account of each saleyard to be compiled and submitted to the Auditor General for audit. Copies of each such balance sheet and profit and loss account shall be laid before both Houses of Parliament on or before the thirtieth day of September in each year, if then sitting, or at the next ensuing session thereof.

8. The Governor may make regulations in relation to any of the following matters, namely— Regulations.

- (a) the appointment, powers, and duties of officers;
- (b) the use, control, and management of saleyards;
- (c) the sustenance, treatment, and management of stock within the saleyard before sale and prior to removal after sale;
- (d) the cleansing and disinfection of saleyards, and of all machinery, apparatus, works, and things used in connection with saleyards;
- (e) the removal and disposal of waste matter and filth from saleyards;
- (f) the records to be kept and the reports or returns to be made by persons in charge of saleyards;

- (g) the imposition and collection of fees, charges, rents and tolls for the use of saleyards;
- (h) the admission to and removal from saleyards of persons frequenting saleyards and the conduct of persons in saleyards; and
- (i) all other things necessary or convenient to be prescribed for carrying this Act into effect.

**Offences.**

**9.** Any person who—

- (a) resists or obstructs an officer in the course of his duty; or
- (b) refuses to give information or gives false information in answer to any inquiry made by an officer in the course of his duty; or
- (c) refuses or neglects to obey the written order of an officer; or
- (d) refuses or neglects to keep any prescribed record, or make any prescribed report, or to produce the same, on demand, when required so to do by an officer, or makes any false entry in any such record or report; or
- (e) refuses or neglects to give any prescribed notice—

shall be guilty of an offence against this Act.

The Governor may prohibit sales of stock elsewhere than in a saleyard.

**10.** (1) The Governor may by regulation prohibit the sale of stock, or of any specified kind of stock, within the metropolitan abattoirs district or the goldfields abattoirs district, as from time to time constituted under and for the purposes of the Abattoirs Act, 1909-1931, in any saleyard other than a saleyard to which this Act applies, for any period specified in such regulation.

(2) Any person who, within the metropolitan abattoirs district or the goldfields abattoirs district aforesaid sells stock in any saleyard other than in a saleyard to which this Act applies in contravention of any such regulation shall be guilty of an offence against this Act.

1941.]

*Government Stock Saleyards.*

[No. 15.

(3) This section shall not apply to the sale of dairy cattle or horses.

11. Any person guilty of an offence against this Act or of a breach or offence against any regulation made under this Act shall be liable on summary conviction to a penalty not exceeding fifty pounds. <sup>Penalties</sup>

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