

VERMIN.

16° GEO. V., No. XXIX.

No. 29 of 1925.

AN ACT to amend the Vermin Act, 1918.

[Assented to 16th December, 1925.]

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:—

1. This Act may be cited as the *Vermin Act Amendment Act*, 1925, and shall be read as one with the Vermin Act, 1918, hereinafter referred to as the principal Act. Short title.
2. Section two of the principal Act is hereby repealed, and a section is substituted therefor as follows:—
 2. This Act shall apply throughout the State. Application of Act.
3. Section three of the principal Act is amended by omitting the words "shall cease to have effect in that portion of the State to which this Act applies," and by inserting in place thereof the words "are hereby repealed." Amendment of sec. 3.
4. Section four of the principal Act is amended as follows:—
 - (1.) By adding to the interpretation of "Holding" the words, "The term 'holding' also includes a timber lease or concession, and land held under a sawmill or other permit under the Land Act, 1898, or the Forests Act, 1918. The term does not include any holding under the Mining Act, 1904." Amendment of sec. 4.
 - (2.) By inserting in line (c) of the interpretation of "owner," after the words "homestead farm," the words "or any other holding as hereby defined."

(3.) By adding to the interpretation of "Vermin" a proviso as follows:—

Provided also that any proclamation whereby the names of other animals or birds are added to the Third Schedule may be restricted in its operation to any portion of the State to be defined by the proclamation.

Amendment of
sec. 45 (3).

5. Subsection (3) of section forty-five of the principal Act is amended by omitting the words "but the road district continues to be wholly comprised in that part of the State to which this Act applies," and the words "subject as aforesaid."

Amendment of
sec. 59.

6. The proviso to subsection (2) of section fifty-nine of the principal Act is amended by inserting before the words "this Act" the words "this Part of."

Insertion of new
section after sec. 63.

7. A new section is hereby inserted in the principal Act as follows:—

Rates to carry
interest.

63A. When any rates shall remain unpaid for a period of twelve months after the same have become due and payable, such rates shall thereafter bear interest at the rate of five pounds per centum per annum, calculated at simple interest, and such interest shall be recoverable in the same manner as rates are recoverable under the provisions of this Act; but discount not exceeding five pounds per centum for payment of current rates made within thirty days of receipt of assessment notice may be allowed by the Board.

Amendment of
sec. 87.

8. Subsection (2) of section eighty-seven of the principal Act is amended by inserting after the word "shall" in line four the words "in such case"; and by inserting after the word "mortgagee" in line five the words "or to the Minister or to the Board," and subsection (5) thereof is amended by inserting after the word "performed," in line nine, the words "the Agricultural Bank as mortgagee, or."

Amendment of
sec. 96.

9. Section ninety-five of the principal Act is hereby amended by the addition of subsections as follows:—

(2.) Any inspector or other person who has entered and searched any holding under the provisions of this section shall draw up and sign a report of the result of such entry and search.

(3.) Every Government inspector shall furnish such report to the Minister, and every inspector appointed by a board shall furnish such report to the board.

(4.) Such report shall be presumptive evidence of the truth of the matters therein stated, and may be inspected and made use of at any time by the Chief Inspector or any person authorised by him in that behalf.

10. A section is inserted in the principal Act as follows:—

Insertion of new section after sec. 100.

100A. (1.) Every owner of a holding shall pay to the Minister annually on demand a rate of such amount as may be fixed by the Minister by notice in the *Gazette*, but not to exceed one penny in the pound of the unimproved capital value of land held under pastoral lease, or one half-penny in the pound of the unimproved capital value of other holdings, as assessed for the time being by the Commissioner of Taxation under the Land and Income Tax Assessment Act, 1907-1924:

Special rate for destruction of vermin.

Provided that owners of holdings within any municipal district, or any townsite, or residential area under the Land Act, 1898, shall not be liable to the payment of such rate.

Provided also, that if a holding or group of holdings is and continues wholly enclosed with a vermin fence to the satisfaction of the Chief Inspector, the owner of such holding or of any holding within such group shall not be liable to the payment of such rate.

(2.) The amount of such rate shall, if required by the Minister, be collected by the Commissioner of Taxation, and in such case payment may be demanded by the Commissioner, and in default of payment shall be recoverable by him as if the rate were land tax in arrear.

(3.) All rates recovered under this section shall be paid to the credit of an account to be kept at the Department of Agriculture, and, subject to regulation, shall be applied under the direction of the Minister in payment of such uniform bonus for the destruction of wild dogs, eagle-hawks and foxes, and such other vermin as may be prescribed.

(4.) The Minister shall appoint an honorary advisory board, consisting of three persons, to assist the Minister in the administration of this section. One member of the board shall be a representative of the pastoral industry, and one shall be a representative of the agricultural industry, and the third member, who shall be chairman, shall be an officer of the Department of Agriculture.

(5.) This section shall not apply to any holding which does not exceed one hundred and sixty acres in area.

(6.) If any holding is not assessed or assessable by the Commissioner of Taxation, the rate to be payable as aforesaid shall be assessed on the valuation of the holding as assessed under the Road Districts Act, 1919, or, in the case of timber leases or concessions, or land held under sawmill or other permit under the Land Act Amendment Act, 1904, or the Forests Act, 1918, on the value at which, under paragraph (ii) of the second proviso to subsection (1) of section two hundred and fourteen of the Road Districts Act, 1919, land held or used under lease, license or concession for cutting and removing timber is assessable.

11. A section is inserted in the principal Act as follows:—

107A. Any person who, by production of scalps obtained elsewhere than within the State, obtains or attempts to obtain payment of a bonus for the destruction of vermin, shall be guilty of an offence.

Penalty: Two hundred and fifty pounds or twelve months' imprisonment.

12. Subsection (1) of section one hundred and twenty-five of the principal Act is amended by inserting a paragraph as follows:—

(d) the Conservator of Forests, that any person is registered in the Forests Department as the holder of a timber lease, concession, or permit.

13. Parts I. and II. of the Second Schedule to the principal Act are amended by substituting for the words "a maximum mesh of one and a-quarter inches" the words "a maximum mesh of one and a-half inches."

Penalty for obtaining bonus by fraud.

Amendment of sec. 125.

Amendment of 2nd Schedule.