



Western Australia.

ANNO QUADRAGESIMO SEPTIMO  
VICTORIÆ REGINÆ.

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No. XV.

AN ACT to provide for the Destruction of Rabbits in Western Australia.

[Assented to, 8th September, 1883.]

WHEREAS it is expedient to provide for the destruction of Rabbits in the Colony of Western Australia: Be it enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

1. THIS Act may be cited as “The Destruction of Rabbits Act, 1883.” Short Title.

2. IN this Act the following words shall have the meanings respectively assigned to them, if not inconsistent with the context— Interpretation.

“Rabbit” shall mean any live rabbit, whether tame or wild.

“Occupier” shall mean the person in actual occupation of any lands.

3. IT shall not be lawful for any person to bring to land in the Colony, or to keep or have in his possession on land within the Penalty for importing or keeping rabbits.

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Colony, any rabbit except as provided in the following section; and every person offending against the provisions of this section shall be liable, on conviction thereof before any two Justices of the Peace, to a penalty not exceeding Five pounds.

Rabbits may be kept on islands five miles from the seaboard.

4. NOTWITHSTANDING anything to the contrary in the preceding section contained, it shall be lawful to keep or have rabbits upon any island within the territorial dominion of the Colony situated not less than five miles from the seaboard, and which may not be leased by the Crown for pastoral purposes.

Appointment of Inspectors.

5. IT shall be lawful for the Governor to appoint certain persons to be inspectors for the purpose of carrying out the provisions of this Act (which appointments shall be forthwith notified in the *Government Gazette*); and a copy of such Gazette containing a notice of such appointment, and purporting to be printed by the Government Printer, shall be received in all Courts of Justice as evidence of the appointment of such persons.

Occupier to give notice of rabbits on his land.

6. EVERY occupier upon whose land there shall be any rabbits, or any signs or marks of rabbits, shall immediately give notice thereof to the inspector whose residence shall be nearest to such land; and any such occupier who shall fail to give such notice shall be liable, upon conviction thereof before any two Justices of the Peace, to a penalty not exceeding Five pounds.

Occupier to destroy rabbits on his land.

7. IT shall be the duty of every occupier of land upon which there shall be any rabbits to do forthwith all things which may be necessary for the purpose of destroying such rabbits; and if any inspector shall have reason to believe that there are rabbits upon any land as aforesaid, and that the occupier refuses or neglects to destroy the same, the inspector shall, by notice in writing, require the occupier forthwith to destroy the same; and if after ten days from the service of such notice the said occupier shall not have destroyed or taken efficient means to destroy such rabbits, it shall be lawful for the inspector, or for any persons authorised by the inspector, by writing in that behalf, to enter upon such lands, and do all things necessary for the destruction of such rabbits, exclusive of the use of poison, unless with the occupier's consent. Provided that nothing herein contained shall exempt any person, acting in pursuance of the powers hereby conferred, from any liability for unnecessary damage caused by his negligent act or default.

Inspector to enter on lands to inspect.

8. IT shall be lawful for any inspector, or for any person authorised in writing in that behalf by any inspector, after notice given to the occupier of lands as aforesaid, to enter upon such lands, at any reasonable hour in the day-time, for the purpose of ascertain-

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ing whether any rabbits are thereon; and no person entering as aforesaid shall be deemed a trespasser, or be liable for any damage done to such land, unless the same was unnecessary, and caused by his negligent act or default. Provided that every person (not being an inspector) as aforesaid shall exhibit such written authority, if required to do so by such occupier, and if such person shall fail to do so then he shall be deemed to be a trespasser on such land.

9. ANY inspector, or any person authorised in writing by an inspector, may, from time to time, enter upon any unoccupied or reserved Crown lands for the purpose of destroying, and may destroy the rabbits on such lands.

10. ALL penalties recoverable under this Act shall be recovered in a summary way before two or more Justices of the Peace, according to the provisions of the Acts in that behalf.

In the name and on behalf of the Queen I hereby assent to this Act.

F. NAPIER BROOME, Governor.