



# WESTERN AUSTRALIA.

ANNO QUADRAGESIMO QUINTO

# VICTORIÆ REGINÆ.

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No. II.

AN ACT to amend "The Scab Act, 1879."

[ Assented to, 16th September, 1881. ]

WHEREAS it is expedient to amend the law relating to the prevention and extermination of Scab in Sheep, and to make further provisions with reference thereto: Be it therefore 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**1** THE eighth and the thirty-second sections of "The Scab Act, 1879," shall be and are hereby repealed. Repeal.

**2** IN the construction of, and for the purposes of "The Scab Act, 1879," and of this Act, the word "owner" wheresoever occurring in the said Acts shall not be interpreted as including the shepherd, unless such shepherd shall also be the overseer or *bonâ fide* owner of such sheep. Interpretation of the word "owner."

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Where penalty inflicted, sheep may be sold to satisfy the same.

**3** IN every case where any penalty or penalties shall have been imposed under the thirteenth and fourteenth sections of "The Scab Act, 1879," or any expenses shall have been incurred by any Inspector in the performance of his duties imposed upon him by the said sections, such Inspector shall give notice in writing of the amount of such penalty or penalties, and of such expenses (if any), to the owner of the sheep in respect of which such penalty and such expenses (if any) have been incurred; and if the amount of such penalty and expenses shall not be paid by such owner within one month, it shall be lawful for such Inspector to sell, or cause to be sold, so many of the said sheep, at public auction, as in his opinion may be necessary to cover the said penalty and expenses (if any); and the proceeds of such sale shall be applied in the first instance to the payment of such penalty or penalties, and of such expenses (if any) as shall have been incurred as aforesaid, and the surplus (if any) shall be paid to the owner of the said sheep.

When a district may be exempted from contribution.

**4** WHEN any district shall have been reported to the Governor by the board of advice, or such other authority as may appear sufficient, to have been "clean," within the meaning of "The Scab Act, 1879," during a period of three years, and during such period only as such district shall continue to be so clean, it shall be lawful for the Governor to declare that such district shall not be liable to pay any contribution under the provisions of the said Act, nor of an Act passed in the forty-fourth year of Her Majesty, intituled "An Act to amend the Scab Act, 1879."

Compulsory dipping.

**5** EVERY owner of sheep, in respect of which a compulsory license shall have been issued under the eighth section of "The Scab Act, 1879," shall cause the said sheep to be dipped in some liquid wash deemed sufficient, in the opinion of the Inspector, for the eradication of scab; and in no case shall an Inspector declare any such sheep to be clean, within the meaning of the said Act, until he shall have been satisfied that such sheep have been well and sufficiently dipped as aforesaid.

Returns of sheep to be made.

**6** EVERY owner of sheep shall, on the last Saturday in the month of December in each year, make a return in writing, signed by him, of all sheep kept and depastured by him; and if such sheep are kept and depastured by such owner in separate districts, then such owner shall make separate returns of all sheep so kept and depastured in such separate districts, and shall deliver or cause to be delivered such return or returns, within fourteen days after the same shall have been made, to the Resident Magistrate or Magistrates

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Magistrates of the respective districts within which such sheep are so kept and depastured; and any owner who shall make default herein shall be guilty of an offence within the meaning of "The Scab Act, 1879."

7 THE owner of any sheep which may be, or become infected shall, within ten days of the disease breaking out amongst such sheep, send in writing by messenger, or through the post, or by telegraph, to the Inspector of his district, and also to the Colonial Secretary, a notice of such infection, with a correct account of the infected sheep, stating the number thereof, and describing their several marks or brands, and precisely defining the localities in which they are respectively kept or depastured. And if the owner of any sheep which have become so infected shall neglect or omit to give such notice as is hereby required, upon information being laid by any Inspector of such default, if the Justices before whom the case shall be tried shall be of opinion that such sheep had been infected for a longer period than ten days to the knowledge of the owner, and that the notice hereby required to be given was not given within the time above specified, such owner shall be deemed guilty of an offence on and for every day beyond the said ten days during which such neglect shall have continued. And such or any other Inspector may examine such or any other infected sheep, and on being satisfied that the same are infected sheep, or on being satisfied with or without any inspection or examination, irrespective of such notice, or in cases where such notice has not been received, that any sheep are infected, shall issue as of course to such owner a compulsory license to keep any infected sheep, for the purpose of cleaning the same in quarantine.

Notice of infection to be given to Inspector and Colonial Secretary within ten days.

Penalty on neglect.

A compulsory license for cleaning infected sheep to be issued.

8 THIS Act and "The Scab Act, 1879," as altered by this Act, shall be read together as one Act.

Incorporation with "The Scab Act, 1879."

9 THIS Act may be cited as "The Scab Act, Amendment Act, 1881."

Short Title.

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

WILLIAM C. F. ROBINSON, Governor.