



Western Australia

## **The Wild Cattle Nuisance Act 1871, Amendment Act 1878**

This Act was repealed by the *Statutes (Repeals and Minor Amendments) Act 2003* s. 20(2) (No. 74 of 2003) as at 15 Dec 2003 (see s. 2).



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# **The Wild Cattle Nuisance Act 1871, Amendment Act 1878**

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## **The Wild Cattle Nuisance Act 1871, Amendment Act 1878**

**An Act to amend *The Wild Cattle Nuisance Act 1871*.**

### **Preamble**

Whereas it is expedient to provide for the punishment of persons who, without being duly licensed or in excess of the authority given by their license, hunt after and kill wild cattle; and whereas it is expedient to amend *The Wild Cattle Nuisance Act 1871*; 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. Short title**

This Act may be cited for all purposes as *The Wild Cattle Nuisance Act 1871, Amendment Act 1878*<sup>1</sup>.

#### **2. No unlicensed person to kill wild cattle**

Any person who, after the passing of this Act, shall kill or destroy any wild cattle without being licensed under the said Act to kill wild cattle, or upon any lands except those over which he may be licensed as aforesaid to kill wild cattle, shall, on conviction, forfeit and pay any sum not exceeding \$2 000.

*[Section 2 amended by No. 20 of 1989 s. 3.]*

#### **3. Onus of proof**

Any person who shall be shown to have killed or destroyed any horse or horned stock, except at a homestead, stockyard,

**s. 5**

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slaughteryard, or other enclosure erected for the purpose, shall be deemed, for the purposes of any prosecution under this Act, to have killed wild cattle, unless he can show that the animal which he killed was a branded animal, which he had lawful authority to kill.

[4. *Omitted under the Reprints Act 1984 s. 7(4)(e).*]

**5. Licences to kill wild cattle or wild horses**

The licences to be granted under the said Act shall be licences authorising the destruction of wild cattle as defined by the said Act, or licences to kill wild horses only. For licences to kill wild cattle as aforesaid, a fee of \$4 shall be charged. Any person holding either of the above named licences shall be deemed to be a licensed person within the meaning of the said Act.

*[Section 5 amended by No. 113 of 1965 s. 8(1).]*

**6. Incorporated with 34 Vict., No. 24.**

This Act and the said Act of 1871<sup>2</sup> shall be read and construed together as one Act.

### Notes

- <sup>1</sup> This reprint is a compilation as at 10 January 2003 of *The Wild Cattle Nuisance Act 1871, Amendment Act 1878* and includes the amendments made by the other written laws referred to in the following table.

#### Compilation table

Short title	Number and year	Assent	Commencement
<i>The Wild Cattle Nuisance Act 1871, Amendment Act 1878</i>	42 Vict. No. 14	16 Jul 1878	16 Jul 1878
<i>Decimal Currency Act 1965</i>	113 of 1965	21 Dec 1965	s. 4-9: 14 Feb 1966 (see s. 2(2)); balance: 21 Dec 1965 (see s. 2(1))
<i>Agricultural Legislation (Penalties) Amendment Act 1989 s. 3</i>	20 of 1989	1 Dec 1989	15 Dec 1989 (see s. 2 and <i>Gazette</i> 15 Dec 1989 p. 4513)

**This Act was repealed by the *Statutes (Repeals and Minor Amendments) Act 2003 s. 20(2) (No. 74 of 2003)* as at 15 Dec 2003 (see s. 2)**

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- <sup>2</sup> *The Wild Cattle Nuisance Act 1871.*