



Western Australia

Agriculture and Related Resources Protection Act 1976

**Agriculture and Related Resources Protection
(Payment for Destruction of Declared Animals)
Regulations**

As at 05 Dec 2003

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5 December 2003

Western Australia

Agriculture and Related Resources Protection (Payment for Destruction of Declared Animals) Regulations

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Agriculture and Related Resources Protection (Payment for Destruction of Declared Animals) Regulations

1. Citation

These regulations may be cited as the *Agriculture and Related Resources Protection (Payment for Destruction of Declared Animals) Regulations*¹.

2. Interpretation

In these regulations unless the contrary intention appears —
claim means a claim for a bonus in accordance with regulation 3;

regulation means one of these regulations.

3. Rate of animal destruction bonus

Any claim for a bonus pursuant to section 8(1)(k) of the *Agriculture Protection Board Act 1950* shall be made either —

- (a) to a Shire Clerk or other person authorised by a local authority which acts as an agent of the Board; or
- (b) to an officer of the Protection Board authorised to receive such claims.

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4. Evidence required for bonus payment

A claimant shall produce for the payment of a bonus for —

- (a) a dingo, dingo hybrid or domestic dog run wild or being at large — the scalp consisting of 2 ears joined by a strip of skin and the tail;
- (b) a feral goat — a pair of ears;
- (c) any other declared animal for which a bonus is payable — such evidence required by the Chief Officer as will prove that the animal has been destroyed.

5. Statement to accompany claim

- (1) A claim relating to the destruction of an animal that has been destroyed on private land shall be accompanied by a statement from the owner or manager of that land that in so far as he can ascertain the animal was destroyed on or adjacent to that land.
- (2) A claim relating to the destruction of an animal that has been destroyed on Crown land as defined in the *Land Act 1933*² or on land under the control of a Government department shall be accompanied by a statement from an authorised person that so far as he can ascertain the animal was destroyed on that land and such a claim may only be made by a person authorised to destroy such animals by the Protection Board.

6. Receipt of claim

Every claim shall be acknowledged by written receipt listing the items submitted as evidence of destruction of the animal.

7. Destroying items submitted as evidence

The person receiving a claim shall arrange for the items submitted as evidence of destruction of the animal to be destroyed by fire —

- (a) in the case where a local authority acts as an agent of the Protection Board the destruction shall be witnessed by —
 - (i) the Shire Clerk or person authorised by him and 2 Shire Councillors; or
 - (ii) the Shire Clerk or person authorised by him, a Shire Councillor and an authorised person;
- (b) in the case where an officer of the Protection Board receives the claim the destruction shall be witnessed by —
 - (i) that officer and any other 2 persons who are either members of the Regional Advisory Committee for the area or authorised persons; or
 - (ii) that officer, another Protection Board officer and a person who is either a member of the Regional Advisory Committee for the area or an authorised person,

and a certificate shall be signed by the witnesses stating that the items were counted and destroyed.

[Regulation 7 amended in Gazette 13 Feb 1987 p. 385.]

8. Who may pay bonus

- (1) Where a claim is made to a local authority acting as an agent of the Protection Board and the Shire Clerk or person authorised by him is satisfied with the evidence of destruction of a declared animal and the compliance with these regulations by the claimant he may —
 - (a) pay the claimant the appropriate bonus fixed by declaration and submit to the Protection Board a

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statement that payment has been made together with a duly signed certificate of destruction; or

- (b) submit to the Protection Board a statement that a claim has been made together with the duly signed certificate of destruction and request the Protection Board to pay the claimant direct.
- (2) Where a claim is made to an officer of the Protection Board the officer shall submit to the Protection Board a statement that a claim has been made together with the certificate of destruction.

9. Protection Board to reimburse

- (1) On receipt of the documents referred to in regulation 8(1)(a), the Protection Board shall reimburse the local authority the amount paid.
- (2) On receipt of the documents referred to in regulation 8(1)(b) or (2) the Protection Board shall pay to the appropriate persons the payment due according to the bonus applicable.

10. Offence and penalty

Any person who —

- (a) fails or omits to do any act or thing which by these regulations he is required to do;
- (b) makes a false claim; or
- (c) represents that a declared animal was destroyed in a zone, region or area other than the zone, region or area in which the declared animal was destroyed,

commits an offence and is liable on conviction to a penalty for a first offence of not more than \$1 000 and not less than \$200 and in the case of a second or subsequent offence to a penalty of not more than \$2 000 and not less than \$1 000.

Notes

- ¹ This reprint is a compilation as at 5 December 2003 of the *Agriculture and Related Resources Protection (Payment for Destruction of Declared Animals) Regulations* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Agriculture and Related Resources Protection (Payment for Destruction of Declared Animals) Regulations</i>	6 Jul 1979 p. 1859-60	6 Jul 1979
<i>Agriculture and Related Resources Protection (Payment for Destruction of Declared Animals) Amendment Regulations 1987</i>	13 Feb 1987 p. 385	13 Feb 1987
Reprint 1: The <i>Agriculture and Related Resources Protection (Payment for Destruction of Declared Animals) Regulations</i> as at 5 Dec 2003 (includes amendments listed above)		

- ² Under the *Land Administration Act 1997* s. 281(3) a reference in a written law to the *Land Act 1933* is, unless the contrary intention appears, to be construed as if that reference were a reference to the *Land Administration Act 1997*.