

STOCK DISEASES.

9° Elizabeth II., No. XXIV.

No. 24 of 1960.

AN ACT to amend the Stock Diseases Act, 1895-1954, and to repeal The Scab Act, 1888, The Scab Act, 1891, The Scab Act, 1891, Amendment Act, 1893 and The Scab Act Amendment Act, 1894.

[Assented to 21st October, 1960.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title
and citation.

1. (1) This Act may be cited as the *Stock Diseases Act Amendment Act, 1960.*

(2) In this Act the Stock Diseases Act, 1895-1954, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the *Stock Diseases Act, 1895-1960.*

2. The principal Act is amended by adding after section one the following section:—

S. 1A
added.

1A. This Act shall be read and construed so as not to exceed the legislative power of the State, the intention being that where any enactment in this Act would, but for this section, have been construed as being in excess of that power, it shall, nevertheless, be a valid enactment to the extent to which it is not in excess of that power.

Severability.

3. Section two of the principal Act is amended—

S. 2
amended.

- (a) by substituting for the words, “the colony or country” in lines four and five the words, “the State of the Commonwealth or part of the Commonwealth”; and
- (b) by deleting the words, “imported or” in line five.

4. Section three of the principal Act is amended—

S. 3
amended.
See Act No.
20 of 1918.

- (a) by deleting the subsection designation, “(1)” in line one;
- (b) by substituting for the words, “the First Schedule” in line one, the passage, “Schedule A”; and
- (c) by repealing subsections (2), (3), (4) and (5).

5. Section four of the principal Act is amended—

S. 4
amended.
See Act No.
20 of 1918.

- (a) by deleting the passage, “and in any regulations made hereunder,” in lines one and two;
- (b) by deleting the passage, “except the disease of scab in sheep” in line three of the interpretation “Disease”;
- (c) by substituting for the interpretation “Imported Stock” the following interpretation—

“imported stock”—All stock arriving in this State whether by land, sea or air from any place in any other State of the Commonwealth or part of the Commonwealth: ;

- (d) by deleting the words, "other than scab" in lines one and two of the interpretation, "Infected Stock"; and
- (e) by adding after the word, "vessel" in line three of the interpretation, "Infected Stock" the words, "or in or on the same conveyance".

S. 5
repealed and
re-enacted.

6. Section five of the principal Act is repealed and re-enacted as follows—

Governor
may prohibit
importation
of infected
stock into
the State.

5. (1) In any case where he deems it necessary for the purpose of preventing the introduction or dissemination of disease into or in the State, the Governor may, from time to time by proclamation, prohibit or put restrictions on the introduction into the State from any other State of the Commonwealth or part of the Commonwealth specified in the proclamation of any infected stock or stock suspected to be infected for such specified period or until the happening of such specified event as may appear to him necessary or expedient for the purpose.

(2) A proclamation made pursuant to this section may be varied or revoked by subsequent proclamation.

(3) A person who disobeys, contravenes or fails to observe any prohibition or restriction imposed or made by a proclamation made under this section commits an offence against this Act.

Penalty: Six months' imprisonment or five hundred pounds.

S. 6
amended.

7. Subsection (1) of section six of the principal Act is amended—

See s. 33,
Act No. 20 of
1918.

- (a) by substituting for the passage, "from time to time make, vary, alter, or revoke such regulations under this Act" in lines one and two the words, "make such regulations";
- (b) by deleting the words, "or imported" in line two of paragraph (1) and by substituting for the word, "Colony" being the last word

in that paragraph the words, "State from any other State of the Commonwealth or part of the Commonwealth";

(c) by substituting for the word, "Colony" in line two of paragraph (5) the word, "State";

(d) by adding after paragraph (9b) the following paragraph—

(9c) For imposing a maximum penalty of one hundred pounds for a breach of any regulation made under paragraph (9a) of this subsection.

(e) by deleting the passage commencing with the word, "All" in the fifth last line down to and including the word, "Session" being the last word in the subsection; and See s. 36, Act No. 20 of 1918.

(f) by adding after the word, "regulations" in line one of subsection (2) the passage, "except in respect of a regulation made under paragraph (9a) of subsection (1) of this section."

8. Section seven of the principal Act is repealed. S. 7 repealed.

9. Section eight of the principal Act is repealed. S. 8 repealed.

10. Section twelve of the principal Act is repealed. S. 12 repealed.

11. Section thirteen of the principal Act is amended— S. 13 amended.

(a) by substituting for the word, "imported" and the word, "Colony" respectively in line one, the word, "introduced" and the word, "State"; and

(b) by adding after the word, "vessel" in line four the words, "or in the conveyance."

S. 14
amended.

12. Section fourteen of the principal Act is amended—

- (a) by substituting for the word, “Colony” in line two and again in the last line, the word, “State”;
- (b) by adding after the word, “vessel” in line six the words, “or conveyance”; and
- (c) by adding after the word, “Colony” being the last word in the section, the words, “until it is so examined and a permit so granted in respect thereof.”

S. 16
amended.

13. Section sixteen of the principal Act is amended—

- (a) by substituting for the word, “shall” in line one, the word, “may”; and
- (b) by substituting for the word, “the” in line two the word, “a.”

S. 19
amended.

14. Section nineteen of the principal Act is amended—

- (a) by deleting the words, “imported or” in line one; and
- (b) by substituting for the word, “Colony” in line two the word, “State.”

S. 20
amended.
See Act No. 17
of 1957.

15. Section twenty of the principal Act is amended by substituting for the words, “Resident or Police” in the second last line the word, “Stipendiary.”

S. 23
amended.

16. Section twenty-three of the principal Act is amended—

- (a) by deleting the passage, “C,” in line one; and
- (b) by substituting for the passage, “the Schedule to ‘The Shortening Ordinance, 1853,’” in lines one and two the passage, “‘The Second Schedule to the Interpretation Act, 1918.’”

17. Schedule A to the principal Act is amended by adding to the first and second columns thereof the following:—

Schedule A
amended.

52 Vic., No. 11—The Scab Act, 1888.

54 Vic., No. 16—The Scab Act, 1891.

56 Vic., No. 13—The Scab Act, 1891, Amendment Act, 1893.

58 Vic., No. 27—The Scab Act Amendment Act, 1894.

18. Schedule B to the principal Act is deleted.

Schedule B
deleted.

19. Schedule C to the principal Act is amended by adding after the word, “ship” in the fourth column the words, “or conveyance.”

Schedule C
amended.

20. Schedule D to the principal Act is amended by adding after the word, “ship” in the fourth column the words, “or conveyance.”

Schedule D
amended.
