

**VERMIN.**

5° Elizabeth II., No. LVII.

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 No. 57 of 1956.
 

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**AN ACT to amend the Vermin Act, 1918-1954.***[Assented to 27th December, 1956.]*

**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:—

1. (1) This Act may be cited as the *Vermin Act Amendment Act, 1956.* Short title and citation.

(2) In this Act the Vermin Act, 1918-1954,

Act No. 2 of 1919 as reprinted with amendments up to and including Act No. 5 of 1953 incorporated pursuant to the provisions of the Amendments Incorporation Act, 1938, and as further amended by Act No. 44 of 1954,

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is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Vermin Act, 1918-1956.

S. 102A  
added.

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

Protection of  
human  
health and  
life.

102A. (1) In this section—

“to take rabbits” means to trap, snare, shoot, or catch rabbits by any means except by poisoning.

(2) The object of this section is to protect human health and life from danger or detriment likely to result from consumption of poisoned rabbits as food.

(3) Where the Protection Board or a board of a district proposes to use, or specify under section ninety-eight of this Act the use of, poison or other means likely to endanger or be detrimental to human health or life, for the destruction of vermin in any part of the State, the Protection Board or board, as the case may be, shall cause notice to be published in the *Gazette*, the local newspaper or newspapers circulating in the area, and in such other manner as the Protection Board, or board considers necessary in order to notify the public of the proposal.

(4) In the notice the Protection Board, or the board, shall cause to be stated—

- (a) the proposal,
- (b) the part of the State to which the proposal relates;
- (c) notification that taking of rabbits is prohibited in that part of the State until such time as a further notice, cancelling the prohibition, is advertised by the Protection Board, or board, as the case may be;

- (d) notification that taking rabbits in breach of the prohibition is punishable as mentioned in subsection (6) of this section; and
- (e) a warning that rabbits taken in breach of the prohibition, are likely to endanger or be detrimental to human health or life, if consumed as food.

(5) Where the Protection Board, or a board has caused a notice to be, published under subsection (4) of this section, if the Protection Board or board is of opinion that the prohibition mentioned in that notice may without danger or detriment to human health or life be cancelled, the Protection Board or board, shall cause a further notice cancelling the prohibition to be advertised in the *Gazette*.

(6) A person who takes or attempts to take rabbits in the part of the State mentioned in a notice published under subsection (4) of this section, after publication of the notice and before publication of a further notice cancelling the prohibition mentioned in the former notice, commits an offence against this Act.

Penalty: Maximum, one hundred pounds.

3. Section one hundred and three of the principal Act is amended by adding after subsection (5) the following subsection:—

S. 103  
amended.

(5a) Without prejudice to the generality of the provisions of section twenty-three of the Agriculture Protection Board Act, 1950, it is, in order to avoid any doubt, hereby expressly enacted, that notwithstanding the provisions of any other Act, the protection from liability provided by that section

Cf. No. 76 of  
1920, s. 23.

- (a) applies to the taking of measures for obtaining information referred to in subsection (5) of this section; and

Cf. Third  
Schedule as  
to "running  
wild or at  
large."

- (b) extends to the taking of those measures in respect of vermin or in respect of any animal which although not running wild or at large when the measures are taken, would, if then running wild or at large, be vermin;

but only to the extent that the Protection Board deems it expedient to the taking of those measures for the purposes of obtaining that information.

S. 104A  
added.

4. The principal Act is amended by adding before section one hundred and five the following section:—

104A. In this Part—

“authorised person” has the same meaning as in section ninety-four of this Act.

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