

VERMIN.

21° GEO. V., No. XXXIII.

No. 33 of 1930.

AN ACT to amend the Vermin Act, 1918.

[Assented to 24th December, 1930.]

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

1. This Act may be cited as the *Vermin Act Amendment Act, 1930*, and shall be read as one with the Vermin Act, 1918, as reprinted in the appendix to the Sessional Volume of the Statutes for the year 1925, hereinafter referred to as the principal Act; and shall come into operation on a date to be fixed by proclamation. Short title and commencement.

2. Section four of the principal Act is amended by deleting all the words after the figures "1918," in the second paragraph of the definition of "Holding," and inserting in lieu thereof the words "and a lease or tenement held under the Mining Act, 1904, when the same is used for agricultural or pastoral purposes." Amendment of s. 4.

3. Section forty-five of the principal Act is amended by adding thereto a subsection, as follows:— Amendment of s. 45.

(4.) Whenever the name of a road district, the boundaries whereof are the same as those of a vermin district which bears the same name as the road district, is altered, the name of the vermin district shall, by force of this Act, but subject to any order or direction of the Governor at any time made under this Act, be correspondingly altered, to the intent that the name of the vermin district shall continue to be the same as that of the road district; and in any such case, if at the time of such alteration of name the board of the road district is the board of the vermin district appointed under this

section, the board of the road district under its new name shall, by force of this Act, but subject to any order or direction of the Governor at any time given under this Act, continue to be the board of the vermin district.

Amendment of s.
59.

4. Section fifty-nine of the principal Act is amended by adding to subsection two a further proviso, as follows:—

Provided also, that no rate shall be assessed or be deemed to be imposed or payable in respect of land held on conditional purchase lease, granted before or after the commencement of this proviso, under the Land Act, 1898, or any amendment thereof, for two years from the commencement of the lease.

Amendment of s.
60.

5. Section sixty of the principal Act is amended—

(a) By adding, at the end of subsection one, the words “and to be due and payable.”

(b) By adding to subsection one a proviso, as follows:—

Provided that no proceedings to recover or enforce payment of the same shall be taken until after the thirtieth day of September next following the making of the rate.

Amendment of s.
63A.

6. Section sixty-three A of the principal Act is amended—

(a) By substituting the word “may” for the word “shall,” in the third line of the section.

(b) By deleting the words “within thirty days of receipt of assessment notice,” in the eighth and ninth lines, and inserting in lieu thereof the words “on or before the thirtieth day of September next following the making of the rate.”

Amendment of s.
100A.

7. Section one hundred A of the principal Act is amended—

(a) By adding to subsection one further provisos, as follows:—

Provided also, that any fence already erected as a rabbit-proof fence shall be deemed to be a vermin fence if the height thereof is increased to the same height as that required for a vermin fence, and if, when increasing such height, the additional wires are of the kind and are spaced as required in a vermin fence and the wire netting hung therein is of the mesh required for a vermin fence.”

Provided also, that no rate shall be assessed or be deemed to be imposed or payable in respect of land held on conditional purchase lease granted before or after the commencement of this proviso, under the Land Act, 1898, or any amendment thereof, for two years from the commencement of the lease.

(b) By deleting subsection three (as amended by the Vermin Act Amendment Act, 1926), and inserting in lieu thereof a new subsection, as follows:—

(3.) All rates recovered under this section shall be paid to the credit of an account to be kept at the Treasury, and shall, subject to regulation, be applied under the direction of the Minister in payment of—

- (a) expenses incurred by boards or government officers in connection with the transport to the Department of Agriculture of scalps or claws of vermin in respect of which a uniform bonus may be paid under paragraph (d) hereof;
- (b) travelling expenses and allowances of members of the Advisory Board hereinafter mentioned;
- (c) wages or salaries of trappers employed by the said Advisory Board, and expenses incurred in connection with measures taken by the Board, as hereinafter authorised, for the destruction of vermin;
- (d) such uniform bonus for the destruction of wild dogs, foxes, wedge-tailed eagles, and other vermin as may be prescribed.

(c) By inserting, after subsection four, a new subsection, as follows:—

(4a.) The Advisory Board may, with the approval of the Minister, from time to time employ trappers, and take such measures as the Board deems expedient for the destruction of wild dogs, foxes, wedge-tailed eagles, and other vermin, in respect of which a uniform bonus may be paid under subsection four of this section.

(d) By adding at the end of subsection six, the words: “or, in the case of a lease or tenement held under the Mining Act, 1904, which is a holding for the purposes of this Act, on the value equal to the unimproved value for the time being assessed for rating purposes under the Road Districts Act, 1919, or any amendment thereof by the road board in whose district the holding is situated.

(e) By adding after subsection six a new subsection, as follows:—

(7) The Commissioner of Taxation may, with the approval of the Minister, write off arrears of rates assessed and due under this section.

Amendment of
second schedule.

8. The Second Schedule to the principal Act is amended by deleting all the words in Part I. under the heading "Description of a vermin fence," and inserting in lieu thereof words as follows:—

"A substantial fence erected in a workmanlike manner with strainers not less than six inches in thickness at the smaller end, one hundred and fifty yards apart, three feet in the ground, and not less than seventy-eight inches out of the ground. Jam or mulga posts not less than three inches at the smaller end; other timber four inches; not more than twenty feet apart, twenty-four inches in the ground, and not less than seventy-eight inches out of the ground.

Iron standards not less than one and a quarter inches by quarter inch; not more than twenty feet apart, twenty inches in the ground, not less than seventy-eight inches out of the ground.

Wire netting, minimum seventeen gauge and with a minimum width of forty-two inches, and a maximum mesh of one and a half inches. Six inches of such netting to be fixed perpendicularly in the ground with thirty-six inches out of the ground. The netting to be securely fastened to plain wires and attached to the posts at nineteen and a half inches and thirty-six inches from the ground level. Above such netting either—

Sheep or dog-proof netting not less than thirty-six inches wide, and not exceeding four inches mesh, is to be affixed to a height of not less than seventy-two inches, or in lieu of dog or sheep netting plain or barbed wires spaced not more than five inches apart to a height of at least seventy-two inches. These wires shall be tied together and to the top of the netting with lacing wire every three feet.

The fence to be topped with a barb wire not less than seventy-eight inches above the ground, and secured only to the posts and not in any way to the netting or other wires."