



# WESTERN AUSTRALIA.

ANNO QUADRAGESIMO

# VICTORIÆ REGINÆ.

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No. XIV.

AN ACT to prevent the introduction of Contagious or Infectious Diseases in Cattle and Sheep.

[Assented to, 12th September, 1876.]

**W**HEREAS it is expedient to repeal the laws making provision against the introduction into this Colony of infectious or contagious diseases amongst Cattle, Sheep and Pigs, and to make other provisions instead thereof; Be it 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:—

Preamble.

**1** THE Act 37 Vict., No. 6, intituled "An Act to further regulate the Importation of Cattle, Sheep, and Pigs," is hereby repealed.

Repeal.

**2** IN the construction of this Act the following words shall, if not inconsistent with the context or subject matter, have the meaning hereby respectively assigned to them (that is to say):—

Interpretation.

"Inspector of Stock" shall mean and include any inspector of sheep appointed under the "Scab-in-Sheep Ordinance of 1866," or any person authorised by the Governor to act as such inspector.

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- “Stock” shall include any bull, cow, ox, heifer, calf, ram, ewe, wether, lamb.
- “Drive” shall mean drive, conduct, or convey, whether by land or by water.
- “Disease” shall mean any contagious or infectious disease to which any animal is subject, except the disease of scab-in-sheep.
- “Destroy”—To slaughter and consume by fire, or bury at a depth of not less than four feet under ground, or take to sea and sink.
- “Owner”—Any owner or consignee, whether joint or sole, superintendent, or person in possession or charge of stock, or any agent of any such owner.
- “Infected stock”—Stock suffering from any infectious or contagious disease, other than scab, or which have been in contact or have been on the same vessel with such infected stock during the next preceding three months, or which have been under treatment during such period for the cure of disease.
- “Master”—The captain, or master, or other person in charge of any vessel.
- “Clean”—Free from disease.
- “Imported Stock”—All stock arriving by sea from any place beyond the limits of this Colony.

Imported stock to have certificate.

**3** NO stock shall be imported into the Colony unless accompanied by a certificate from a duly qualified veterinary surgeon, who shall be approved of by some person authorised in that behalf by the Governor, that the stock when placed on board the vessel conveying them were in a sound and healthy condition, entirely free from any contagious or infectious disease, or any indications of it, or in the absence of such certificate, until such stock shall have performed quarantine as hereafter provided, and shall be certified by a duly qualified veterinary surgeon in the Colony to be entirely free from any contagious or infectious disease, or any indication thereof.

Master of ship with imported stock to make declaration.

Schedule A.

Customs Officer to forward same to nearest Inspector.

**4** THE master of any vessel on which there shall be or shall have been during the voyage any imported stock shall immediately on his arrival at any port or place in the Colony make a declaration in the form set forth in Schedule A hereto, and shall deliver the same to the principal Officer of Customs at such port, together with the certificate hereinbefore required; and such officer shall as expeditiously as possible forward the same to the nearest inspector.

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- 5 NO imported stock, nor the effects of any attendant, shall be landed until the same shall have been examined by an inspector and a permit granted by him for the landing thereof, which the owner shall exhibit when required by an inspector or member of the Police force. And no fodder put on board any vessel with or for the use of any imported stock, and no fittings used for, with, or about such imported stock, shall on any account whatever be landed in the Colony.
- No stock, &c., to be landed without permit.
- Landing of fodder and fittings prohibited.
- 6 IT shall be lawful for the Governor to acquire and set apart, by proclamation in the *Gazette*, such ground as may be required for one or more quarantine stations, on which the necessary sheds and appurtenances may be erected for the purpose of this Act.
- Quarantine Stations.
- 7 ANY imported stock not found on arrival to be infected shall be removed to the quarantine station, where they shall remain in quarantine for a period of not less than fourteen days. And if at the expiration of that period such stock shall be found to be clean, the inspector shall give to the owner thereof a certificate in the form of Schedule B hereto.
- Imported stock not infected to be taken to Quarantine Station.
- Schedule B.
- 8 IF any imported stock on arrival, or within a month thereafter, be found on examination by an inspector to be infected, he shall immediately report the case to the Governor, and if after careful investigation the Governor shall decide that such stock are infected, the inspector shall serve the owner of such stock with a notice in the form of Schedule C hereto (by causing the same to be delivered to him personally or left at his usual place of business or abode), to destroy the same, together with all fodder, fittings, and effects infected or likely to be infected by such stock, within forty-eight hours from the time of receipt of such notice; and such stock, fodder, fittings, and effects shall be destroyed accordingly.
- Infected stock to be reported to Governor.
- Notice to destroy to be served on owner.
- Schedule C.
- 9 ALL imported stock, fodder, fittings, or effects landed contrary to any of the provisions of this Act, or of any regulations made hereunder, or taken or removed from any quarantine station, or any stock wilfully allowed to stray therefrom, or unlawfully outside such quarantine station, or any stock, fodder, fittings or effects dealt with contrary to any of the provisions of this Act, may be seized by any person whomsoever, and handed over to an inspector, to be disposed of as the Governor may direct. And all stock brought within the quarantine stations hereinbefore mentioned or straying within the same shall be taken and deemed to be stock duly placed in such quarantine in terms of this Act, and shall
- Stock, &c., illegally landed or removed, or taken from quarantine, may be seized and disposed of as the Governor may direct.

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be subject to all the provisions affecting such stock; and any stock with which any imported stock may be brought in contact shall be held, taken, and deemed to be stock of the class with which they are so brought in contact, and shall be dealt with accordingly.

Penalty for landing stock or property, or taking them in or out of quarantine contrary to this Act.

**10** IF any person land or unship, or order or assist to be landed or unshipped, any imported stock, fodder, fittings or effects contrary to the provisions of this Act; or knowingly or wilfully receive, purchase, or sell the same after they have been so landed or unshipped contrary to this Act; or shall take or order, or assist any stock, fodder, fittings or effects placed in quarantine as aforesaid to be taken out of such quarantine without an inspector's certificate and sanction; or if any person without such sanction shall take or order, or assist any stock, fodder, fittings or effects to be taken into or upon any quarantine station; or shall offend against or fail to comply with any of the provisions of this Act, with respect to any imported stock, fodder, fittings, or effects; or shall aid or be concerned in landing the same in or out of quarantine contrary to this Act; or shall knowingly and wilfully have in his possession any imported stock, fodder, fittings, or effects so taken; or shall refuse to allow an inspector to enter on any vessel or premises, or hinder or impede him in the execution of his duty; or shall not when required give him full information with respect to any imported stock, fodder, fittings, or effects; or shall not when required keep or remove, or assist in keeping and removing the same; then every such person shall be liable to imprisonment for any period not exceeding six months, or to a fine not exceeding Two hundred pounds. And all such offences shall be heard and determined in a summary way before a Resident or Police Magistrate, and one or more Justices, or before any other two or more Justices in Petty Sessions.

Regulations may be made by the Governor in Executive Council.

**11** THE Governor may make regulations for carrying out the provisions of this Act; and all such regulations, upon publication in the *Gazette*, shall have the full force of law; and copies thereof shall be laid before the Legislative Council within fourteen days after such publication, and if the Legislative Council be not in Session then within fourteen days after the commencement of the next Session.

Owner liable for expenses.

**12** THE owner of any imported stock, fodder, fittings or effects shall be liable for any expenses that may be incurred in respect to such stock by order of an inspector in carrying out the provisions of this Act; and such expenses shall be recoverable in a summary manner before any Justice of the Peace.

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**13** ALL penalties imposed under this Act, after deduction of the expenses incurred in their recovery, shall be paid one-half to the prosecutor or informer, and the other to the Colonial Treasurer, to be placed to the credit of the public revenue. Application of penalties.

**14** IN all questions arising under this Act the certificate or notice of an inspector shall in every case for the purpose of this Act be *prima facie* evidence of the truth of the matter contained in such certificate or notice. Inspector's certificate or notice to be *prima facie* evidence.

**15** THIS Act shall be cited for all purposes as the "Imported Stock Act, 1876," and shall come into force and take effect from the first day of January, 1877. Title of Act.

In the name and on behalf of the Queen I hereby assent to this Act.

WILLIAM C. F. ROBINSON, Governor.

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## SCHEDULES.

### Schedule A.

IMPORTED STOCK ACT, 1876.

*Form of Declaration by Master of Vessel.*

No of stock shipped.	Description.	Where from.	Deaths during voyage.	Cause of death.	Date of outbreak of disease.	Last death.

I, \_\_\_\_\_ Master, do hereby solemnly declare that the above statement with regard to the Stock shipped on board the vessel \_\_\_\_\_ is true; and I moreover solemnly declare that no stock, fodder, fittings or effects are now infected.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18

(Signed)

Master.

### Schedule B.

IMPORTED STOCK ACT, 1876.

*Import Certificate of Cleanness.*

I, the undersigned Inspector, do hereby certify that the Imported Stock of which \_\_\_\_\_ is owner, and which are more particularly specified in the Schedule below, have remained in Quarantine for more than \_\_\_\_\_ and have been treated in accordance with the provisions and regulations of the above-named Act, and that such stock are clean and may be removed.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Where from, by what ship, and on what date.	Destination.

(Signed)

Inspector.

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## Schedule C.

IMPORTED STOCK ACT, 1876.

*Notice to destroy Infected Stock.*

To

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The Governor having, after careful investigation, decided in terms of Section 6. Section six of the above-named Act that of which you are owner, and which are more particularly described in the Schedule below, are infected, I hereby give you notice to destroy such within forty-eight hours from the time of the receipt of this notice.

### SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Where from, by what ship, and on what date.	Destination.

(Signed)

Inspector.