



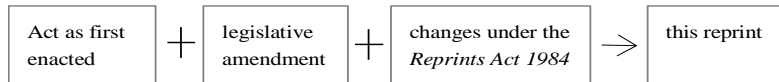
Western Australia

Pig Industry Compensation Act 1942

Reprinted as at 21 June 2002

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original Act and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Validation, transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a section that was inserted, or has been amended, since the Act being reprinted was passed, editorial notes at the foot of the section give some history of how the section came to be as it is. If the section replaced an earlier section, no history of the earlier section is given (the full history of the Act is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Western Australia

Pig Industry Compensation Act 1942

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Western Australia

Reprinted under the
Reprints Act 1984 as
at 21 June 2002

Pig Industry Compensation Act 1942

An Act to provide for the establishment of a fund for the payment of compensation to the owners of pigs and carcasses of pigs in certain cases and for purposes connected therewith.

Part I — Preliminary

1. Short title and commencement

This Act may be cited as the *Pig Industry Compensation Act 1942*, and shall come into operation on a date to be fixed by proclamation¹.

[2. *Repealed by No. 10 of 1998 s. 76.*]

3. Interpretation

In this Act, unless the context otherwise indicates or requires —

“**Approved person**” means a person approved by the Chief Veterinary Surgeon for the purposes of this Act;

“**Carcass**” means the carcass of a pig;

“**Chief Veterinary Surgeon**” means the Chief Veterinary Surgeon of the Department of Agriculture;

“**Disease**” means tuberculosis, swine erysipelas or para-typhoid, and any other enzootic disease, within the meaning of the *Stock Diseases (Regulations) Act 1968*, of swine that the Governor may from time to time by proclamation declare to be a disease for the purposes of this Act; and the term “**diseased**” has a corresponding meaning;

“**Duty stamp**” means a stamp issued pursuant to the provisions of the *Stamp Act 1921*;

“**Fund**” means the Pig Industry Compensation Fund established under this Act;

“**Market value**” of a pig means the value of the pig calculated as upon a sale with delivery at the place where the pig is when dying or ordered to be destroyed and as if the pig were free from disease;

“**Meat Inspector**” means an inspector of meat appointed under the *Health Act 1911*, or any Commonwealth Act;

“**Minister**” means the Minister for Agriculture;

“Owner” includes the authorised agent of the owner;

“Pig” means any boar, sow, barrow, or sucker;

“Processing Company” means a company whose business is or includes the purchasing of pigs or carcasses from owners thereof for the purpose of processing meat.

[Section 3 amended by No. 2 of 1961 s. 2; No. 30 of 1963 s. 2; No. 76 of 1965 s. 3; No. 42 of 1969 s. 2.]

4. Governor may vary diseases to which Act applies

The Governor may from time to time by proclamation declare any disease of pigs to be a disease within the meaning of this Act, and may from time to time by proclamation declare that the provisions of this Act shall cease to apply to any disease specified in such proclamation.

5. Administration of Act

Subject to the Minister this Act shall be administered by the Director of Agriculture or his deputy.

[Section 5 amended by No. 7 of 1951 s. 4.]

Part II — Pig compensation

6. Compensation payable to owners of pigs

Subject to this Act, compensation shall be payable —

[(a) deleted]

- (b) to the owner of any pig destroyed with the consent of the Chief Veterinary Surgeon or an approved person because the pig is suffering from or suspected of suffering from disease;
- (c) to the owner of any pig which is proved to the satisfaction of the Chief Veterinary Surgeon or an approved person to have died of swine erysipelas or para-typhoid or any other disease that may be prescribed;
- (d) to the owner of any carcass or portion of a carcass which is pursuant to any Act or any regulation or proclamation under any Act condemned as unfit for human consumption because of disease, by a meat inspector or an approved person.

[Section 6 amended by No. 7 of 1951 s. 3; No. 42 of 1969 s. 3.]

7. Amount of compensation

- (1) Subject to this Act, the amount of compensation payable in respect of a pig —

- (a) destroyed because it is suffering from or suspected of suffering from disease; or
- (b) that is proved to the satisfaction of the Chief Veterinary Surgeon or an approved person to have died of swine erysipelas or para-typhoid or any other disease that may be prescribed,

shall be the market value of the pig, less the prescribed deductions.

- (2) For the purposes of this Act, the market value of a pig shall not exceed an amount from time to time recommended by the Minister and approved by the Governor.
- (3) Subject to this Act, the amount of compensation payable in respect of any diseased carcass or portion of a diseased carcass condemned as unfit for human consumption because of disease shall be in accordance with the prescribed scale.

[Section 7 amended by No. 7 of 1951 s. 3 and 5; No. 21 of 1956 s. 3; No. 30 of 1963 s. 3; No. 42 of 1969 s. 4.]

8. Determination of value of pig, etc., destroyed as diseased

- (1) The value of a pig destroyed because it is suffering from, or is suspected to be suffering from, disease shall be determined by the Chief Veterinary Surgeon or an approved person.
- (2) The value of any pig which has been proved to the satisfaction of the Chief Veterinary Surgeon or approved person to have died of swine erysipelas or para-typhoid or any other disease that may be prescribed shall be determined by the Chief Veterinary Surgeon or an approved person.
- (3) If the owner of any pig destroyed or dying of swine erysipelas or para-typhoid or any other disease that may be prescribed, or the owner of any carcass or portion thereof condemned, is aggrieved at the value so placed upon such pig or carcass or portion thereof, such owner may appeal against such valuation to the Minister, who may appoint some competent and impartial person to determine the value of such pig or carcass or portion thereof, and the determination of such person shall be final and conclusive.
- (4) The residual value of any pig so destroyed or dying or of any carcass or portion thereof so condemned, shall be determined in the like manner.

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- (5) The amount of any such residual value shall in every case be deducted from the amount payable as compensation under this Act.

[Section 8 amended by No. 7 of 1951 s. 3; No. 42 of 1969 s. 5.]

9. Application for compensation

- (1) No compensation under this Act shall be payable unless the owner of the pig so destroyed or dying, or of the carcass or portion thereof so condemned, makes application for compensation in the manner and containing the particulars prescribed and verified as prescribed.
- (2) The owner shall forward with the application a certificate (containing the prescribed particulars) to be furnished by the person who destroyed or ordered or authorised the destruction of the pig, or the person to whose satisfaction it is proved that the pig died of swine erysipelas or para-typhoid or any other disease that may be prescribed or the meat inspector or other person who condemned the carcass or any portion thereof.
- (3) (a) No compensation under this Act shall be payable unless the application for compensation is made by the owner within the prescribed period after the destruction of the pig, or the death of the pig of swine erysipelas or para-typhoid or any other disease that may be prescribed, or the condemnation of the carcass or portion thereof.
- (b) Notwithstanding the provisions of paragraph (a), where an application for compensation under this Act is made after the expiration of the period referred to in that paragraph the Minister may authorise the payment of compensation if he is satisfied that reasonable grounds existed for the delay in making the application or that the delay in making the application was due to circumstances beyond the control of the owner.

- (4) No compensation under this Act shall be payable —
- (a) if the head only of any carcass is condemned as unfit for human consumption because of disease; or
 - (b) unless the Director of Agriculture or his deputy is satisfied —
 - (i) that all stamp duty (if any) payable under this Act by the owner claiming compensation in respect of all pigs of the said owner and in respect of all carcasses of pigs of the said owner has been duly paid by the owner or by his agent on his behalf in accordance with the provisions of section 15;
 - (ii) that the owner claiming compensation has complied with this Act and the regulations with respect to applications and claims for compensation;
- or
- (c) in respect of a pig introduced into the State and that is, within one month after being so introduced, ordered to be destroyed because it is suffering, or is suspected to be suffering from disease, unless the Chief Veterinary Surgeon is satisfied that the pig became diseased after being so introduced or unless it is found on post mortem examination to be free from disease.
- (5) No compensation, or only such part of the compensation otherwise payable to the owner as the Director of Agriculture, or his deputy thinks reasonable, shall be payable under this Act to any owner if within the period of 2 years such owner has been convicted of an offence against this Act or the regulations.
- (6) Where after the coming into operation of the *Stock (Identification and Movement) Act 1970* —
- (a) a pig is removed from a farm or other place for the purposes of sale or slaughter; and

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- (b) the provisions of section 32 or section 46 of that Act are not complied with at the time of the removal of the pig,

no compensation shall be payable under this Act in respect of —

- (c) the death or destruction of the pig; or
- (d) the condemnation of the carcass or any portion of the carcass of the pig.

[Section 9 amended by No. 7 of 1951 s. 3 and 4; No. 9 of 1969 s. 6; No. 9 of 1953 s. 2; No. 27 of 1957 s. 3; No. 42 of 1969 s. 6; No. 11 of 1972 s. 3; No. 46 of 1994 s. 40.]

[10. Repealed by No. 7 of 1951 s. 6.]

11. If disease is in localised form, pig may be retained under certain conditions

Notwithstanding anything in any Act, when a pig is affected only with a localised form of disease the Chief Veterinary Surgeon or an approved person may, instead of such pig being destroyed in accordance with the requirements of any Act or the regulations thereunder, in his discretion require the owner to retain such pig under such conditions as are prescribed.

12. Person trafficking in diseased pigs or carcasses with a view to compensation

Any person —

- (a) who buys or sells or who attempts to buy or sell any pig knowing or having reasonable cause to suspect such pig to be diseased and with the intention (in the opinion of the court before which he is charged) of making a claim for compensation therefor or in respect of the carcass or any portion of the carcass thereof; or
- (b) who buys or sells or who attempts to buy or sell any carcass or any portion thereof knowing or having reasonable cause to suspect the carcass or portion thereof to be diseased with the intention (in the opinion

of the court before which he is charged) of making a claim or enabling any other person to make a claim for compensation in respect of the carcass or any portion thereof,

shall be guilty of an offence against this Act and liable to a penalty of not more than \$2 000 for every such pig, or (as the case may be), for every such carcass or portion thereof.

[Section 12 amended by No. 113 of 1965 s. 4; No. 20 of 1989 s. 3.]

Part III — Pig Compensation Fund and stamp duties

13. Establishment of Pig Industry Compensation Fund

- (1) There shall be established and kept in the Treasury, forming part of the Trust Fund constituted under section 9 of the *Financial Administration and Audit Act 1985*, an account to be called the “Pig Industry Compensation Fund”.
- (2) The Fund shall be credited with —
 - (a) all sums of money received by or for the Commissioner of State Taxation² in respect of stamp duty on statements, or received by the Minister on returns, under this Act; and
 - [(b) repealed]*
- (3) The moneys standing to the credit of the Fund shall, subject to this Act, be applied to —
 - (a) the payment, pursuant to this Act, of claims for compensation;
 - (b) the payment of the costs of the provision of, or the promotion and encouragement of, scientific research for the improvement of pig production; and
 - (c) any other purpose that, in the opinion of the Minister, will promote and encourage the pig industry.
- (4) Any sum which the Treasurer of Western Australia at any time certifies to be required for payment by way of compensation under this Act (so far only as the moneys standing to the credit of the Fund are insufficient to pay any sum payable under this Act) shall be charged to the Consolidated Fund, which is hereby, to the necessary extent, appropriated accordingly.

- (5) Any sum charged to the Consolidated Fund under the last preceding subsection shall be deemed to be an advance to the Fund and shall remain a charge thereon, to be recouped when funds are available.

[Section 13 amended by No. 27 of 1957 s. 4; No. 76 of 1965 s. 4; No. 42 of 1969 s. 7; No. 21 of 1970 s. 43; No. 6 of 1993 s. 12; No. 49 of 1996 s. 64.]

14. Statements to be made out of sale of pigs, and stamps affixed

- (1) Subject to section 14A, every owner of pigs or of the carcasses of pigs or the agent of any such owner except where an agent, as the holder of a valid and current permit issued under subsection (1a), is exempted from complying with the requirements of this subsection, shall, upon the sale thereof, whether payment of the purchase-money is or is not made in full at the time of the sale or is to be made by instalments or is otherwise deferred —
- (a) write out or cause to be written out a statement setting forth the number of pigs or the carcasses of pigs so sold, the amount of the purchase-money in respect of each pig or carcass, as the case may be, and the date of the sale thereof;
 - (b) affix to the said statement duty stamps to the amount of the duty payable under this Act, and cancel the stamps; and
 - (c) give or by ordinary letter transmit the said statement to the Commissioner of State Taxation² within 7 days of the sale:

Provided that, where a number of pigs or carcasses of pigs of similar grade are sold in one lot, it shall not be necessary to set forth in the said statement the amount of purchase-money payable in respect of each pig or carcass, as the case may be, but the said statement shall set forth the amount of the purchase-money payable in respect of such lot.

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- (1a) (a) An agent, referred to in subsection (1), or a person, firm, or company whose business is or includes acting as selling agents of pigs or carcasses of pigs or both, on behalf of various owners, may apply to the Minister for a permit exempting him or them from complying with the requirements of subsection (1), but authorising him or them instead, while the permit is effective, to lodge with the Minister returns of purchase-money received from sales of pigs or of carcasses of pigs, or both, sold by the applicant as agent during any periods of any duration fixed by the Minister, and to pay to the Minister the amount of duty payable under section 15 in respect of the purchase-money included in each return.
- (b) If it appears to the Minister —
- (i) that the application is made in good faith; and
 - (ii) that if the application is granted economy in the administration of this Act will result,
- the Minister may issue a permit in writing.
- (c) The Minister may include in the permit such conditions as, in the particular circumstances of the case, the Minister thinks fit to impose, including without affecting the generality of the discretionary power hereby conferred, conditions —
- (i) as to the manner, form, and time, of compiling and lodging returns, and paying the duty; and
 - (ii) limiting the period to which each return must relate.
- (d) The Minister may, by notice in writing served on the holder of a permit so issued —
- (i) from time to time alter any of the conditions contained in the permit; or
 - (ii) cancel the permit,
- without being required to assign any reason for doing so.

- (e) The Minister shall cause the Commissioner of State Taxation ² to be notified of the issue of any permit, of the conditions of the permit, any alteration of the conditions, and any cancellations of permits.
- (f) Production of a document which purports to be a copy of a permit so issued, or any alteration of the conditions, or any cancellation, of a permit so issued, if purporting to be certified by the Minister to be a copy of the original of which it purports to be a copy, has the same probative value as, and is *prima facie* evidence of the matters contained in, the original.
- (g) Where an agent who is the holder of a valid and current permit so issued, receives purchase-money for the sale on behalf of an owner of pigs or carcasses or both, the agent shall apply so much of the purchase-money as equals the amount of duty payable under this Act in respect of the purchase-money in payment of the duty to the Minister whose acknowledgment of receipt of the payment of the amount is a discharge to the agent of liability to pay the amount to the principal or any person claiming through the principal, and is a discharge to the owner for liability to pay that amount of duty.
- (h) Any amount which an agent is required by paragraph (g) to pay to the Minister, is, until so paid, a debt owing by the agent to the Minister and may, notwithstanding paragraph (j), be recovered from the agent in a court of competent jurisdiction, at the suit of the Commissioner of State Taxation ².
- (i) A person who, being an agent referred to in paragraph (g), does not comply with the requirements of that paragraph commits an offence.
- (j) Until such time as any amount of duty for which an owner is liable under this Act has been paid either by the owner or by his agent, the amount is a debt owing by the owner to the Minister and may, without prejudice to paragraph (h), be recovered in a court of competent

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jurisdiction, at the suit of the Commissioner of State Taxation².

- (2) Without affecting his liability to pay the amount of any unpaid duty, every owner or agent who contravenes or fails to comply with any of the provisions of subsection (1), or as the case may be, of any condition imposed under subsection (1a), shall be guilty of an offence against this Act and liable to a penalty not exceeding \$2 000, and shall in the case of an agent holding a permit be punishable notwithstanding any subsequent alteration of the conditions of, or cancellation of, the permit, and notwithstanding any other enactment.
- (2a) A complaint of an offence under this Act may be made within 12 months of the commission of the offence.
- (3) If —
- (a) any pig is sold and —
 - (i) duty stamps are affixed, as provided by subsection (1), to a statement given upon the sale of the pig; or
 - (ii) particulars of the sale of the pig are included in a return compiled pursuant to and in accordance with, a valid and current permit issued under subsection (1a); or
 - (iii) particulars of the sale of the pig are included in a return compiled pursuant to section 14A;
- and
- (b) within 14 days of the sale the pig is slaughtered; and
 - (c) the statement given, or, as the case may be, the return so compiled, pursuant to this section or section 14A in respect of any sale of the carcass includes particulars of the prior sale of the pig,

it shall not be necessary to affix any duty stamps to the statement given upon any such sale of the carcass, and any such sale of the carcass shall be free from the payment of stamp duty

in respect of the purchase-money shown as having been received for the carcass in the statement, or, as the case may be, in the return.

- (4) Where the holder of a valid and current permit issued under subsection (1a) compiles returns of any sales of pigs, or carcasses of pigs, or both, he shall, instead of complying with the requirements of subsection (1)(c), transmit to the purchaser by ordinary letter post within 7 days of the sale, notification in writing of particulars of the sale and that as the holder of the permit he has included particulars of the sale in a return compiled pursuant to the permit.

[Section 14 amended by No. 44 of 1949 s. 3; No. 27 of 1957 s. 5; No. 2 of 1961 s. 3; No. 76 of 1965 s. 5; No. 113 of 1965 s. 4; No. 21 of 1970 s. 44; No. 11 of 1972 s. 4; No. 20 of 1989 s. 3; No. 78 of 1995 s. 105.]

14A. Processing company to deduct duty from purchase money and lodge returns

- (1) Every processing company shall —
- (a) before it pays to an owner or his agent any purchase-money for pigs or carcasses or both sold to it by the owner, deduct so much of that money as equals the amount of duty payable under section 15 in respect of that money;
 - (b) within 14 days after the end of each month —
 - (i) lodge with the Minister returns in the form approved by the Minister of all purchase moneys paid by it to owners and their agents on the sale of pigs or carcasses or both to it by owners and agents during that month and of the amounts deducted by it pursuant to this subsection; and
 - (ii) pay the amount so deducted to the Minister.
- (2) Where pursuant to subsection (1), a processing company deducts an amount from the purchase money payable to an

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owner or his agent on the sale of pigs or carcasses or both and pays that amount to the Minister in payment of the duty payable under section 15, the receipt by the Minister of that payment is a discharge to the company or the agent of the liability to pay the amount to the owner or any person claiming through the owner, and is a discharge to the owner or his agent for liability to pay that amount of duty.

- (3) Any amount that a processing company is required by subsection (1) to pay to the Minister is, until so paid, a debt owing by the company to the Minister and may be recovered from the company in a court of competent jurisdiction at the suit of the Commissioner of State Taxation².
- (4) A processing company that contravenes or fails to comply with any of the provisions of subsection (1) is guilty of an offence against this Act.
- (5) Until such time as any amount that a processing company is required by subsection (1) to pay to the Minister is received by the Minister from the company or from the owner himself, the amount is a debt owing by the owner to the Minister and may, without prejudice to subsection (3), be recovered from the owner in a court of competent jurisdiction at the suit of the Commissioner of State Taxation².

[Section 14A inserted by No. 11 of 1972 s. 5.]

15. Duty on sales of pigs

- (1) There shall be payable in respect of every sale of any pig or carcass the stamp duties provided by this section by means of stamps affixed to the statement required under subsection (1), or, as the case may be, by payment in respect of returns compiled and lodged under section 14(1a) or section 14A(1).
- (2) For every dollar or part of a dollar exceeding 50 cents —
 - (a) of the amount of the purchase money in respect of one pig or one carcass sold singly; or

- (b) of the total amount of the purchase-money in respect of any number of pigs or carcasses, as the case may be, sold in one lot,

there shall be payable a stamp duty of such amount as the Governor may by proclamation prescribe:

Provided that such amount shall not exceed one and one-quarter cents: Provided further, that the stamp duty in respect of the amount of the purchase-money of any one pig, or any one carcass, as the case may be, whether sold singly or as part of a lot, shall not exceed 50 cents.

Provided further —

- (a) that it is, by virtue of this Act, a condition of any permit issued under section 14(1a), that the amount payable as stamp duty in respect of purchase-money shown in any return compiled and lodged by authority of the permit as having been received for any one pig, or, as the case may be, any one carcass, whether sold singly or as part of a lot, shall not exceed 50 cents; and
 - (b) that the condition imposed by paragraph (a) of this further proviso is not subject to alteration or cancellation by the Minister; and
 - (c) that the Governor has, and shall be deemed to have had on and after 1 February 1943, being the day on which Act No. 38 of 1942 came into operation, power by subsequent proclamation to cancel, or, from time to time, to alter, any proclamation prescribing the stamp duty payable under this Act³.
- (3) The duty hereby imposed shall be in addition to any other duty required to be paid under the *Stamp Act 1921*.

[Section 15 amended by No. 7 of 1951 s. 7; No. 21 of 1956 s. 4; No. 27 of 1957 s. 6; No. 2 of 1961 s. 5; No. 113 of 1965 s. 4; No. 11 of 1972 s. 6.]

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16. Pig duty stamps issued by Commissioner of State Taxation²

(1) A statement required by this Act to be stamped shall not be deemed or taken to be duly stamped unless adhesive duty stamps to the value of the stamp duty payable on the statement are attached to the statement and cancelled in the manner required by the *Stamp Act 1921*.

[(2) *repealed*]

(3) Without prejudice to any other method of recovery, any unpaid duty under this Act may be recovered by the Commissioner of State Taxation² in any court of competent jurisdiction.

(4) Subject to this Act, the provisions of the *Stamp Act 1921*, and any regulations made under that Act, extend and apply, with such adaptations as are necessary, with respect to duty stamps issued pursuant to this Act.

(5) Without affecting the generality of the last preceding subsection, every person who practises or is concerned in any fraudulent act, contrivance, or device not specially provided for by law, with intent to defraud Her Majesty of any stamp duty under this Act, shall be guilty of a misdemeanour and liable to a fine not exceeding \$2 000 or imprisonment for any term not exceeding 12 months.

[Section 16 amended by No. 76 of 1965 s. 6; No. 21 of 1970 s. 46; No. 11 of 1972 s. 7; No. 20 of 1989 s. 3.]

Part IV — Miscellaneous

17. Penalty on persons making charges, etc., for insurance purposes on sale of pigs

If on the sale of any pig (whether sold singly or as part of a lot) to any person, any such person or his agent —

- (a) makes any charge to the vendor; or
- (b) deducts any amount from the purchase money payable in respect of the sale,

by way of insurance or indemnity against or contribution in respect of losses incurred by reason of the death of the pig before it reaches the premises of the purchaser or by reason of any disease in or injury to the pig, the said person or agent shall be guilty of an offence against this Act and liable to a penalty not exceeding \$2 000.

[Section 17 amended by No. 113 of 1965 s. 4; No. 20 of 1989 s. 3.]

18. Conditions inconsistent herewith in contracts to be inoperative

- (1) Any condition, express or implied, in any contract or agreement providing for making any charge or deducting any amount which would, if made or deducted after the commencement of this Act, be an offence hereunder —
 - (a) shall, if made after the commencement of this Act, be void and of no effect; or
 - (b) shall, if made before the commencement of this Act, cease to have any further force, operation, or effect as on, from, and after the commencement of this Act.

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- (2) The provisions of subsection (1) do not apply in respect of any condition imposed under section 14(1a), or in respect of anything done in compliance with any condition so imposed.

[Section 18 amended by No. 27 of 1957 s. 7; No. 2 of 1961 s. 6; No. 11 of 1972 s. 8.]

19. Penalty in cases not provided for

Every person who is guilty of any contravention of or failure to comply with any of the provisions of this Act for which no penalty or other punishment is expressly provided, or who permits any contravention of or failure to comply with the provisions of this Act, shall be liable to a penalty of not more than \$2 000.

[Section 19 amended by No. 113 of 1965 s. 4; No. 20 of 1989 s. 3.]

[20. Repealed by No. 11 of 1972 s. 9.]

21. Regulations

The Governor may make regulations for or with respect to —

- (a) the manner of making and dealing with and the verification of applications for compensation;
- (aa) prescribing the period within which applications for compensation shall be lodged;
- (b) prescribing, subject to this Act, the form of any certificate to be issued by the Chief Veterinary Surgeon or approved person or meat inspector or other person in respect of the destruction of any diseased pigs, or any pigs suspected of suffering from disease, or the condemnation of any diseased carcass or portion of a carcass, and the particulars to be set forth in any such certificate;
- (c) scales of compensation payable in respect of diseased carcasses or portions thereof;

- (d) the retention under this Act of pigs by the owner thereof, when such pigs are affected with a localised form of disease only and the conditions of such retention;
- (e) safeguarding the Fund and the Consolidated Fund from claims for compensation in respect of pigs or carcasses of pigs or portions thereof in cases where the pigs are diseased or suspected of being diseased when introduced or being introduced into Western Australia, whether by land or sea; and generally preventing fraudulent or dishonest claims for compensation;
- (f) all matters and things necessary or convenient to be prescribed with respect to the Fund and the administration thereof;
- (g) forms for the purposes of this Act and the regulations;
- (h) prescribing penalties (of not more than \$2 000 in any case) for any contravention of or failure to comply with the regulations;
- (i) prohibiting the feeding to pigs of foods which in the opinion of the Chief Veterinary Surgeon are likely to be a source of infection of disease to pigs; and
- (j) generally, all matters and things which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for giving effect to or carrying out this Act, and guarding against evasions and violations thereof.

[Section 21 amended by No. 113 of 1965 s. 4; No. 42 of 1969 s. 8; No. 11 of 1972 s. 10; No. 20 of 1989 s. 3; No. 6 of 1993 s. 12.]

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Notes

¹ This reprint is a compilation as at 21 June 2002 of the *Pig Industry Compensation Act 1942* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any previous reprints.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Pig Industry Compensation Act 1942</i>	38 of 1942	23 Dec 1942	1 Feb 1943 (see s. 1 and <i>Gazette</i> 29 Jan 1943 p. 85)
<i>Pig Industry Compensation Act Amendment Act 1949</i>	44 of 1949	26 Oct 1949	26 Oct 1949
<i>Pig Industry Compensation Act Amendment Act 1951</i>	7 of 1951	20 Nov 1951	20 Nov 1951
<i>Pig Industry Compensation Act Amendment Act 1953</i>	9 of 1953	10 Nov 1953	10 Nov 1953
<i>Pig Industry Compensation Act Amendment Act 1956</i>	21 of 1956	21 Nov 1956	25 Jan 1957 (see s. 2 and <i>Gazette</i> 25 Jan 1957 p. 125)
<i>Pig Industry Compensation Act Amendment Act 1957</i>	27 of 1957	26 Oct 1957	18 Apr 1958 (see s. 2 and <i>Gazette</i> 18 Apr 1958 p. 723)
<i>Pig Industry Compensation Act Amendment Act 1961</i>	2 of 1961	10 Oct 1961	10 Oct 1961
Reprint of the <i>Pig Industry Compensation Act 1942</i> approved 30 Jan 1962 in Vol. 16 of Reprinted Acts (includes amendments listed above)			
<i>Pig Industry Compensation Act Amendment Act 1963</i>	30 of 1963	13 Nov 1963	13 Nov 1963
<i>Pig Industry Compensation Act Amendment Act 1965</i>	76 of 1965	25 Nov 1965	14 Feb 1966 (see s. 2 and <i>Gazette</i> 28 Jan 1966 p. 196)
<i>Decimal Currency Act 1965</i>	113 of 1965	21 Dec 1965	s. 4-9: 14 Feb 1966 (see s. 2(2)); balance: 21 Dec 1965 (see s. 2(1))
<i>Pig Industry Compensation Act Amendment Act 1969</i>	42 of 1969	21 May 1969	21 May 1969

Pig Industry Compensation Act 1942

Short title	Number and year	Assent	Commencement
<i>Acts Amendment (Commissioner of State Taxation) Act 1970 Pt. VIII</i>	21 of 1970	8 May 1970	1 Jul 1970 (see s. 2 and <i>Gazette</i> 26 Jun 1970 p. 1831)
<i>Pig Industry Compensation Act Amendment Act 1972</i>	11 of 1972	25 May 1972	1 Jul 1972 (see s. 2 and <i>Gazette</i> 23 Jun 1972 p. 2029)
Reprint of the Pig Industry Compensation Act 1942 approved 28 Feb 1975 (includes amendments listed above)			
<i>Agricultural Legislation (Penalties) Amendment Act 1989 s. 3</i>	20 of 1989	1 Dec 1989	15 Dec 1989 (see s. 2 and <i>Gazette</i> 15 Dec 1989 p. 4513)
<i>Financial Administration Legislation Amendment Act 1993 s. 12</i>	6 of 1993	27 Aug 1993	1 Jul 1993 (see s. 2(1))
<i>Stock (Brands and Movement) Amendment Act 1994 s. 40</i>	46 of 1994	27 Sep 1994	17 May 1995 (see s. 2 and <i>Gazette</i> 16 May 1995 p. 1839)
<i>Sentencing (Consequential Provisions) Act 1995 Pt. 64</i>	78 of 1995	16 Jan 1996	4 Nov 1996 (see s. 2 and <i>Gazette</i> 25 Oct 1996 p. 5632)
<i>Financial Legislation Amendment Act 1996 s. 64</i>	49 of 1996	25 Oct 1996	25 Oct 1996 (see s. 2(1))
<i>Statutes (Repeals and Minor Amendments) Act (No. 2) 1998 s. 76</i>	10 of 1998	30 Apr 1998	30 Apr 1998 (see s. 2(1))

² Under the *Alteration of Statutory Designations Order (No. 2) 1996* a reference in any law to the Commissioner of State Taxation is read and construed as a reference to the Commissioner of State Revenue.

³ See *Government Gazette* 27 February 1970 p. 587-8.