



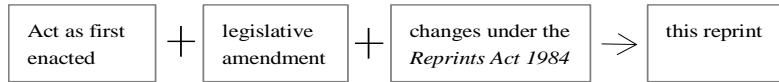
Western Australia

**The Wild Cattle Nuisance
Act 1871, Amendment
Act 1878**

Reprint 1: The Act as at 10 January 2003

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 - removed (because it was repealed or deleted from the law); or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.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the Act has been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the Act was passed. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the Act is reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the
Reprints Act 1984 as
at 10 January 2003

Western Australia

The Wild Cattle Nuisance Act 1871, Amendment Act 1878

CONTENTS

1.	Short title	1
2.	No unlicensed person to kill wild cattle	1
3.	Onus of proof	2
5.	Licences to kill wild cattle or wild horses	2
6.	Incorporated with 34 Vict., No. 24.	2
	Notes	
	Compilation table	3



Reprinted under the
Reprints Act 1984 as
at 10 January 2003

Western Australia

The Wild Cattle Nuisance Act 1871, Amendment Act 1878

An Act to amend *The Wild Cattle Nuisance Act 1871*.

Preamble

Whereas it is expedient to provide for the punishment of persons who, without being duly licensed or in excess of the authority given by their license, hunt after and kill wild cattle; and whereas it is expedient to amend *The Wild Cattle Nuisance Act 1871*; Be it therefore 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: —

1. Short title

This Act may be cited for all purposes as *The Wild Cattle Nuisance Act 1871, Amendment Act 1878*¹.

2. No unlicensed person to kill wild cattle

Any person who, after the passing of this Act, shall kill or destroy any wild cattle without being licensed under the said Act to kill wild cattle, or upon any lands except those over which he may be licensed as aforesaid to kill wild cattle, shall, on conviction, forfeit and pay any sum not exceeding \$2 000.

[Section 2 amended by No. 20 of 1989 s. 3.]

3. Onus of proof

Any person who shall be shown to have killed or destroyed any horse or horned stock, except at a homestead, stockyard, slaughteryard, or other enclosure erected for the purpose, shall be deemed, for the purposes of any prosecution under this Act, to have killed wild cattle, unless he can show that the animal which he killed was a branded animal, which he had lawful authority to kill.

[4. *Omitted under the Reprints Act 1984 s. 7(4)(e).*]

5. Licences to kill wild cattle or wild horses

The licences to be granted under the said Act shall be licences authorising the destruction of wild cattle as defined by the said Act, or licences to kill wild horses only. For licences to kill wild cattle as aforesaid, a fee of \$4 shall be charged. Any person holding either of the above named licences shall be deemed to be a licensed person within the meaning of the said Act.

[Section 5 amended by No. 113 of 1965 s. 8(1).]

6. Incorporated with 34 Vict., No. 24.

This Act and the said Act of 1871² shall be read and construed together as one Act³.

=====

Notes

- ¹ This reprint is a compilation as at 10 January 2003 of *The Wild Cattle Nuisance Act 1871, Amendment Act 1878* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Short title	Number and year	Assent	Commencement
<i>The Wild Cattle Nuisance Act 1871, Amendment Act 1878</i>	42 Vict. No. 14	16 Jul 1878	16 Jul 1878
<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>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)

- ² *The Wild Cattle Nuisance Act 1871.*