

No. VI.

IMPORTED STOCK. **An Act to prevent the introduction of Contagious or Infectious Diseases in Cattle and Sheep. [22nd June, 1871.]**

Preamble. **W**HEREAS it is expedient to prevent the introduction into or spreading within the Colony of all infectious or contagious diseases to which cattle or sheep are or may be subject and for that purpose to regulate and control the importation and introduction of all cattle and sheep and to ensure their destruction in certain cases Be it enacted by the Queen's Most Excellent Majesty by and with the advice of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

Interpretation clause. 1. The following terms and words in inverted commas shall for the purpose of this Act unless the context otherwise indicate bear the meaning set against them respectively—

“Attendants on stock”—Persons in charge or who may have been at any time during the next preceding three months in charge of imported stock

“Australian

Imported Stock.

- “ Australian Colonies ”—The Colonies of Queensland Victoria South Australia Western Australia Tasmania and New Zealand
- “ Cattle ”—Bull cow ox steer heifer or calf
- “ 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
- “ Disease ”—Any infectious or contagious disease in cattle or sheep
- “ Fittings ”—Stall fittings or premises for the keeping or confining of cattle or sheep
- “ Fodder ”—Hay straw litter grass green crop grain corn or anything commonly used for with or about cattle or sheep
- “ Governor ”—The Governor with the advice of the Executive Council
- “ Imported stock ”—All Stock arriving by sea not the produce of the Australian Colonies
- “ Infected stock ”—Stock suffering from or actually affected with disease—or which have been in direct or indirect 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.
- “ Infectious or contagious diseases ”—Cattle Plague Foot and Mouth Disease Sheep-pox and any other disease which the Governor with the advice of the Executive Council by proclamation in the *Gazette* declares to be an infectious or contagious disease for the purposes of this Act
- “ Inspector ”—Chief Inspector or any other Inspector of cattle or sheep or any person authorized by the Minister to act as such Inspector
- “ Master ”—The captain or master or other person in charge of any vessel
- “ Minister ”—The Minister for the time being charged with the administration of this Act.
- “ 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
- “ Sheep ”—Ram ewe wether or lamb
- “ Stock ”—Cattle and sheep.

I.—QUARANTINE STATIONS.

2. The Governor may by proclamation in the *Gazette* set apart Quarantine stations. 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.

II.—INSPECTORS.

3. The Inspector and his assistants when acting under the provisions of this Act shall possess so far as the same may be applicable all the powers rights privileges and indemnities possessed by Officers of Customs and Health Officers under any law for the time being in force. Inspectors to have in certain cases the same powers &c. as Customs and Health Officers.

4. In case the owner of imported stock shall fail to comply with or carry out any order or direction of the Inspector in execution of the power conferred by this Act the Inspector shall take all necessary action at the expense of such owner and shall recover the same with his costs from such owner in a summary way before two Justices of the Peace. If owner refuse to carry out orders Inspector to take action at his expense.

Imported Stock.

III.—DUTIES OF MASTER.

Master of ship with imported stock to make declaration.

Schedule A.

Customs officer to forward same to nearest Inspector

and detain attendants &c.

No stock &c. to be landed without permit.

Landing of fodder prohibited.

5. 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 on demand to the Officer of Customs in charge of the said vessel And such officer shall as expeditiously as possible forward the same or in the event of refusal by the said master to sign any declaration notify the fact of such refusal to the nearest Inspector and shall cause the attendants of such imported stock and their effects to be detained on board until the arrival of the Inspector.

6. No imported stock nor any fittings on board any vessel importing such 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 any Inspector or member of the Police Force And no fodder put on board any vessel with or for the use of any imported stock shall on any account whatever be landed in the Colony.

IV.—IMPORTED STOCK NOT INFECTED.

Imported stock infected to be taken to quarantine.

Schedule B.

Fittings effects &c. to be disinfected.

7. Any imported stock not found on arrival to be infected shall be removed to the quarantine station where they shall remain in quarantine if such stock be cattle for a period of not less than fourteen days and if such stock be sheep for the period prescribed by the Diseases in Sheep Act of 1866 or any Act amending the same And if on the expiration of such periods respectively 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.

8. All fittings used for with or about such imported stock and all effects of the attendants of such stock shall previously to being landed be disinfected as the Inspector shall direct.

V.—INFECTED STOCK.

Infected stock to be reported to Minister.

Notice to destroy to be served on owner.

Schedule C.

The importation of stock from other colonies or countries may be restricted or absolutely prohibited.

9. If any imported stock on arrival or within a month thereafter be found on examination by the Inspector to be infected he shall immediately report the case to the Minister and if after careful investigation the Minister 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.

10. Notwithstanding anything herein contained the Governor may by proclamation in the *Government Gazette* restrict or absolutely prohibit for any specified time the importation or introduction of any stock fodder or fittings from any other colony or country in which there is reason to believe any infectious or contagious disease in stock exists.

VI.—PENALTIES.

Stock &c. illegally landed or removed or taken from quarantine may be seized and disposed of as the Minister may direct.

11. All imported stock fodder fittings or effects landed contrary to any of the provisions of this Act or of any proclamation or regulation made hereunder or taken or removed from any quarantine station or any stock wilfully allowed to stray therefrom or unlawfully outside such

Imported Stock.

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 Minister 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 be subject to all the provisions affecting such stock. And any stock with which any imported stock may be knowingly mixed or brought into contact by the owner of such first mentioned stock shall be held taken and deemed to be stock of the class with which they are so mixed or brought in contact and shall be dealt with accordingly.

12. 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 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 or attempt to 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 or 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 any two or more Justices in Petty Sessions.

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

VII.—REGULATIONS.

13. 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 Parliament within fourteen days after such publication and if Parliament be not in session then within fourteen days after the commencement of the next session.

Regulations may be made by the Governor in Council.

VIII.—EXPENSES.

14. From the funds standing in the books of the Treasury at the credit of the Cattle Disease Fund being moneys collected under the Cattle Disease Prevention Act of 1866 the Colonial Treasurer shall under warrant of the Governor pay all moneys which may have become due or payable by Stockowners or others during the next preceding three months as compensation for any imported stock destroyed during that time on account of their being infected all salaries remunerations travelling expenses and other sums due and payable under this Act.

The balance at the credit of the Cattle Disease Prevention Fund Account to be used for the purposes of this Act.

Imported Stock.

IX.—MISCELLANEOUS.

Application of penalties.

15. All penalties imposed under this Act after deduction of the expenses incurred in their recovery shall be paid by the Clerk of Petty Sessions one-half to the prosecutor or informer and the other to the Colonial Treasurer to be placed to the credit of the Cattle Disease Fund at the Treasury.

Inspector's certificate or notice to be *prima facie* evidence.

16. In all questions arising under this Act the certificate or notice of an Inspector shall in every case for the purposes of this Act be *prima facie* evidence of the truth of the matter contained in such certificate or notice.

Commencement and title.

17. This Act shall commence and take effect on and from the first day of July one thousand eight hundred and seventy-one and may be cited for all purposes as the "Imported Stock Act of 1871."

SCHEDULES.

SCHEDULE A.

IMPORTED STOCK ACT OF 1871.

Form of Declaration by Master of Vessel.

Section 5.

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 [*or*] are likely to be infected [*or*] that the Stock fodder fittings and effects are likely to be infected.

Dated this day of 18 .

Signed

Master.

Imported Stock.

SCHEDULE B.

IMPORTED STOCK ACT OF 1871.

Import Certificate of Cleanness.

I the undersigned Inspector for imported Stock of which particularly specified in the Schedule below have remained in Quarantine for a period of more than regulations of the above-named Act and that such Stock are clean and may be removed. do hereby certify that the Section 7. is owner and which are more particularly described in the Schedule below are 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 at what date.	Destination.

Signed

Inspector.

SCHEDULE C.

IMPORTED STOCK ACT OF 1871.

Notice to destroy Infected Stock.

To 18 Section 9. The Minister having after careful investigation decided in terms of section ten 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 at what date.	Destination.

Signed

Inspector.