



ANNO VICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1976

No. 60 of 1976

An Act to amend the Brands Act, 1933-1969.

[Assented to 18th November, 1976]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Brands Act Amendment Act, 1976". Short titles.
- (2) The Brands Act, 1933-1969, is hereinafter referred to as "the principal Act".
- (3) The principal Act, as amended by this Act, may be cited as the "Brands Act, 1933-1976".

2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.

3. Section 4 of the principal Act is amended— Amendment of principal Act, s. 4— Interpretation.
 - (a) by inserting after the definition of "The expression 'off'" the following definition:—
 - "the Department" means the department of the Public Service of the State for the time being declared by proclamation under subsection (2) of this section to be the Department for the purposes of this Act.;
 - and
 - (b) by inserting after the present contents thereof, as amended by this section (which are hereby designated subsection (1) thereof) the following subsection:—
 - (2) The Governor may by proclamation declare any department of the Public Service of the State to be the Department for the purposes of this Act and may by subsequent proclamation amend, vary or revoke any such declaration.

Repeal of ss. 17 and 18 of principal Act and enactment of section in their place—

Numerals and certain symbols may be used without registration.

4. Section 17 and section 18 of the principal Act are repealed and the following section is enacted and inserted in their place:—

17. It shall not be an offence against this Act for the owner of a registered brand for cattle—

(a) to brand cattle with one or more of the numerals 1, 2, 3, 4, 5, 6, 7, 8, 9 or 0;

or

(b) to brand cattle on the near or off ribs with any letter or symbol.

Amendment of principal Act, s. 53—

Revision of registration of brands and marks.

Amendment of principal Act, s. 54—

Register of brands.

5. Section 53 of the principal Act is amended by striking out from subsection (1) the passage “, and at least twice in *The Stock and Station Journal*,”.

6. Section 54 of the principal Act is amended by striking out paragraph (g) from subsection (1).

Repeal of s. 62 of principal Act and enactment of section in its place—

Official mark to indicate diseased or quarantined stock.

7. Section 62 of the principal Act is repealed and the following section is enacted and inserted in its place:—

62. (1) Notwithstanding anything in this Act, the chief inspector, or any inspector or temporary inspector of stock under the Stock Diseases Act, 1934-1976, who is also an officer of the Department, may brand with a firebrand or an acid brand any cattle in such position as he may think fit with the mark ↑ R, for the purpose of indicating that the cattle have been found by the chief inspector, or by any such inspector or temporary inspector of stock, or by a veterinary surgeon to be affected with a disease.

In order to identify any individual cattle found as aforesaid to be affected as aforesaid, any person authorized to brand the cattle as aforesaid may (whether or not the cattle are branded as aforesaid) brand the cattle by means of a firebrand or acid brand with any distinctive numeral in such position as he may think fit.

(2) If, pursuant to the Stock Diseases Act, 1934-1976, any stock have been quarantined upon any land, then, in order to identify any such stock, any inspector or temporary inspector of stock under the said Act who is also an officer of the Department, may, notwithstanding anything in this Act, adopt and give effect to any means of identification of the stock as are approved by the chief inspector.

(3) If any cattle have been vaccinated against brucellosis by the chief inspector of the Department or by a person who has been appointed by the chief inspector to perform such vaccinations, the person by whom the vaccination was performed may, notwithstanding anything in this Act, adopt and give effect to any means of identification of the cattle as are approved by the chief inspector.

(4) In this section—

“disease” means disease as defined for the purposes of the Stock Diseases Act, 1934-1976:

“veterinary surgeon” means a person registered as a veterinary surgeon under subsection (1) of section 17 of the Veterinary Surgeons Act, 1935-1975, and who has been approved by the chief inspector as a person to exercise the powers conferred by this section.

8. Section 63 of the principal Act is amended by striking out the passage “of Agriculture”.

Amendment of principal Act, s. 63—
Branding of cattle by Department.

9. The third schedule to the principal Act is amended by striking out the material related to the heading “*Position and Order of Rotation of Brands on Cattle (other than Camels)*” and inserting in lieu thereof the following material:—

Amendment of third schedule of principal Act.

- First position Off rump and hip
- Second position Near rump and hip
- Third position..... Near shoulder
- Fourth position Off shoulder

10. The seventh schedule to the principal Act is repealed.

Repeal of seventh schedule of principal Act.

11. The twenty-third schedule to the principal Act is amended by striking out Part VII therefrom.

Amendment of twenty-third schedule of principal Act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor