



ANNO TRICESIMO SEPTIMO

**ELIZABETHAE II REGINAE**

**A.D. 1988**

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**No. 20 of 1988**

**An Act to amend the Branding of Pigs Act, 1964.**

[Assented to 14 April 1988]

The Parliament of South Australia enacts as follows:

**Short title**

- 1. (1) This Act may be cited as the *Branding of Pigs Act Amendment Act, 1988*.
- (2) The *Branding of Pigs Act, 1964*, is in this Act referred to as "the principal Act".

**Interpretation**

2. Section 2 of the principal Act is amended by striking out the definition of "sell" and substituting the following definition:

"to sell" includes—

- (a) to barter or exchange;
- (b) to offer or exhibit for sale,

and "sale" has a corresponding meaning.

**Substitution of s. 5**

3. Section 5 of the principal Act is repealed and the following section is substituted:

**Duty to brand pigs**

5. (1) A person must not—

- (a) sell a pig;
- or
- (b) consign a pig for slaughter,

unless the pig is branded with the registered brand of the proprietor, in the prescribed manner and position, within seven days before the sale or consignment.

Penalty: \$2 000.

(2) Notwithstanding subsection (1), a person may sell or consign for slaughter a pig that is not branded with that person's registered brand if—

(a) the pig was purchased by and delivered to that person by the previous owner within seven days before the sale or consignment and at the time of delivery the pig had the registered brand of which the previous owner was the proprietor;

or

(b) if the pig weighs less than twenty kilograms.

#### Allotment and registration of brands

4. Section 6 of the principal Act is amended—

(a) by striking out subsection (1) and substituting the following subsection:

(1) Application for the allotment and registration of a brand must be made to the registrar in a form determined by the registrar and must be accompanied by the prescribed fee.;

and

(b) by striking out from subsection (3) “in the form prescribed”.

#### Transfer of brand

5. Section 7 of the principal Act is amended by striking out “in the prescribed form” (twice occurring).

#### Repeal of s. 8

6. Section 8 of the principal Act is repealed.

#### Substitution of s. 10

7. Section 10 of the principal Act is repealed and the following section is substituted:

##### Term of registration

10. (1) The registration of a brand—

(a) will be for a term of not less than three years nor more than five years determined by the registrar;

and

(b) may be renewed from time to time for a further term.

(2) Where a brand was allocated before the commencement of this Act, the term of the registration will run from the commencement of this section and the registrar will notify the proprietor of the date on which the term of registration will expire.

(3) The registrar may on application, reinstate the registration of a brand that has lapsed or has been cancelled.

(4) An application for renewal of the registration of a brand, or for reinstatement of the registration of a brand—

(a) must be made in writing to the registrar;

and

(b) must be accompanied by the prescribed fee.

#### Powers of entry and inspection

8. Section 11 of the principal Act is amended by striking out from subsection (2) the words “one hundred dollars” and substituting the words “one thousand dollars”.

**Regulations****9. Section 12 of the principal Act is amended—**

(a) by striking out paragraph (e) of subsection (1) and substituting the following paragraph:

(e) prescribing, or empowering the registrar to determine, forms to be used under this Act;;

and

(b) by striking out from subsection (2) the words “one hundred dollars” and substituting the words “one thousand dollars”.

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

C. L. LAUCKE, Governor's Deputy