



ANNO DECIMO TERTIO

# ELIZABETHAE II REGINAE

A.D. 1964

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## No. 11 of 1964

### An Act to amend the Cattle Compensation Act, 1939-1962.

[Assented to 10th September, 1964.]

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 "Cattle Compensation Act Amendment Act, 1964". Short titles.
- (2) The Cattle Compensation Act, 1939-1962, as amended by this Act, may be cited as the "Cattle Compensation Act, 1939-1964".
- (3) The Cattle Compensation Act, 1939-1962, is hereinafter referred to as "the principal Act".
2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.
3. Section 12 of the principal Act is amended— Amendment of principal Act, s. 12.
  - (a) by striking out the passages "or carcasses of cattle or both" and "or of carcasses of cattle, or both," in paragraph (a) of subsection (1a) thereof;
  - (b) by striking out the words "or carcasses or both" in paragraph (g) of subsection (1a) thereof; and
  - (c) by renumbering subsection (4) thereof as subsection (3) thereof and striking out the words "or carcasses of cattle or both" from that subsection.
4. The following section is inserted in the principal Act after section 12 thereof:— Enactment of s. 12a of principal Act—

Purchasers  
may deduct  
duty.

12a. (1) The Minister may upon application by a person who proposes to purchase cattle without any agent acting in the transaction grant to that person a permit for the purposes of this section.

(2) Paragraphs (c), (d), (e) and (f) of subsection (1a) of section 12 of this Act shall apply and have effect in relation to a permit under subsection (1) of this section as if it were a permit referred to in those paragraphs.

(3) Where an owner of cattle sells them to a purchaser who holds a valid and current permit issued under this section and who is acting without an agent, the owner is not required to comply with the requirements of subsection (1) of section 12 of this Act, but the purchaser shall—

(a) write out or cause to be written out a statement setting out the number of cattle purchased, the amount of the purchase money in respect of each head of cattle and the date of the purchase thereof, and shall either—

(i) affix to the statement cattle duty stamps to the amount of the duty payable under section 13 of this Act and cancel the stamps ; or

(ii) comply with the requirements of subsection (4) of this section ;

and

(b) give or by registered post send the statement to the owner within seven days of the purchase.

(4) Where in any such purchase the purchaser does not affix to the statement cattle duty stamps in accordance with subparagraph (i) of paragraph (a) of subsection (3) of this section, the purchaser shall—

(a) specify in the statement the amount of duty payable under section 13 of this Act in respect of the purchase money expended in the purchase ;

(b) lodge with the Minister a return specifying the purchase-money expended in all such purchases during any period of any duration fixed by the Minister ; and

(c) pay to the Minister the amount of duty payable under section 13 of this Act in respect of all such purchase-money.

(5) Any amount which a purchaser is required by subsection (4) of this section to pay to the Minister is, until so paid, a debt owing by the purchaser to the Minister and may be recovered from the purchaser in a court of competent jurisdiction at the suit of the Commissioner of Stamps.

(6) A payment of stamp duty by the purchaser as provided by subsection (3) or (4) of the section shall be a discharge to the purchaser for liability to pay that amount to the owner or a person claiming through the owner.

(7) Without affecting his liability to pay the amount of any unpaid duty, every purchaser who contravenes or fails to comply with any of the provisions of this section or, as the case may be, of any condition imposed under subsection (2) of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding fifty pounds.

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

EDRIC BASTYAN, Governor.