



ANNO DUODECIMO

GEORGII VI REGIS.

A.D. 1948.

No. 22 of 1948.

An Act to amend the Cattle Compensation Act, 1939.

[Assented to 2nd December, 1948.]

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, 1948". Short titles.

(2) The Cattle Compensation Act, 1939, as amended by this Act, may be cited as the "Cattle Compensation Act, 1939-1948".

(3) The Cattle Compensation Act, 1939, is hereinafter referred to as "the principal Act".

2. The definition of "market value" in subsection (1) of section 4 of the principal Act is amended by inserting therein after the word "destroyed" the words "or where the cattle are when consent is given for the cattle to be destroyed or slaughtered". Amendment of principal Act, s. 4—
Interpretation.

3. Section 5 of the principal Act is amended by adding at the end thereof the following subsection :— Amendment of principal Act, s. 5—
Compensation payable.

(3) If—

(a) pursuant to the Stock and Poultry Diseases Act, 1934, any cattle are quarantined on any land because of John's disease ; and

(b) with the consent in writing of the chief inspector and subject to any conditions imposed by the chief inspector are sold by the owner for the

purposes of slaughter at some abattoirs or slaughterhouse designated by the chief inspector or are caused to be slaughtered by the owner at some abattoirs or slaughterhouse designated by the chief inspector; and

- (c) the chief inspector is satisfied that the cattle have been so slaughtered and that any conditions aforesaid have been complied with,

compensation shall be payable under this Act as if the cattle had been destroyed by order of an inspector as mentioned in paragraph (a) of subsection (1).

Amendment of
principal
Act, s. 6—
Amount of
compensation.

4. Section 6 of the principal Act is amended by striking out the word “twenty” in the last line of subsection (1) thereof and by inserting in lieu thereof the word “thirty”.

Amendment of
principal Act,
s. 8—
Payment of
compensation.

5. Section 8 of the principal Act is amended—

- (a) by inserting therein after paragraph (b) of subsection (4) thereof the following paragraph:—

(b1) in respect of any cattle for which or for the carcass of which an owner claims compensation, unless the chief inspector is satisfied that all cattle stamp duty (if any) which was payable on the sale of the cattle to the owner was duly paid in accordance with the provisions of section 12; or

- (b) by striking out the word “unless” in the first line of paragraph (c) of subsection (4) thereof and by inserting in lieu thereof the word “if”, and by striking out the word “all” occurring in the second and the fourth lines of the said paragraph and by inserting in lieu thereof in each case the word “any”, and by inserting after the word “has” in the fifth and the seventh lines of the said paragraph in each case the word “not”;

- (c) by striking out paragraph (d) of subsection (4) thereof and by inserting in lieu thereof the following paragraphs:—

(d) if the chief inspector is satisfied that the owner claiming compensation by reason of cattle being affected by any disease, has failed to carry out any written instruction of an inspector for the control or eradication of that disease and that the failure

has been a probable cause of the cattle being affected by that disease ; or

(e) in respect of any cattle introduced into South Australia, whether by land, sea, or air, which are destroyed because the cattle are suffering from or suspected of suffering from disease, if the cattle are so destroyed within three months after the introduction of the cattle, unless the chief inspector is satisfied that the cattle became diseased after being introduced, or unless the cattle are found to be free from disease and unless the chief inspector is also satisfied that cattle stamp duty has been paid in accordance with the provisions of this Act upon a sale of the cattle, whether a sale in South Australia or elsewhere ; or

(f) in respect of the carcass of any cattle which are introduced into South Australia, whether by land, sea or air, or any portion of any such carcass, which is condemned because of disease within three months after the introduction of the cattle, unless the chief inspector is satisfied that, subsequent to the introduction of the cattle, the cattle were sold in South Australia, and that all cattle stamp duty which was payable on the sale of the cattle was duly paid in accordance with the provisions of section 12.

6. Section 13 of the principal Act is amended—

(a) by striking out the words “ one penny ” in the sixth line of subsection (2) thereof and by inserting in lieu thereof the word “ three-farthings ” ; and

(b) by striking out the words “ one shilling and eight pence ” in the last line of subsection (2) thereof and by inserting in lieu thereof the words “ one shilling and tenpence halfpenny : Provided further that if the amount of any cattle stamp duty payable in respect of the sales of any cattle does not consist of a multiple of one halfpenny, the amount of cattle stamp duty so payable shall be the amount which would otherwise be payable pursuant to this section plus one farthing ”.

Amendment of
principal
Act, s. 13—
Amount of
duty.

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

C. W. M. NORRIE, Governor.