



ANNO VICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1976

No. 61 of 1976

An Act to amend the Cattle Compensation Act, 1939-1974.

[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:

Short titles.

1. (1) This Act may be cited as the "Cattle Compensation Act Amendment Act, 1976".

(2) The Cattle Compensation Act, 1939-1974, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Cattle Compensation Act, 1939-1976".

Commencement.

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

Amendment of principal Act, s. 4—
Interpretation.

3. Section 4 of the principal Act is amended by striking out from subsection (1) the definition of "disease" and inserting in lieu thereof the following definition:—

"disease" means a state or condition declared by proclamation under section 4a of this Act to be a disease for the purposes of this Act.:

Amendment of principal Act, s. 4a—
Proclamation of disease.

4. Section 4a of the principal Act is amended—

(a) by striking out from subsection (1) the passage "disease affecting cattle" and inserting in lieu thereof the passage "state or condition likely to affect cattle or to which cattle may be subject";

(b) by striking out from subsection (2) the word "disease" firstly occurring and inserting in lieu thereof the passage "state or condition likely to affect cattle or to which cattle may be subject";

(c) by striking out from subsection (2) the word "disease" thirdly occurring and inserting in lieu thereof the passage "state or condition";

(d) by striking out from subsection (3) the word "disease" firstly occurring and inserting in lieu thereof the passage "state or condition";

and

(e) by striking out from subsection (3) the word "disease" thirdly occurring and inserting in lieu thereof the passage "state or condition".

5. The following section is enacted and inserted in Part I of the principal Act immediately after section 4a thereof:—

Enactment of
s. 4b of
principal Act—

4b. For the purposes of the computation of stamp duty under this Act, where cattle or carcasses of cattle are sold in a lot, the purchase money in respect of each head of cattle or each carcass shall be deemed to be the quotient obtained by dividing the total purchase money in respect of that lot by the number of head of cattle or carcasses comprised in that lot, expressed to the nearest dollar, fifty cents or more being regarded as a whole dollar.

Averaging.

6. Section 5 of the principal Act is amended by striking out paragraph (a) from subsection (1) and inserting in lieu thereof the following paragraph:—

Amendment of
principal Act,
s. 5—
Compensation
payable to
owners of
cattle.

(a) to the owner of any cattle destroyed by or by order of an inspector pursuant to any Act or any regulation or proclamation under any Act—

(i) because the cattle are suffering from or suspected of suffering from any disease;

or

(ii) where the destruction of those cattle was necessary or expedient for the eradication of any disease or the prevention of the spread of any disease:.

7. Section 6 of the principal Act is amended by striking out paragraphs (a) and (b) from subsection (1) and inserting in lieu thereof the following paragraphs:—

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

(a) destroyed by order of an inspector as mentioned in paragraph (a) of subsection (1) of section 5 of this Act;

or

(b) destroyed with the consent of the chief inspector as mentioned in paragraph (c) of that subsection.

Amendment of
principal Act,
s. 11—
Establishment
of Cattle
Compensation
Fund.

8. Section 11 of the principal Act is amended by inserting in subsection (2) after paragraph (a) the following paragraph:—

(aa) all sums of money payable to the Government of the State for the purposes of providing compensation to owners of cattle destroyed for the purposes of the eradication or the prevention of the spread of any disease;.

Amendment of
principal Act,
s. 12a—
Purchasers may
deduct duty.

9. Section 12a of the principal Act is amended—

(a) by striking out from subparagraph (i) of paragraph (a) of subsection (3) the passage “section 13”;

and

(b) by striking out from subsection (4) the passage “section 13” twice occurring.

Amendment of
principal Act,
s. 13—
Duty on sales
of cattle.

10. Section 13 of the principal Act is amended by striking out subsections (1) and (2) and inserting in lieu thereof the following subsection:—

(1) Subject to subsection (4) of this section, on and after the commencement of the Cattle Compensation Act Amendment Act, 1976, for every head of cattle or carcass sold there shall be payable stamp duty at such rate as is prescribed.

Amendment of
principal Act,
s. 16—
Regulations.

11. Section 16 of the principal Act is amended by inserting immediately before paragraph (a) the following paragraph:—

(aa) prescribing the rate or rates of stamp duty payable under this Act;.

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

M. L. OLIPHANT, Governor