



ANNO QUARTO

GEORGII V REGIS.

A.D. 1913.

No. 1132.

An Act to consolidate and amend the Law relating to the Branding of Horses, Cattle, and Sheep, and for other purposes.

[Assented to, December 18th, 1913.]

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

PART I.

PART I.

PRELIMINARY.

1. This Act may be cited as "The Brands Act, 1913."

Short title.

2. The provisions of this Act are arranged as follows:—

Arrangement of Act.

PART I.—Preliminary.

PART II.—Officers.

PART III.—Horses and Cattle—

DIVISION I.—Registered Brands:

DIVISION II.—Registered Distinctive Brands and Marks:

DIVISION III.—Registered Brands for Export and other Marks.

PART IV.—Sheep—

DIVISION I.—Sheep Brands Districts :

DIVISION II.—Registered Brands :

DIVISION III.—Distinctive Brands and Earmarks

PART V.—Pound Brands.

PART VI.—Transfers and Cancellations.

PART VII.—Brands Register and Brands Directory.

PART VIII.—Miscellaneous.

PART IX.—Regulations.

PART X.—Offences, Penalties, and Legal Procedure.

Repeal.

No. 152 of 1879.
 No. 267 of 1882.
 No. 477 of 1890.

3. (1) “The Brands Act, 1879,” “The Brands Act, 1882,” and the Act No. 477 of 1890 are hereby repealed.

(2) Except so far as may be necessary to give effect to the provisions of this Act, such repeal shall not affect—

- (a) The past operation of any enactment, nor anything done, suffered, or omitted under any enactment, nor the effect of the doing, suffering, or omission of anything under any enactment ;
- (b) The operation of any proclamation or regulation made under any enactment ;
- (c) The validity or effect of any order, appointment, certificate, or document made or issued under any enactment ;
- (d) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment ;
- (e) Any penalty, forfeiture, or punishment incurred or liable to be incurred in respect of any offence committed against any enactment ; nor
- (f) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment.

Any such investigation, legal proceeding, or remedy may be instituted, carried on, and prosecuted as if this Act had not been passed ; and every person having a brand or mark or distinctive brand or mark registered under the said Acts, shall be deemed to have the same registered in his name under this Act until it is transferred or cancelled under the provisions of this Act.

Interpretation.

Act 152, 1879, s. 5,
 altered.

4. In this Act, except where inconsistent with the context or some other meaning is clearly intended,—

“Brand” means any letter, numeral, sign, or mark, impressed or made, or intended to be impressed or made, upon any stock ; and to brand includes to mark :

“Brands

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PART I.

- “Brands Directory” means the Brand Directory last compiled and published before the passing of this Act, in pursuance of “The Brands Act, 1879,” or any Brands Directory compiled by the Registrar of Brands and published by the Government Printer in pursuance of this Act :
- “Cattle” includes bulls, cows, oxen, heifers, steers, calves, and camels, and where the context shows that the singular number is intended, means a bull, cow, ox, heifer, steer, calf, or camel :
- “Crop” means a straight cut taking off any portion of the ear :
- “Distinctive brand or mark,” or “distinctive brand,” or “distinctive mark,” means any brand or mark registered as provided by section 14 :
- “District” means a Sheep Brands District proclaimed under this Act :
- “Horse” means any horse, mare, gelding, colt, filly, ass, or mule :
- “Inspector” means the Chief or Deputy Chief or any other Inspector of Brands :
- “Justice” means Justice of the Peace for the State :
- “Mark” means any ear or other mark or ear cut made on any stock ; and to mark includes to cut :
- “Minister” means the Minister of the Crown to whom the administration of this Act for the time being is committed by the Governor :
- “Owner” means any proprietor of any stock and includes his agent, manager, or overseer, or any person authorised to act or usually acting on such proprietor’s behalf :
- “Prescribed” means prescribed by this Act or by regulation :
- “Prescribed fee” means the fee provided in respect of the particular matter by the Nineteenth Schedule or by regulation :
- “Proclamation” means proclamation by the Governor published in the *Government Gazette* :
- “Quarterly statement” means a quarterly statement published in pursuance of section 23 of “The Brands Act, 1879,” or of section 46 of this Act :
- “Registered brand” when used with reference to horses or cattle or both means brand registered as provided by section 8 ; “registered brand” or “registered tattoo mark” when used with reference to sheep means brand or tattoo mark registered as provided by section 25 ; “registered brand or mark” when used generally and not with reference to horses and [or] cattle only or sheep only means brand or mark registered as provided by any of the provisions of this Act :

“Registrar”

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- “Registrar” means the Registrar of Brands or any Deputy Registrar of Brands:
- “Regulation” means regulation made under this Act:
- “Run” means any run, station, farm, or place where stock are kept or depastured:
- “Sheep” includes rams, ewes, wethers, lambs, goats, and kids, and where the context shows that the singular number is intended, means a ram, ewe, wether, lamb, goat, or kid:
- “Sign” means any brand, other than letters or numerals, impressed or made, or intended to be impressed or made upon stock:
- “Skin” or “hide” means the skin or hide of any stock:
- “Stock” includes horses, cattle, and sheep:
- “Tag” means a piece of metal with numerals, letters, or signs impressed or otherwise marked thereon:
- “Tattoo mark” means any indelible brand or mark made by means of Indian ink or other pigment on any portion of the body:
- “The State” means the State of South Australia:
- “This Act” includes regulations made under this Act.

PART II.

PART II.
OFFICERS.

Offices to be held by
Inspectors of
Stock and others.
Of. Act 152, 1879,
s. 6.

5. (1) The Chief Inspector of Stock under “The Stock Diseases Act, 1888” shall be the Chief Inspector of Brands and the Registrar of Brands.

(2) The Deputy Chief Inspector of Stock under the said Act shall be the Deputy Chief Inspector of Brands and a Deputy Registrar of Brands.

(3) All Inspectors and temporary Inspectors of Stock, under the said Act, and all Inspectors and Sub-Inspectors of Police shall be Inspectors of Brands.

(4) Any Deputy Registrar of Brands, and all Inspectors of Brands, appointed before the passing of this Act and holding office immediately before such passing, are hereby continued in those offices respectively, but may be dismissed from such offices as if they were appointed under this Act.

Other officers may be
appointed.
Ibid., s. 7.

6. The Governor may appoint such Deputy Registrars of Brands, Inspectors of Brands, and other officers as he deems expedient for carrying the provisions of this Act into effect.

PART

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PART III.

HORSES AND CATTLE.

DIVISION I.—REGISTERED BRANDS.

PART III.

DIVISION I.

7. Any person may, in manner hereinafter provided, obtain the registration of a brand for the purpose of branding his horses and cattle, distinct from the brands of owners of other horses or cattle, and the registration of such brand shall entitle him to the exclusive use thereof.

Provision for registration of brands for horses and cattle.
Ibid., s. 8.

8. (1) Any owner of horses or cattle, or both, who desires to obtain the registration of a brand for horses and cattle shall make application to the Registrar in the form of the First Schedule, and pay the prescribed fee.

Application for and registration of brands.
Ibid., s. 9.

(2) Thereupon, subject to section 9 and unless the brand applied for is already registered, the Registrar shall register such brand in the name of the applicant. If such brand is already registered, the Registrar shall allot to the applicant some other brand, and shall register such other brand in the name of the applicant, and mark upon the application the design of the brand so allotted.

(3) Upon registration the Registrar shall deliver or send to the applicant a certificate of the registration in the form of the Second Schedule.

9. (1) No horse and cattle brand shall be registered as provided by section 8 unless—

Description of brands that may be registered.

i. It is approved by the Registrar; and

Ibid., s. 10, altered.

ii. It consists of one letter and two numerals, or of one sign with or without two numerals, and the numerals are not placed under the letter or sign.

(2) When a registered brand for horses and cattle consists of or contains a letter or sign, no other brand consisting of or containing such letter or sign either with or without numerals, shall be registered unless such other brand is so arranged as to be dissimilar to the first-mentioned brand.

10. Only one horse and cattle brand shall be registered as provided by section 8 in the name of any person, unless he is the proprietor of more runs than one, in which case, in the discretion of the Registrar, a separate brand may be registered in his name in respect of each of such runs.

Only one brand to be allowed to each person, except for separate runs.

Ibid., s. 11.

11. Every owner of horses and cattle shall use the same registered brand for both horses and cattle.

Same brand to be used for horses and cattle.

Ibid., s. 12 (part).

12. No registered brand placed on any horse or cattle shall be less than one inch and a quarter or more than three inches in height: Provided that, when the brand consists of a letter within a sign, it shall not be deemed a breach of this section if the sign does not exceed four inches in height.

Size of brand on animal.

Ibid. (part), altered.

13. No

PART III.
DIVISION I.

The Brands Act.—1913.

Position of brands.
Ibid., s. 14, and Act
267, 1882, s. 5.

13. No registered brand shall be placed on any horse or cattle except as follows, namely:—

- (a) Every brand shall be placed on one of the positions appropriate to the particular animal described in the Third Schedule, and in the consecutive order of rotation therein specified:
- (b) The owner placing the first brand upon any horse or cattle may place such brand on such one of the said positions as he thinks fit:
- (c) Every subsequent brand shall be placed on the position next in the said order of rotation to the brand last theretofore placed upon the horse or cattle, the first position being for this purpose regarded as following next after the sixth position; or, in the case of a camel, the fourth position;

and any horse or cattle shall at any time be deemed to have been last branded with the brand which appears to be the brand last theretofore placed upon such horse or cattle, according to the said order of rotation.

DIVISION II.

DIVISION II.—REGISTERED DISTINCTIVE BRANDS AND MARKS.

Application for and
registration of
distinctive brands.

Act 152, 1879, s. 13
(part).

14. (1) Any owner of a registered brand for horses and cattle who desires to use another brand or mark on his horses or cattle for the purpose of denoting his ownership thereof, or the class, age, or description thereof, or any other circumstance, shall make application to the Registrar in the form of the Fourth Schedule for the registration of such brand or mark as a distinctive brand or mark, and pay the prescribed fee.

(2) Thereupon the Registrar, if he approves of such brand or mark, shall register it in the name of the applicant: Provided that he may, in the case of two or more owners applying for registration of the same brand or mark as a distinctive brand or mark, register such brand or mark in the name of one applicant, and such brand or mark, modified so as to render the brands or marks dissimilar, in the name or names of the other applicant or applicants.

(3) Upon registration the Registrar shall deliver or send to the applicant a certificate of the registration in the form of the Fifth Schedule.

(4) No distinctive brand or mark for horses or cattle shall be registered in the name of, or be used by, any person who is not the owner of a registered brand for horses and cattle.

Position of distinctive
brand.
Ibid. (part).

15. No distinctive brand or mark shall be placed on any horse or cattle except on the position determined by the Registrar and stated on the certificate of registration thereof, which shall be one of the positions mentioned in the Sixth Schedule.

16. (1) Any

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DIVISION II.

16 (1) Any owner of a registered brand for horses and cattle who desires to use distinctive numerals on his horses or cattle for stud or herd book purposes, shall make application to the Registrar in the form of the Seventh Schedule to have consecutive numerals (to be set forth in the application) registered in his name, and pay the prescribed fee.

Application for and registration of distinctive numerals.
Act 267, 1882, s. 4 (part), altered.

(2) Thereupon the Registrar may register such numerals in the name of the applicant, and in that case shall deliver or send to the applicant a certificate of the registration in the form of the Eighth Schedule.

(3) No distinctive numerals shall be registered in the name of, or be used by, any person who is not the owner of a registered brand for horses and cattle.

17. No distinctive numeral shall be placed on any horse or cattle except on the position determined by the Registrar and stated on the certificate of registration thereof, which shall, in the case of horses, be the near or off side of the neck, and in the case of cattle, the near or off horn or the near or off side of the neck.

Position of distinctive numerals.
Ibid. (part).

DIVISION III.—REGISTERED BRANDS FOR EXPORT AND OTHER MARKS.

DIVISION III.

18. Notwithstanding anything in this Act contained any person who desires to use a special brand for horses to be exported from the State may apply in the form contained in the Ninth Schedule to the Registrar to register the same; and upon payment of the prescribed fee the Registrar may issue a certificate in the form contained in the Tenth Schedule for such special brand, and such person may thereafter use such brand on horses for export only.

Brands for horses for export.
Act 477, 1890, s. 1, altered.

19. A special brand for horses for export shall consist of one or more letters or signs, or a combination of letters and signs; and when used on any horse such brand shall be not less than one inch in height, and shall be accompanied by a dot impressed to the left of and on a line with the lower part of such brand, which dot shall not be more than one inch nor less than half an inch in diameter, and shall be taken to indicate that such brand is registered in the State.

Description of special brand that may be registered.
New.
Regulation 2/11/1904.

20. A special brand for horses for export shall be placed only in such position as is determined by the Registrar and stated on the certificate of registration thereof.

Position of special brand.
New.

21. The person placing the first registered brand upon any horse or cattle may place any numerals under such brand for the purpose of denoting the age of such horse or cattle; but such numerals shall not be placed at a less distance than two inches nor at a greater distance than three inches from such brand, and shall be placed directly underneath such brand.

Use of numerals for denoting age.
Act 152, 1879, s. 15, altered.

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PART IV.

PART IV.

SHEEP.

DIVISION I.

DIVISION I.—SHEEP BRANDS DISTRICTS.

Sheep Brands
Districts.

New.

22. (1) The Governor may, by proclamation, declare any one or more of the divisions of the State described in the Eleventh Schedule to be a Sheep Brands District.

(2) Any district declared as aforesaid shall be a Sheep Brands District, and shall be known by the name assigned to it by the proclamation whereby it is declared: Provided that the Governor may, by proclamation, assign a new name to any district, in which case it shall be known by the name so assigned.

Similar brands not
registrable for same
district.

23. Similar brands and tattoo marks for sheep may be registered, but not in respect of the same district.

DIVISION II.

DIVISION II.—REGISTERED BRANDS.

Provision for registra-
tion of brands and
marks for sheep.

Act 267, 1882, s. 6
(part).

Altered.

24. Any owner of sheep may, in manner hereinafter provided, obtain the registration of a paint brand alone, or of a paint brand and tattoo mark together, for the purpose of branding his sheep, distinct from the brands and marks of owners of other sheep, and the registration of such brand or mark shall entitle him to the exclusive use thereof: Provided that if it is registered in respect of a district, such registration shall entitle him to the exclusive use thereof only in such district: And provided further that two or more paint brands, although all consisting of the same design, shall be deemed to be different brands if registered for use in different colors.

Registration of brand
or mark.

Act 152, 1879,
ss. 17 and 18.

25. (1) Any owner of sheep who desires to obtain the registration of a paint brand, or paint brand and tattoo mark, for sheep, shall make application to the Registrar in the form of the Twelfth Schedule and pay the prescribed fee.

(2) Thereupon the Registrar shall, if he approves of the brand or brand and mark applied for, and the same is or are not already registered in respect of the district, register such brand or brand and mark in the name of the applicant. If any brand or mark applied for is already registered, the Registrar shall allot to the applicant some other brand or mark and register it in the name of the applicant, and mark upon the application the design of the brand or mark so allotted.

(3) Upon registration the Registrar shall deliver or send to the applicant a certificate of the registration in the form of the Thirteenth Schedule.

Only one brand
except in respect of
separate runs.

Ibid., s. 19.

26. Only one paint brand, or paint brand and tattoo mark, shall be registered in the name of any owner, unless he is the proprietor of more runs than one, in which case, in the discretion of the Registrar, a separate brand or brand and mark may be registered in his name in respect of each of such runs.

27. No

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DIVISION II.

27. No registered brand placed on any sheep shall be less than two inches or more than four inches in height: Provided that if the brand consists of a dot, it shall not be less than one inch nor more than two inches in diameter.

Size of brand on sheep.
New.
Cf. s. 12, *supra*.

28. A paint brand may be made only with oil paint, or such (if any) other substances as are permitted by regulation.

With what substances brands may be made.
Cf. Act 152, 1879, s. 5.

29. (1) A registered brand for sheep shall only be used in such color, manner, and form, and only be placed in such position, as are determined by the Registrar and stated on the certificate of registration.

Position of brands.
Act 267, 1882, s. 6. (part).

(2) A registered tattoo mark shall only be used in such manner and form as the Registrar directs; and no registered tattoo mark shall be placed on any sheep except as follows:—

- (a) Every tattoo mark shall be placed on one of the positions described in the Fourteenth Schedule, and in the consecutive order of rotation therein specified:
- (b) The owner placing the first tattoo mark upon any sheep may place such mark on such one of the said positions as he thinks fit:
- (c) Every subsequent tattoo mark shall be placed on the position next in the said order of rotation to the tattoo mark last theretofore placed upon the sheep, the first position being for this purpose regarded as following next after the ninth position;

and any sheep shall at any time be deemed to have been last marked with the tattoo mark which appears to be the tattoo mark last theretofore placed upon such sheep, according to the said order of rotation.

30. The registration of any tattoo mark for sheep registered before the passing of this Act is hereby cancelled; and the Registrar shall forthwith after such passing register the same tattoo mark in the name of the same owner in manner provided by this Act, without further fee.

Existing tattoo marks to be re-registered in accordance with this Act.

DIVISION III.—DISTINCTIVE BRANDS AND EARMARKS.

DIVISION III.

31. Any owner of a registered brand or tattoo mark for sheep may, without registration, use any of the numerals 2, 3, 4, 5, 6, 7, 8, 9 on any position as a distinctive brand for his sheep: Provided that he may use only one of such numerals on any one sheep, and that the numeral as used shall not exceed four inches in height.

Distinctive brands for sheep.
Act 267, 1882, s. 8.

32. Subject to section 51 any owner of a registered brand or tattoo mark for sheep may mark his sheep with any earmarks which he thinks proper, and may also attach tags to the backs of the ears of his sheep.

Earmarks and tags.
New.

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PART V.

Distinguishing brand to be used by each public pound.

Act 152, 1879, s. 25 (part), altered.

Poundkeeper to brand stock before delivery on sale.

Ibid (part).

Poundkeeper to give notice to owner.

Act 267, 1882, s. 12, altered.

Penalty for neglect of duty by poundkeeper.

Act 152, 1879, s. 25, 267, 1882, s. 22.

PART V.

POUND BRANDS.

33. The Registrar of Brands shall allot to each public pound now or hereafter established in the State, a brand in such form as he thinks fit, and shall register the brands so allotted as pound brands, and may at any time transfer or cancel any such brand.

34. Every keeper of a public pound shall—

(a) On the sale of any horse or cattle impounded in such pound, before the delivery thereof to the purchaser or to any person on his behalf, brand the same with the brand of such pound on the position and in the order prescribed by this Act, in such manner as to show that at that time the said brand is the last brand placed on such horse or cattle:

(b) On the sale of any sheep impounded in such pound, before the delivery thereof to the purchaser or to any person on his behalf, brand the same on the top or back of the head with the mark \uparrow as a green paint brand.

35. (1) When any horse or cattle is impounded the poundkeeper shall (in addition to any other notice which he is by law required to give) forthwith notify that fact to the owner of the registered brand which appears last in order on such horse or cattle, and if such poundkeeper has reason to suppose that such horse or cattle belongs to some person other than such owner he shall also notify such other person.

(2) When any sheep is impounded the poundkeeper shall (in addition to any other notice which he is by law required to give) forthwith notify that fact to the owner of every registered brand which appears on such sheep.

36. Any keeper of a public pound who—

(a) Neglects to give any notice required by this Act to be given; or

(b) Neglects, on the sale of any horse, cattle, or sheep impounded in a pound under his charge, to brand such horse, cattle, or sheep, as required by this Act; or

(c) Neglects or refuses to give any necessary information within his knowledge when requested by an Inspector so to do;

shall be guilty of an offence against this Act, and shall be liable to a penalty not exceeding Twenty-five Pounds, or to be imprisoned for any term not exceeding three months.

PART VI.

Transfer, how effected.

Act 152, 1879, s. 20, altered.

PART VI.

TRANSFERS AND CANCELLATIONS.

37. (1) Any person wishing to have the right to his registered brand or mark transferred to another person shall make and sign a memorandum

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memorandum in the form of Form No. 1 in the Fifteenth Schedule (which shall also be signed by the person to whom such right is intended to be transferred), and shall transmit the same to the Registrar of Brands, together with the prescribed fee.

(2) The Registrar may, upon the receipt of such memorandum and fee, transfer the registration of such brand or mark accordingly, and shall thereupon deliver or send to the transferee a certificate in the form of Form No. 1 in the Sixteenth Schedule; and such transferee shall thereafter have the same exclusive right to use such brand or mark as the transferor had.

(3) This section shall not apply to distinctive numerals registered as provided by section 16.

38. (1) Upon being satisfied that the owner of any registered brand or mark (not being distinctive numerals registered as provided by section 16) is deceased, the Registrar may, upon the application of the personal representative of such deceased owner, in the form of Form No. 2 in the Fifteenth Schedule, and payment of the prescribed fee, transfer the registration to such representative or to such person as he nominates in the application.

Transfer in case of death of owner.
New.

(2) Thereupon the Registrar shall deliver or send to the transferee a certificate in the form of Form No. 2 in the Sixteenth Schedule, and the provisions of subsection (2) of section 37, *mutatis mutandis*, shall apply.

39. The Registrar may, in his discretion, refuse to transfer the registration of any brand or mark.

Registrar may refuse to transfer.
Act 267, 1882, s. 11.

40. The owner of any registered brand or mark shall, upon making application in the form of the Seventeenth Schedule and payment of the prescribed fee, be entitled to have the registration of such brand or mark cancelled by the Registrar.

Cancellation of registration on application by owner.
Act 152, 1872, s. 21 (part.)

41. (1) When it appears to the Registrar, upon the report of an Inspector or otherwise, that a registered brand or mark is not in use, the Registrar may cause notice to be given to the owner of such brand or mark, calling upon him to show cause why the registration thereof should not be cancelled. The notice may be given by posting the same to the last known place of residence of such owner.

Cancellation of registration if brand or mark not in use.
Ibid.

(2) Unless within two months after the giving of such notice cause is shown to the satisfaction of the Registrar why the registration of the brand or mark should not be cancelled, the Registrar may cancel the registration.

42. The Registrar may, after three months' previous notice published in the *Government Gazette*, and posted to the last known place of residence of the owner of any registered brand or mark, cancel the registration of the said brand or mark when, for the prevention

Cancellation of registration to avoid abuse.
Act 267, 1882, s. 9, altered.

THE CHIEF CLERK
READING ROOM OFFICE

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prevention of abuse, or to prevent infringements of this Act, he deems it advisable so to do; and in such case the Registrar may, in his discretion, allot to the owner of the said brand or mark another brand or mark, and shall thereupon register the same in the name of such owner without any fee.

Cancellation of registration on transfer of run.
Ibid., s. 10.

43. The Registrar may cancel the registration of any brand or mark registered in the name of any owner in respect of any run upon the transfer or conveyance or lease of such run, unless the right to such brand or mark is transferred as provided by this Act.

Registration after cancellation.
New.

44. Any brand or mark, the registration of which has been cancelled, may, in the discretion of the Registrar, be again registered in the name of the former owner or any other person.

PART VII.

PART VII.

BRANDS REGISTER AND BRANDS DIRECTORY.

Register of brands.
Act 152, 1879, s. 22,
altered.

45. The Registrar of Brands shall keep—

- I. A register in the form of Part I. of the Eighteenth Schedule of all horse and cattle brands registered as provided by section 8:
- II. A register in the form of Part II. (A) of the said Schedule of all sheep brands registered, as provided by section 25, divided if necessary, according to districts; and a register in the form of Part II. (B) of the said Schedule of all tattoo marks for sheep registered, as provided by that section, divided, if necessary, according to districts:
- III. A register in the form of Part III. of the said Schedule of all registered transfers of brands and marks:
- IV. A register in the form of Part IV. of the said Schedule of all cancellations of registrations of brands and marks:
- V. A register in the form of Part V. of the said Schedule of all brands for horses to be exported:
- VI. A register in the form of Part VI. of the said Schedule of all distinctive brands for horses or cattle:
- VII. A register in the form of Part VII. of the said Schedule of all distinctive numerals for horses or cattle:
- VIII. A register in the form of Part VIII. of the said Schedule of all pound brands:

and such (if any) other registers and books as are prescribed or are necessary for the purposes of this Act: Provided that what registers and books are to be kept by the Registrar, and the forms thereof, may from time to time be altered or varied by regulation.

46. (1) The

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PART VII.

46. (1) The Registrar of Brands shall, at the end of every quarter of a year, or as soon thereafter as possible, send to the Government Printer, for publication in the *Government Gazette*, a statement, in the forms of Parts I., II. (A), III., IV., and VIII. of the Eighteenth Schedule, of all brands to which such Parts relate which have been registered or transferred, or the registrations whereof have been cancelled during such quarter, and such (if any) other statements as are prescribed: Provided that what statements are to be so sent and published, and the forms thereof, may from time to time be altered or varied by regulation.

Quarterly statement and Brands Directory to be published.
Ibid., s. 23, altered.

(2) As soon as possible after the thirty-first day of December, in the year nineteen hundred and thirteen, the Registrar of Brands shall compile a Horse and Cattle Brands Directory, containing lists of all the horse and cattle brands registered up to that date, as provided by section 8, or under the corresponding provisions of any former Brands Act, and the registration of which continue in force, and of all pound brands registered up to that date, and the registration of which continue in force; and such (if any) other statements as are prescribed.

(3) As soon as possible after the thirty-first day of December, in the year nineteen hundred and fourteen, the Registrar of Brands shall compile a Sheep Brands Directory, containing lists of all the sheep brands (but not tattoo marks) registered up to that date, as provided by section 25, or under the corresponding provisions of any former Brands Act, and the registrations of which continue in force, and such (if any) other statements as are prescribed.

(4) As soon as possible after the thirty-first day of December in each year after the year nineteen hundred and fourteen, the Registrar of Brands shall compile a Horse and Cattle Brands Directory or a Sheep Brands Directory, containing such lists and statements as mentioned in subsection (2) or (3) of this section of the brands registered as mentioned in those subsections respectively, and the registrations of which continue in force, and such (if any) other statements as are prescribed: Provided that the first compiled of such Directories shall be a Horse and Cattle Brands Directory, and the second a Sheep Brands Directory, and that a Horse and Cattle Brands Directory shall be compiled once in every period of two years and a Sheep Brands Directory once in every period of two years.

(5) The Directories required by this section shall be in the forms of Parts I., II. (A), and VIII. of the Eighteenth Schedule or in such forms as are prescribed.

(6) The Registrar of Brands shall cause each of the said Directories to be published by the Government Printer as soon as possible after the compilation thereof.

(7) Any Brands Directory, or quarterly statement, or a copy of any such Directory or statement purporting or appearing to have been printed by the Government Printer, shall, in any action, suit, prosecution, or trial, be received without proof as *prima facie* evidence of the matters, statements, and things contained therein.

47. (1) Upon

PART VII.

The Brands Act.—1913.

Poundkeepers and officers to be supplied with directories.

Ibid. (part)

47. (1) Upon the passing of this Act the Registrar of Brands shall see that every keeper of a public pound, Deputy Registrar of Brands, and Inspector, and every member of the Police Force in charge of a police station, is supplied with a copy (printed by the Government Printer) of the Brands Directory last compiled and published before the passing of this Act, in pursuance of "The Brands Act, 1879."

(2) As soon as practicable after the publication, in pursuance of this Act, of each Brands Directory the Registrar shall send a copy of such Directory to every keeper of a public pound, Deputy Registrar of Brands, and Inspector, and every member of the Police Force in charge of a police station.

Poundkeepers and officers to keep copy of Directory and *Gazettes* open for inspection.

Ibid., s. 24.

48. (1) Every keeper of a public pound, Deputy Registrar of Brands, and Inspector, and every member of the Police Force in charge of a police station, shall keep a copy of every Brands Directory, and copies of the *Government Gazettes* containing all the quarterly statements of registered brands published later than the then last published Brands Directory, and shall, on the receipt of a fee of One Shilling, permit a search in such Directories and *Government Gazettes* at all reasonable hours.

(2) Any keeper of a public pound who fails, without good cause or excuse, to have or to produce any Brands Directory or to have or to produce a copy of the *Government Gazette* containing any such quarterly statement published later than the last published Brands Directory, when demand is made for the same at a reasonable time, shall be guilty of an offence against this Act, and shall be liable to a penalty not exceeding Five Pounds.

(3) Fees for searches permitted by poundkeepers under this section may be kept by them for their own use, but in all other cases the fees shall be paid to the Treasurer.

PART VIII.

PART VIII.

MISCELLANEOUS.

Preference to longest user of brand.

New.

49. In allotting and registering any brand or mark of any kind, the Registrar shall, as far as practicable, give preference to the owner of stock who has used such brand or mark for the longest time.

Power of Inspectors and others to enter premises and seize suspected stock and instruments.

Act 152, 1879, s. 37, altered.

50. (1) Any Justice or Inspector or any member of the Police Force may, at any time, either alone or with such persons as he deems necessary, enter upon any run or other premises or any public or private place, and inspect any stock, or any hide or skin, or any brand or branding iron or instrument for branding thereon.

(2) Such Justice, Inspector, or member of the Police Force may seize and take away—

(a) Any stock with respect to which it appears to him that any offence against this Act has been or is being committed, or

(b) Any

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(b) Any hide or skin, or

(c) Any brand, branding iron, or other instrument which appears to him to be used, or to be capable of being used, for committing any offence against this Act,

whether such stock, hide, skin, brand, iron, or instrument is in the possession or under the care or control of any person or not.

(3) When any person seizes any stock pursuant to this section he may impound it, in which case it shall be dealt with in the manner set forth in and as if impounded under any act regulating the impounding of stock: Provided that if the stock is seized at a greater distance than five miles from the nearest public pound, the person seizing it shall either hold it, or impound it in such place or places as he deems convenient, until it is delivered up to such person as a Justice orders or is otherwise disposed of as a Justice orders, or shall impound it in a public pound as aforesaid.

How seized stock to be dealt with.

Ibid., s. 30, altered

(4) When any person seizes any hide, skin, brand, branding iron, or other instrument pursuant to this section he shall hold it, or deposit it in such place or places as he deems convenient, until it is delivered up to such person as a Justice orders or is otherwise disposed of as a Justice orders.

How other things seized to be dealt with.

New.

51. No earmark shall be made on any cattle or sheep except with pliers, and a distinctive mark shall be made only as indicated by the Registrar on the certificate of registration; and

How earmarks to be made.

Act 152, 1879, ss. 29 and 33, altered.

(a) In the case of cattle not more than one-third of the ear shall be affected by the making of any earmark thereon:

(b) In the case of sheep, no earmark shall exceed three-quarters of an inch in length or half an inch in width or diameter, unless such earmark is a slit, which may be one inch and a quarter in length from the tip of the ear;

and, in no case, either of cattle or sheep, shall an earmark be made by means of a crop.

52. (1) Any cattle or sheep having its ear marked contrary to the provisions of section 51, wherever such cattle or sheep is found, and whether in the possession or under the care or control of any person or not, may be seized by an Inspector, and shall thereupon be dealt with in manner prescribed.

Stock with ear cropped may be seized and dealt with.

Cf. Stock Diseases Act 443, 1888, s. 24.

(2) Subject to anything prescribed, any cattle or sheep so seized may be forfeited, and sold or otherwise disposed of as directed by the Minister.

53. Notwithstanding anything in this Act, it shall be lawful for the Chief Inspector, or Deputy Chief Inspector, or any inspector or temporary Inspector of Stock under "The Stock Diseases Act, 1888," or any officer of the Stock and Brands Department, to fire-brand any cattle on the near horn or near neck with the mark **AR**,
for

Official mark to indicate disease permitted.

New.

No. 443 of 1888.

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for the purpose of indicating that such cattle has been found by such Chief Inspector, or Deputy Chief Inspector, or by a Veterinary Surgeon to be infected with a contagious disease within the meaning of the said Act.

Rebranding in case of indistinct brand.
New.

54. Notwithstanding anything in this Act, when the registered brand on any sheep has become indistinct, the owner of such sheep may, if the said brand is registered in his name, after obtaining the permission in writing of the Registrar so to do, rebrand such sheep in the same position as the brand which has become indistinct.

Act not to affect mortgages under Act No. 4 of 1855-6.
Ibid., s. 46.

55. Nothing in this Act contained shall affect any mortgage or other security under the provisions of the Act No. 4 of 1855-6, or any Act relating to the mortgage of stock, stations, or runs.

Fees.

56. There shall be charged and payable in respect of the several matters and things mentioned in the Nineteenth Schedule the fees therein indicated, or such fees as are prescribed in substitution therefor.

Method of serving notices.

57. (1) Any notice or other document required to be given or served under this Act may be given or served by being delivered personally to, or being left at the usual or last known place of residence or business of, the person to or upon whom it is to be given or served, or by being sent through the post in a prepaid letter addressed to such person at his usual or last known place of residence or business.

(2) Where any such notice or document is required to be given to or served upon any person, the giving or serving thereof as aforesaid to or upon the manager or agent of such person, shall be sufficient giving or service thereof.

PART IX.

PART IX.

REGULATIONS.

Governor may make regulations.
Act 152, 1879, s. 35,
477, 1890, s. 2.

58. (1) The Governor may make regulations prescribing all matters and things which by this Act are contemplated, required, or permitted to be prescribed, or which may be necessary or convenient to be prescribed for the effectual carrying out of this Act, including regulations for the following, amongst other purposes:—

For the registration and the transfer and cancellation of the registration of brands and marks;

For fixing fees, and providing forms, in addition to, or in substitution of, any fees or forms fixed or provided in the Schedules to this Act; and

Generally for fully and effectually carrying out and giving force and effect to the various objects, powers, purposes, and authorities of this Act, and guarding against evasions and violations thereof ;

and

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and may by any such regulation impose penalties for the breach of the same or other regulations, not exceeding for any one offence Twenty-five Pounds.

(2) All regulations made under any Act hereby repealed, which are in force at the time of the passing of this Act, shall, except so far as inconsistent with this Act or with regulations made under this Act, continue in force until repealed by regulations made under this Act. Any regulation so continued in force, though not expressly repealed, shall be deemed to be repealed so far as it is inconsistent with this Act or with any regulation made under this Act.

59. (1) All regulations made under this Act—

Publication of regulations.

- (a) Shall be published in the *Government Gazette* :
- (b) From the date of such publication, or from a later date fixed by the order making the same, shall (subject to subsection (2) hereof) be of the same effect as if they were enacted by this Act ; and
- (c) Shall be laid before both Houses of Parliament within fourteen days after publication, if Parliament is in Session, and if not, then within fourteen days after the commencement of the next Session of Parliament.

(2) If either House of Parliament passes a resolution disallowing any such regulation, of which resolution notice has been given at any time within fourteen sitting days of such House after such regulation has been laid before it, such regulation shall thereupon cease to have effect, but without affecting the validity or curing the invalidity of anything done, or of the omission of anything, in the meantime.

Disapproval by Parliament.

This subsection shall apply notwithstanding that the said fourteen sitting days, or some of them, do not occur in the same Session or Parliament as that in which the regulation is laid before such House.

PART X.

PART X.

OFFENCES, PENALTIES, AND LEGAL PROCEDURE.

60. Any person who—

Certain offences.

- (a) Except as expressly permitted by this Act, in any manner or position whatsoever brands or marks, or assists in branding or marking, any horse, cattle, or sheep, or causes, authorises, or suffers any horse, cattle, or sheep to be branded or marked, unless with a brand or mark which at the time is registered in his name, or in the name of the person by whose direction he so acts or suffers ; or
- (b) Destroys, alters, defaces, or renders illegible any brand or mark of whatever description, or causes, authorises, suffers, or assists in the destroying, altering, defacing, or rendering illegible

Branding with unregistered brand.
Act 152, 1879, s. 26 ; 267, 1882, ss. 14, 16, 17, and 20.

Destroying or defacing brand.
Act 152, 1879, ss. 29 and 33 (parts) ; 267, 1882, ss. 13 and 19.

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illegible of any brand or mark of whatever description, upon any horse, cattle, or sheep, or any hide or skin; or

Disposing of skin with brand defaced.

(c) Sells or otherwise disposes of, has in his possession, or offers for sale or disposition, any hide or skin, on which any brand or mark has been altered, defaced, or rendered illegible either before or after the death of the animal; or

Cropping ear or dewlap.

Act 152, 1879, ss. 29 and 33 (parts).

(d) Marks, or assists in marking, or causes, authorises, or suffers to be marked, any cattle or sheep on the ear in any manner contrary to the provisions of section 51, or by cutting off part of the dewlap; or

Possessing cropped cattle or sheep.

(e) Has in his possession any cattle or sheep with its ear marked contrary to the provisions of section 51, or, in the case of cattle, with any part of the dewlap cut off; or

Marking ear already marked.

(f) Marks or cuts the ear of any cattle whereon a distinctive mark has already been made;

shall be guilty of an offence against this Act, and shall be liable to a penalty, of not less than Two Pounds and not more than One Hundred Pounds, or shall be liable to be imprisoned with or without hard labor, for any term not exceeding six months.

Proviso as to shearing.

New.

Provided that subdivision (b) of this section shall not, as regards a registered brand, apply to anything done in the shearing of sheep at the usual shearing time of the owner of such sheep, if done by him or by his direction or with his consent.

Further offences.

Branding otherwise than as prescribed.

Act 152, 1879, s. 27; 267, 1882, ss. 6, 13, and 15.

61. Any person who—

(a) Places or uses on any horse, cattle, or sheep, or on any hide or skin, any brand or mark of any kind in any manner, form, or position, otherwise than as registered under or provided for by this Act, or contrary to any provision of this Act; or

Improperly using numerals or earmarks for sheep.

Act 267, 1882, s. 18

(b) Marks any sheep with any of the numerals mentioned in section 31, or with any earmark or tag, unless he is the owner of a registered brand for sheep; or

Branding with brand not owned by owner of the animal.

(c) Brands or marks, or assists in branding or marking any horse, cattle, or sheep, or causes, authorises, or suffers any horse, cattle, or sheep to be branded or marked, with a registered brand which is not registered in the name of the owner of such horse, cattle, or sheep; or

Importing ear-cropped sheep, or cattle.

Act 889, 1905, s. 7.

(d) Introduces into the State from any other State of the Commonwealth of Australia any cattle or sheep with its ear marked contrary to the provisions of section 51 or, in the case of cattle, with any part of the dewlap cut off; or

(e) Brands

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- (e) Brands or marks any sheep upon the rump with the letter S in any paint or other substance of a red color, except as required under the "Scab Act, 1859," unless authorised in writing so to do by an Inspector of Stock ; or
- (f) Hinders, molests, or obstructs any Inspector or other officer in the execution of any of his powers or duties, or refuses to suffer any Inspector or other officer to do any thing which by this Act he is required or authorised to do ; or
- (g) Commits or attempts to commit any breach or violation of any provision of this Act, or does any act, matter, or thing directed by this Act not to be done, or omits to do any act, matter, or thing which he is directed by this Act to do, or in any manner whatsoever contravenes, whether by commission or omission, any provision of this Act ;

Branding with letter S.
Act 152, 1879, s. 32.
No. 19 of 1859.

Obstructing officers.

Other contravention of the Act.

shall be guilty of an offence against this Act, and shall be liable to a penalty, which, except where a different penalty is expressly prescribed by this Act, shall be not more than Twenty-five Pounds, or shall be liable to be imprisoned, with or without hard labor, for any term not exceeding three months.

62. (1) Any person who wilfully brands or marks or assists in branding or marking with his brand or mark, or wilfully authorises, causes, or suffers to be branded or marked with his brand or mark, any horse, cattle, or sheep, or any skin or hide, of which he is not the rightful owner shall be guilty of a felony, and shall be liable to be imprisoned for any term not exceeding three years.

Wilfully branding stock of which not the rightful owner.

Act 152, 1879, s. 28 altered.

(2) If any registered brand or mark of any person is found on any horse, cattle, or sheep, or any skin or hide, which has never at any time been the property of such person, it shall be *prima facie* evidence that such person has wilfully branded or marked, or assisted in branding or marking, such horse, cattle, sheep, skin, or hide, or wilfully authorised, caused, or suffered the same to be branded or marked, with his brand or mark, and that he knew at the time of such branding or marking that such horse, cattle, sheep, skin, or hide, was not his property.

Evidence of wilfully branding stock.

New.

63. Where any person is convicted of an offence against this Act in respect of several horses, cattle, sheep, skins, or hides the offence shall be deemed to be complete in respect of each animal, or skin, or hide, and a penalty may be imposed in respect of each animal, skin, or hide, notwithstanding that the aggregate of the penalties thus imposed exceeds the sum provided by any section of this Act as the maximum penalty for an offence thereunder.

Penalty where offence is in respect of several animals, skins, or hides.

New.

64. Any person who—

- (a) Knowingly and unlawfully inserts, or causes or suffers to be inserted, any false entry of any matter relating to any brand or mark in any register, certificate, Brands

Punishment for forged or false registrations or entries.

Act 152, 1879, s. 34.

Directory

Directory, or quarterly statement of brands, or in any extract from any register, certificate, Brands Directory, or quarterly statement of brands; or

- (b) Forges, or, with intent to defraud, alters any brand or mark or any register, certificate, Brands Directory, or quarterly statement, or any extract therefrom or entry therein, or that which purports to be such extract or entry, or, with intent to defraud, offers, utters, disposes of, or puts off any of such things knowing it to have been forged or altered; or
- (c) Wilfully and unlawfully destroys, defaces, or injures, or causes to be destroyed, defaced, or injured, any brand or mark, register, certificate, Brands Directory, or quarterly statement, or any extract therefrom or entry therein, or any part thereof; or
- (d) Knowingly and wilfully, with felonious intent or with intent to defraud, uses the brand or mark of any person without his authority;

shall be guilty of a felony and shall be liable to be imprisoned, with or without hard labor, for any term not exceeding three years.

Summary procedure.
Ibid., ss. 39 and 40,
altered.

65. (1) Proceedings in respect of any offence against this Act, except an indictable offence, shall be by complaint or information, which shall be heard and determined in a summary way before a Special Magistrate or any two Justices, under the Ordinance No. 6 of 1850, or any Act for the time being in force relating to the duties of Justices as to summary proceedings: Provided that if the Magistrate or Justices is or are of opinion that the person charged with the offence ought to be prosecuted for an indictable offence he or they may abstain from dealing with the case summarily and commit such person to take his trial for the indictable offence.

Ibid., s. 43.

(2) The Magistrate or Justices may make any order as to costs which he or they think fit.

(3) All convictions and orders made by the Magistrate or Justices may be enforced as provided by the said Ordinance or any other Act.

Proceedings within
twelve months.

Ibid., s. 39.

66. Notwithstanding any enactment to the contrary, proceedings in respect of any indictable offence against this Act may be instituted at any time, and proceedings in respect of any other offence against this Act may be instituted at any time within twelve months after the commission of such offence.

Appeal to Local Court.

67. (1) There shall be an appeal from the Special Magistrate or Justices to the Local Court of Adelaide in its Full Jurisdiction, or to the Local Court of Full Jurisdiction nearest to the place where the conviction or order is made, against any conviction under this Act, or any order dismissing any information or complaint for an alleged offence against this Act, or any other order made on any such information or complaint.

(2) Such

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(2) Such appeal shall be regulated by the said Ordinance No. 6 of 1850 and “The Justices Procedure Amendment Act, 1883-4,” or any Act for the time being in force regulating appeals to Local Courts: Provided that the Court on such appeal may make any order as to costs which it thinks fit, and the amount of costs so ordered may exceed Ten Pounds.

289 of 1883-4.

68. (1) The Local Court may state a special case for the opinion of the Supreme Court.

Special case for opinion of Supreme Court.

(2) The Supreme Court shall deal with such special case according to the practice of the Supreme Court on special cases, and may make such order therein, including any order as to costs, as to the said Court appears just.

(3) The Supreme Court may send the special case back for amendment, or may itself amend the same.

(4) The Justices, or the Local Court, shall make an order in respect of the matters referred to the Supreme Court, in conformity with the certificate of the said Supreme Court, or a Judge thereof.

(5) Such order of the Justices, or Local Court, shall be enforced in manner provided by this Act or otherwise by law.

69. An action for anything done under this Act by any officer shall be commenced within twelve months after the cause of action arises, and not afterwards. Notice in writing of such action, and of the cause thereof, shall be given to the defendant one month at least before the commencement of the action.

Protection to officers.

Ibid., s. 44.

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

DAY H. BOSANQUET, Governor.

The Brands Act.—1913.

THE SCHEDULES.

THE FIRST SCHEDULE

Sec. 8.

The Brands Act, 1913.

Application for Horse and Cattle Brand.

To the Registrar of Brands.

Sir—I enclose herewith the prescribed fee of
and request that you will register in my name a brand, as shown in the schedule
hereunder. [*Add, if so,—I am not the owner of more than 100 horses and cattle.*]

Name of Applicant.	Brand Required.	Run or Farm upon which Brand is to be Used.	Post Address of Run or Farm.	No. of Horses and Cattle at time of Application.

I, [full name] of _____, in the State of South Australia, declare that the several matters and things contained in the above application are true to the best of my knowledge and belief.

Signed at _____ the _____ day of _____, 19 _____.

[Signature of Applicant.]

THE SECOND SCHEDULE.

Sec. 8.

The Brands Act, 1913.

Certificate of Registration of Horse and Cattle Brand.

No. _____ [Date.]

This is to certify that the brand set forth in the margin hereof was this day duly registered as the brand of _____, of _____, for horses and cattle, in the terms of the above-mentioned Act.

Fee, £ : :

Registrar.

THE

The Brands Act.—1913.

THE THIRD SCHEDULE.

Sec. 13.

Position and Order of Rotation of Brands on Horses.

- First position Near shoulder
- Second position..... Off shoulder
- Third position Near quarter
- Fourth position..... Off quarter
- Fifth position Off saddle or off ribs
- Sixth position Near saddle or near ribs

Position and Order of Rotation of Brands on Cattle (other than Camels).

- First position Off rump, hip, and thigh
- Second position..... Off ribs
- Third position Near rump, hip, and thigh
- Fourth position..... Near ribs
- Fifth position Near shoulder
- Sixth position Off shoulder

Position and Order of Rotation of Brands on Camels.

- First position Near neck
- Second position Off neck
- Third position Near thigh
- Fourth position Off thigh

THE FOURTH SCHEDULE.

Sec. 14

The Brands Act, 1913.

Application for Distinctive Brand or Mark for Horses or Cattle.

To the Registrar of Brands.

Sir—I enclose herewith the prescribed fee of _____ and request that you will register in my name a distinctive brand or mark for horses (*or* cattle), as shown in the schedule hereunder:—

Name of Applicant.	Distinctive Brand or Mark required, and Position.	Run or Farm upon which Distinctive Brand or Mark is to be used.	Post Address of Run or Farm.	Registered Horse and Cattle Brand.

I, [full name] _____, of _____, in the State of South Australia, declare that the several matters and things contained in the above application are true to the best of my knowledge and belief.
 Signed at _____ the _____ day of _____, 19 ____ .
 [Signature of Applicant.]

THE FIFTH SCHEDULE.

Sec. 14.

The Brands Act, 1913.

Certificate of Registration of Distinctive Brand or Mark for Horses or Cattle.

No. _____ [Date.]
 This is to certify that the distinctive brand or mark for horses (*or* cattle), set forth in the margin hereof, and for use in the position stated in the margin hereof, was this day duly registered as belonging to _____ of _____, in accordance with the above-mentioned Act.

Fee, £ : :

_____, Registrar.

THE

The Brands Act.—1913.

Sec 16.

THE SIXTH SCHEDULE.

The Brands Act, 1913.

Positions of Distinctive Brands or Marks.

Horses.	Cattle.
Near neck.	Near neck.
Off neck.	Off neck.
Near cheek.	Near cheek.
Off cheek.	Off cheek.
Near ear.	Near loin.
Off ear.	Off loin.
	Near horn.
	Off horn.
	Dewlap.
	Near ear.
	Off ear.

Sec 16.

THE SEVENTH SCHEDULE.

The Brands Act, 1913.

Application for Distinctive Numerals for Horses (or Cattle).

To the Registrar of Brands.

Sir—I enclose herewith the prescribed fee of _____, and request that you will register in my name distinctive numerals for horses (or cattle), as shown in the schedule hereunder :—

Name of Applicant.	Distinctive Numerals required.	Run or Farm upon which Distinctive Numerals are to be used.	Post Address of Run or Farm.	Registered Horse and Cattle Brand.

I, [full name], of _____, in the State of South Australia, _____, declare that the several matters and things contained in the above application are true, to the best of my knowledge and belief.
Signed at _____ the _____ day of _____, 19 _____
[Signature of Applicant.]

Sec. 16.

THE EIGHTH SCHEDULE.

The Brands Act, 1913.

Certificate of Registration of Distinctive Numerals for Horses (or Cattle).

No. _____ [Date.]

This is to certify that the distinctive numerals for horses (or cattle) set forth in the margin hereof, were this day duly registered as belonging to _____ of _____, in accordance with the above-mentioned Act,

Registrar.

Fee, £ : :

THE

The Brands Act.—1913.

THE NINTH SCHEDULE.

Sec. 18.

The Brands Act, 1913.

Application for Special Brand for Horses for Export.

To the Registrar of Brands.

Sir—I, [full name] , of , in the State of South Australia, , enclose herewith the prescribed fee of , and request that you will register in my name a special brand for horses to be exported from the State, as shown in the schedule hereunder :—

Name of Applicant.	Brand Required.	Position of Branding.	Farm or Run upon which Brand is to be used.	Post Address of Farm or Run.	Registered Horse and Cattle Brand (if any).

Signed at the day of 19 .
 [Signature of Applicant.]

THE BRANDS ACT 1913
 SECTION 18
 APPLICATION FOR SPECIAL BRAND FOR HORSES FOR EXPORT

THE TENTH SCHEDULE.

Sec. 18.

The Brands Act, 1913.

Certificate of Special Export Brand for Horses for Export.

No. [Date.]
 This is to certify that of is authorised to use the special brand set forth in the margin hereof, and in the position therein indicated, as a special export brand for horses, in terms of the above-mentioned Act.
 , Registrar.
 Fee, £ : :

THE ELEVENTH SCHEDULE.

Sec. 22.

The Brands Act, 1913.

Divisions for Sheep Brands Districts.

Division No. 1, consisting of the Counties of Albert, Alfred, Russell, Buccleuch, Chandos, Cardwell, Buckingham, MacDonnell, Robe, and Grey.

Division No. 2, consisting of all the territory in the State enclosed by a line commencing at the south-east corner of the County of Manchester, going thence westward along the northern boundaries of the Counties of York, Buxton, and LeHunte as far as the 136th degree of longitude, thence northward to the 30th degree of latitude, thence westward to the western boundary of the State, thence southward to the sea coast, and thence along the sea coast returning to the point of commencement.

Division No. 3, consisting of the County of Carnarvon (Kangaroo Island).

Division No. 4, consisting of the whole of the State not included within any of the divisions above described: Provided that islands, other than Kangaroo Island, are deemed to be included within the Divisions nearest thereto respectively, and in case two or more Divisions are equidistant, then within such Division as the Registrar of Brands decides.

THE

The Brands Act.—1913.

Sec. 26.

THE TWELFTH SCHEDULE.

The Brands Act, 1913.

Application for Brand or Brand and Tattoo Mark for Sheep.

To the Registrar of Brands.

Sir—I enclose herewith the prescribed fee of and request that you will register in my name a brand (or brand and tattoo mark) as shown in the schedule hereunder. [*Add, if so—I am not the owner of more than 1,000 sheep.*]

Name of Applicant.	Brand or Brand and Tattoo Mark Required, and Position of Brand or Mark.	Color of Paint.	Run or Farm upon which Brand or Brand and Mark to be Used.	Post Address of Run or Farm.	Number of Sheep at time of Application.

I, [*full name*], of _____, in the State of South Australia, _____, declare that the several matters and things contained in the above application are true to the best of my knowledge and belief.

Signed at _____ the _____ day of _____, 19 _____ .
 [Signature of Applicant.]

Sec. 25.

THE THIRTEENTH SCHEDULE.

The Brands Act, 1913.

Certificate of Registration of Sheep Brand or Brand and Tattoo Mark.

DISTRICT.

No. _____ [Date.]

This is to certify that the sheep brand (or sheep brand and tattoo mark) mentioned in the margin hereof was this day duly registered as the brand of _____, of _____, in the terms of the above-mentioned Act.

Registrar.

Fee, £ : :

Sec. 29.

THE FOURTEENTH SCHEDULE.

The Brands Act, 1913.

Positions and Order of Rotation of Tattoo Marks on Sheep.

- First position Near or left ear.
- Second position Off or right ear.
- Third position Underneath part of the tail.
- Fourth position Inside near or left forearm.
- Fifth position Inside off or right forearm.
- Sixth position On the inner side of the near or left hind leg.
- Seventh position On the inner side of the off or right hind leg.
- Eight position On near brisket.
- Ninth position On off brisket.

The Brands Act.—1913.

THE FIFTEENTH SCHEDULE.

Secs. 37, 28.

FORM No. 1.

The Brands Act, 1913.

Application for Transfer.

To the Registrar of Brands.

I, [full name] of , being the registered owner of the brand (or mark) mentioned in the margin hereof, do hereby request that you will transfer the said brand (or mark) to the undersigned [full name, address, and occupation]; and I enclose herewith the sum of , being the prescribed fee for such transfer.

Dated the day of , 19 .
 [Signature of Owner.]
 [Signature of Transferee.]

FORM No. 2.

The Brands Act, 1913.

Application for Transfer on Death of Owner.

To the Registrar of Brands.

I, [full name] of , being the executor (or administrator) of [full name] of , deceased, the registered owner of the brand (or mark) mentioned in the margin hereof, do hereby request that you will transfer the said brand (or mark) to me (or to the undersigned [full name, address, and occupation]); and I enclose herewith the sum of , being the prescribed fee for such transfer.

Dated the day of , 19 .
 [Signature of Applicant.]
 [Signature of Transferee if not the Applicant.]

THE SIXTEENTH SCHEDULE.

Secs. 37, 38.

FORM No. 1.

The Brands Act, 1913.

Certificate of Transfer.

No. [Date.]
 This is to certify that the brand (or mark) mentioned in the margin hereof was this day transferred from , of , to , of , and is now registered as the brand (or mark) of the said .
 Fee, £ : : Registrar.

FORM No. 2.

The Brands Act, 1913.

Certificate of Transfer on the Death of Owner.

No. [Date.]
 This is to certify that the brand (or mark) mentioned in the margin hereof was this day transferred from , of , deceased, to , of , and is now registered as the brand (or mark) of the said [if as personal representative, state as executor (or administrator) of the said , deceased.]
 Fee £ : : Registrar.

The Brands Act.—1913.

Sec. 40.

THE SEVENTEENTH SCHEDULE.

The Brands Act, 1913.

Application for Cancellation of Brand.

To the Registrar of Brands.

I, [full name] of _____, being the registered owner of the brand (or mark) mentioned in the margin hereof, do hereby request that you will cancel the registration of the said brand (or mark), and I enclose herewith the sum of _____, being the prescribed fee for such cancellation.

Dated the _____ day of _____ 19 .

 [Signature of Owner.]

Sec. 45.

THE EIGHTEENTH SCHEDULE.

The Brands Act, 1913.

PART I.—HORSE AND CATTLE BRANDS REGISTERED.

Brands Registered.	No. of Certificate.	No. of Horses and Cattle at Time of Application.	Owner's Name.	Run or Farm where Brand is to be Used.	Nearest Post Town to Run or Farm.

PART II.—(A) SHEEP BRANDS REGISTERED.

Brands Registered.	No. of Certificate.	No. of Sheep at Time of Application.	Owner's Name.	Run or Farm where Brand is to be Used.	Nearest Post Town to Run or Farm.

PART II.—(B) TATTOO MARKS FOR SHEEP REGISTERED.

Tattoo Mark for Sheep Registered.	No. of Certificate.	No. of Sheep at Time of Application.	Registered Brand, if any.	Owner's Name.	Run or Farm where Mark is to be Used.	Nearest Post Town to Run or Farm.

*The Brands Act.—1913.*THE EIGHTEENTH SCHEDULE—*continued.*

PART III.—LIST OF BRANDS TRANSFERRED.

Brand or Earmark.	No. of Certificate.	Transferor.	Transferee.	Run or Farm where Brand is to be Used.	Nearest Post Town to Run or Farm.

PART IV.—LIST OF BRANDS CANCELLED.

Name of Registered Owner of Brand before Cancellation.	Brand or Earmark Cancelled.	Run or Farm in respect of which the Brand was Used.	Nearest Post Town to Run or Farm.

PART V.—EXPORT BRANDS FOR HORSES REGISTERED.

Special Brand Registered.	No. of Certificate.	Owner's Name.	Where to be Used.	Nearest Post Town to Place where to be Used.

PART VI.—DISTINCTIVE BRANDS FOR HORSES OR CATTLE REGISTERED.

Distinctive Brand or Mark Registered.	No. of Certificate.	Owner's Name	Run or Farm where to be Used.	Nearest Post Town to Run or Farm.	Registered Brand.	District.

The Brands Act.—1913.

THE EIGHTEENTH SCHEDULE—*continued.*

PART VII.—DISTINCTIVE NUMERALS FOR HORSES OR CATTLE REGISTERED.

Distinctive Numerals Registered.	No. of Certificate.	Owner's Name.	Run or Farm where Distinctive Numerals are to be Used.	Nearest Post Town to Run or Farm.	Registered Brand.

PART VIII.—POUND BRANDS REGISTERED.

Pound Brand Registered.	No. of Certificate.	Pound at which Brand is to be Used.	Government, Corporation, or District Council Pound.	Name of Poundkeeper.	Post Town for Pound.

Sec. 56.

THE NINETEENTH SCHEDULE.

The undermentioned fees shall be paid in respect of the matters set opposite to such matters respectively :—

	£	s.	d.
For every registered brand for horses and cattle consisting of a letter or sign and two numerals—			
If applicant does not own more than 100 head	0	5	0
If applicant owns more than 100	0	10	0
For every registered brand for horses and cattle, consisting of a sign only	2	0	0
For every registered brand or registered tattoo mark for sheep—			
If applicant does not own more than 1,000 sheep	0	5	0
If applicant owns more than 1,000	0	10	0
For every distinctive brand or mark	0	10	0
For every 100 distinctive numerals	0	10	0
For every special brand for horses for export	1	0	0
For every transfer	0	5	0
For every cancellation made on application	0	5	0
For every duplicate copy issued by the Registrar of any certificate of registration	0	2	6