



ANNO QUINTO

## ELIZABETHAE II REGINAE

A.D. 1956.

\*\*\*\*\*

### No. 23 of 1956.

An Act to amend the Travelling Stock Waybills Act,  
1911-1947.

[Assented to 8th November, 1956.]

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 "Travelling Stock Waybills Act Amendment Act, 1956". Short titles.

(2) The Travelling Stock Waybills Act, 1911-1947, as amended by this Act, may be cited as "The Travelling Stock Waybills Act, 1911-1956".

(3) The Travelling Stock Waybills Act, 1911-1947, is hereinafter referred to as "the principal Act".

2. Section 3 of the principal Act is amended—

(a) by striking out the definition of "horse" therein :

(b) by striking out the definition of "police officer" therein :

(c) by striking out the word "horses," in the definition of "stock" therein.

Amendment of principal Act, s. 3—  
Interpretation.

3. Section 4 of the principal Act is amended by striking out the words "horse or" in the first line thereof and the words "harnessed, saddled, or" in the second line thereof.

Amendment of principal Act, s. 4—  
Application of Act.

Amendment of  
principal Act,  
s. 5—  
Waybill for  
stock.

4. Section 5 of the principal Act is amended—

- (a) by striking out the word “fifteen” in the fourth line thereof and by inserting in lieu thereof the word “twenty”;
- (b) by striking out the word “fifteen” in the fourth line of subdivision (d) of subsection (1) thereof and by inserting in lieu thereof the word “twenty”;
- (c) by striking out the word “horse,” in the penultimate line thereof and by inserting in lieu thereof the words “of the”.

Amendment of  
principal Act,  
s. 6—  
Production of  
waybill.

5. Section 6 of the principal Act is amended—

- (a) by striking out the word “fifteen” in the fourth line thereof and by inserting in lieu thereof the word “twenty”;
- (b) by striking out the word “fifteen” in the fourth line of subdivision (d) of subsection (1) thereof and by inserting in lieu thereof the word “twenty”;
- (c) by striking out the word “travelling” in the penultimate line of subsection (1) thereof and by inserting in lieu thereof the word “conveying”;
- (d) by striking out the word “horse,” in the penultimate line of subsection (2) thereof and by inserting in lieu thereof the words “of the”;
- (e) by inserting therein after subsection (2) thereof the following subsection :—

(2a) If any drover is in charge of or has under his control any stock which within any hundred are being driven on the hoof or are being conveyed by means of any vehicle (other than by railway) at any time between one half hour after sunset and one half hour before sunrise, he shall be guilty of an offence against this Act, and shall be liable to a penalty of not more than five pounds in respect of each of the cattle or sheep as to which the offence is committed, unless he has with him throughout the journey a waybill for such stock in the form of the first schedule or in a form to the like effect which, in addition, is indorsed with a certificate in writing stating that the particulars in the waybill are true, of—

- (a) a justice, inspector, ranger or member of the police force ;

(b) an employee of a member of the South Australian Stock Salesmen's Association who is authorized for the purpose by the said Association ;

or

(c) two persons who are the occupiers of land any part of which is situated within a mile of the place of departure of the stock.

(f) by adding at the end thereof the following subsection :—

(4) In any proceedings for an alleged offence relating to the conveyance of stock within any hundred contrary to subsection (2) of this section it shall be a sufficient defence if the defendant satisfies the court—

(a) that the stock were being conveyed at a time between one half hour before sunrise and one half hour after sunset ; and

(b) that the stock were being conveyed to a place distant not more than twenty miles from the place of departure of the stock.

6. Section 7 of the principal Act is amended by striking out the word "horse," occurring in the first, fifth, eighth, ninth, and twelfth lines of subsection (2) thereof.

Amendment of  
principal Act,  
s. 7—  
Power to  
examine  
waybill.

7. Section 8 of the principal Act is amended by striking out the word "horse," in the first, sixth and eighth lines thereof.

Amendment of  
principal Act,  
s. 8—  
Impounded  
stock.

8. Section 9 of the principal Act is amended by striking out the word "horse," in the second line thereof.

Amendment of  
principal Act,  
s. 9—  
Purchasing  
stock without  
waybill.

9. Section 11 of the principal Act is amended—

Amendment of  
principal Act,  
s. 11—  
Evidentiary  
provisions.

(a) by striking out the word "horse," in the first line of paragraph III. thereof ;

(b) by striking out the word "fifteen" in the third line of subdivision (a) of paragraph IV. thereof and by inserting in lieu thereof the word "twenty" ;

(c) by striking out the word "fifteen" in the penultimate line of subdivision (d) of paragraph IV thereof and by inserting in lieu thereof the word "twenty".

Amendment of  
second schedule  
of principal  
Act.

10. The second schedule to the principal Act is amended by striking out the words "*or horses*" twice occurring in the said schedule.

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

J. M. NAPIER, Governor's Deputy.