



ANNO SEXTO

GEORGII VI REGIS.

A.D. 1942.

No. 36 of 1942.**An Act to amend the Vermin Act, 1931-1939.**

[Assented to 26th November, 1942.]

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 " Vermin Act Amendment Act, 1942 ".

(2) The Vermin Act, 1931-1939, as amended by this Act, may be cited as the " Vermin Act, 1931-1942 ".

(3) The Vermin Act, 1931-1939, is hereinafter referred to as " the principal Act ".

Enactment of s. 9a of principal Act—

2. The following section is enacted and inserted in the principal Act after section 9 thereof :—

Laying of poison on land outside district.

9a. (1) Any vermin board may, from time to time, give notice in writing to the occupier of any land outside but adjoining the district of the vermin board and which is separated from the district by a vermin fence upon or near the boundary of the district, that it is the intention of the vermin board to lay poison or set traps, or both, on that land for the purpose of the destruction of vermin.

(2) If within fourteen days after the giving of notice as aforesaid to the occupier, the occupier does not give notice in writing to the vermin board objecting to the laying of poison or, as the case may be, the setting of traps, the vermin board may, during the period of twelve

months after notice is given as aforesaid and subject to the succeeding subsections hereof, lay poison or set traps on the land for the purpose of the destruction of vermin.

(3) If within the time aforesaid the occupier gives notice to the vermin board objecting to the laying of poison or, as the case may be, the setting of traps, the vermin board may apply to the Commissioner for consent to lay poison or, as the case may be, set traps on the land. If the Commissioner consents thereto, then during the period of twelve months after consent is given as aforesaid or during such less period as is fixed by the Commissioner the vermin board may, subject to the succeeding subsections hereof and to any conditions imposed by the Commissioner, lay poison or set traps on the land for the purpose of the destruction of vermin. Any notice in writing as aforesaid may be given to the vermin board in any manner otherwise provided by this Act or may be sent by post in a prepaid envelope addressed to the secretary of the vermin board at the vermin board office.

(4) No poison shall be laid on any land under the provisions of this section unless notice of the poison being laid is conspicuously exhibited on the land.

(5) No poison shall be laid or traps set under the provisions of this section—

- (a) at a greater distance than one hundred yards from the vermin fence upon or near the boundary of the district;
- (b) on any land which is separated by means of a public road from the vermin fence upon or near the boundary of the district.

3. The following section is enacted and inserted in the principal Act after section 37 thereof :—

Enactment of
s. 37a of
principal Act—

37a. (1) If any land within a vermin-fenced district is fenced by means of a vermin fence upon or near the boundary of the vermin-fenced district or if any such land is separated from any such vermin fence by a public road, the occupier of that land may, from time to time, give notice in writing to the occupier of any other land, not being Crown lands, which is outside the vermin-fenced district but immediately adjoining either the land of the first-mentioned occupier or the road by which the land of the first-mentioned occupier is separated from the said fence, that it is the intention of the first-mentioned occupier to lay poison or set traps, or both, on the land of the second mentioned occupier for the purpose of the destruction of vermin.

Power to lay
poison on
adjoining land.

(2) If within fourteen days after the giving of notice as aforesaid, the occupier to whom the notice is given does not give notice in writing to the first mentioned occupier objecting to the laying of poison or, as the case may be, the setting of traps, the first mentioned occupier may, during the period of twelve months after notice is given as aforesaid and subject to the succeeding subsections hereof, lay poison or set traps on the land for the purpose of the destruction of vermin.

(3) If within the time aforesaid the occupier to whom the notice is given gives notice in writing to the first mentioned occupier objecting to the laying of poison or, as the case may be, the setting of traps, the first mentioned occupier may apply to the Commissioner for consent to lay poison or, as the case may be, set traps on the said land. If the Commissioner consents thereto, then during the period of twelve months after consent is given as aforesaid or during such less period as is fixed by the Commissioner the first mentioned occupier may, subject to the succeeding subsections hereof and to any conditions imposed by the Commissioner, lay poison or set traps on the said land for the purpose of the destruction of vermin.

(4) No poison shall be laid on any land under the provisions of this section unless notice of the poison being laid is conspicuously exhibited on the land.

(5) No poison shall be laid or traps set under the provisions of this section—

(a) at a greater distance than one hundred yards from the vermin fence upon or near the boundary of the vermin-fenced district ;

(b) on any land which is separated by means of a public road from the vermin fence upon or near the boundary of the vermin-fenced district.

Amendment
of s. 46 of
principal Act—
Proclamation
for minor
alteration of
district.

4. Section 46 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof):—

(2) The provisions of subsection (2) of section 45 shall not apply to the making of any proclamation under this section.

Amendment of
s. 76 of
principal Act.—
Election of
vermin board:

5. Section 76 of the principal Act is amended—

(a) by striking out paragraph 1. thereof and by inserting in lieu thereof the following paragraph :—

i. The board shall—

(i.) by notice published in the *Gazette* for two consecutive weeks ; and

(ii.) by notice published in two consecutive issues of a newspaper circulating generally in the district or by notice in writing delivered to or sent by post to every ratepayer,

appoint a time and place when and where written nominations for members and auditors shall be received. Every such notice shall be published or, as the case may be, delivered or sent at least one month before the time appointed for receiving nominations :

(b) by adding at the end of paragraph VII. thereof the words " The board shall, by notice published in a newspaper circulating generally in the district or by notice in writing delivered to or sent by post to every ratepayer, give notice of the time and places appointed for voting ".

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

J. M. NAPIER, Deputy Governor.