



ANNO DECIMO SEXTO

ELIZABETHAE II REGINAE

A.D. 1967

No. 72 of 1967

An Act to amend the Vermin Act, 1931-1964, and for other purposes.

[Assented to 16th November, 1967]

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, 1967".
- (2) The Vermin Act, 1931-1964, as amended by this Act, may be cited as the "Vermin Act, 1931-1967".
- (3) The Vermin Act, 1931-1964, is hereinafter referred to as "the principal Act".
- Incorporation.** **2.** This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.
- Commence-
ment.** **3.** This Act shall come into operation on a day to be fixed by proclamation.
- Amendment of
principal Act,
s. 2—
Arrangement
of Act.** **4.** Section 2 of the principal Act is amended by striking out the passage—

PART II.—VERMIN DESTRUCTION—

DIVISION I.—GOVERNMENT INSPECTORS :

DIVISION II.—DESTRUCTION ON CROWN LANDS :

DIVISION III.—POWERS AND DUTIES OF COUNCILS AND
VERMIN BOARDS :

DIVISION IV.—DESTRUCTION BY OWNERS AND OCCUPIERS :

DIVISION V.—DESTRUCTION ON BREAKWIND RESERVES IN PINNAROO RAILWAY DISTRICT AND ON DRAINAGE LANDS.

and inserting in lieu thereof the following passage—

PART IA.—ADMINISTRATION—

DIVISION I.—THE VERMIN CONTROL ADVISORY COMMITTEE :

DIVISION II.—AUTHORIZED OFFICERS :

DIVISION III.—POWERS OF THE MINISTER :

DIVISION IV.—CONTROL ON LANDS OF THE CROWN ETC.

PART II.—CONTROL AND DESTRUCTION OF VERMIN—

DIVISION I.—VERMIN AND POISONS :

DIVISION II.—POWERS AND DUTIES OF COUNCILS AND BOARDS :

DIVISION III.—CONTROL OR DESTRUCTION OF VERMIN BY OWNERS AND OCCUPIERS :

DIVISION IV.—DESTRUCTION ON BREAKWIND RESERVES IN PINNAROO RAILWAY DISTRICT AND ON DRAINAGE LANDS.

5. Section 4 of the principal Act is amended—

(a) by striking out the definition of “authorized person” and inserting in lieu thereof the following definition—

“area” means a municipality or district as defined in the Local Government Act, 1934-1967, and includes any area in relation to which any body corporate is, by virtue of any Act, deemed to be, or vested with the powers of, a municipal or district council as defined by that Act, and when used in relation to an associated board means the aggregate of the areas of the councils constituting that associated board ;

Amendment of
principal Act,
s. 4—
Interpretation.

- (b) by striking out the definition of "associated board" and inserting in lieu thereof the following definitions—

"associated board" means an associated councils vermin board established under section 26 or an associated district councils vermin board continued in operation under this Act :

"authorized officer" means a government authorized officer or a local authorized officer, as the case requires : ;

- (c) by inserting immediately after the definition of "chairman" the following definition—

"control" when used in relation to vermin means the application of such measures as are necessary to reduce or maintain vermin to or at a level satisfactory to an authorized officer and without limiting the generality of the expression includes the destruction of warrens, burrows and harbour of vermin : ;

- (d) by inserting immediately before the definition of "Crown lands" the following definition—

"council" means a municipal or district council as defined in the Local Government Act, 1934-1967, and includes any body corporate which is by virtue of any Act, deemed to be, or vested with the powers of, such a municipal or district council and also includes an associated board exercising the powers of its constituent councils : ;

- (e) by inserting immediately after the definition of "Crown lands" the following definition—

"Department" means a Department as defined in the Public Service Act, 1967 : ;

"destroy" when used in relation to vermin means the application of such methods as are necessary to kill such vermin and "destruction" bears a corresponding meaning : ;

- (f) by striking out from the definition of "district council" the passage "or 'council' ";

- (g) by inserting immediately after the definition of "fixed rate" the following definitions—

“government authorized officer” means a government authorized officer appointed under section 9 :

“local authorized officer” means a local authorized officer appointed under section 10 acting in relation to the district or area in respect of which he was appointed under that section ; ;

(h) by inserting immediately after the definition of “repealed Act” the following definitions—

“restricted poison” means any substance for the time being declared by proclamation under section 17 and includes any substance containing or incorporating such a restricted poison :

“road” means—

(a) any public street, public road or public place within the meaning of the Local Government Act, 1934-1967 ;

or

(b) any road declared under the Highways Act, 1926-1967 ; ;

(i) by inserting immediately after the definition of “the bank” the following definition—

“the Committee” means the Vermin Control Advisory Committee appointed pursuant to section 5 :

(j) by striking out the definition of “vermin” and inserting in lieu thereof the following definition—

“vermin” means rabbits, wild dogs and foxes and where any animal is declared by proclamation under section 16—

(a) to be vermin in relation to a specified part of the State, includes the animal so declared in relation to that part of the State ;

and

(b) in any other case, includes the animal so declared.

6. The following Part, divisional headings and sections are enacted and inserted in the principal Act immediately after section 4—

Enactment of
new Part and
divisional
headings,
etc.

PART IA.

PART IA.

ADMINISTRATION.

DIVISION I. DIVISION I.—THE VERMIN CONTROL ADVISORY COMMITTEE.Vermin Control
Advisory
Committee.

5. (1) For the purposes of this Act, there shall be a committee to be called the "Vermin Control Advisory Committee".

(2) Subject to subsection (3) of this section, the Committee shall consist of such number of members, not being more than seven, as the Minister from time to time determines.

(3) The members of the Committee who shall not, as such, be subject to the Public Service Act, 1967, shall be appointed by the Minister and the Minister shall so exercise his powers under this subsection that not less than two such members are owners or occupiers of land outside the boundaries of any town.

(4) The term of office of a member of the Committee shall be such period as the Minister determines not being more than three years and on the expiration of a term of office the member may be re-appointed.

Quorum,
voting, etc.

6. (1) The majority of the members for the time being forming the Committee shall constitute a quorum of the Committee for the conduct of business.

(2) The Minister shall appoint one of the members of the Committee to act as chairman of the Committee to preside over meetings of the Committee.

(3) In the absence of the Chairman from a meeting of the Committee, the Committee shall from amongst their own number elect a member to act as Chairman in the absence of the Chairman and the member so elected shall, while so acting, have and may exercise all the powers and functions of the Chairman of the Committee.

(4) Matters before the Committee shall be decided by a majority of votes of the members present.

(5) The Chairman of the Committee shall have a deliberative vote and, in the event of equality of votes, shall have a casting vote.

Staff, finance,
etc.

7. (1) The Minister may arrange for the provision of a secretarial and other services for the Committee by officers of the Public Service or other persons in the employ of the State.

(2) The Minister may, out of moneys provided by Parliament for the purpose pay to any member of the Committee any travelling or other expenses incurred by that member in this exercise of his office of member, and in addition such allowance as is fixed under subsection (3) of this section.

(3) A member of the Committee shall receive such allowance as the Governor determines and, where the member is an officer of the Public Service, the allowance shall, if the Governor so directs, be in addition to his salary as such an officer.

8. The Committee may—

Powers and
Functions.

- (a) subject to this Act, determine the procedure to be followed at its meetings ;
- (b) make recommendations to the Minister in relation to the exercise by the Governor of his powers under section 16 ;
- (c) make recommendations to the Minister in relation to any matter or thing connected with the control or destruction of vermin ;
- (d) make recommendations to the Minister in relation to the exercise of his powers and functions under this Act or to the administration of this Act;
- (e) make recommendations to the Minister in relation to implementation or extension of programmes of research and trials with respect to the control or destruction of vermin as to it seem necessary or desirable ;

and

- (f) exercise and perform such other powers and functions as are prescribed.

DIVISION II.—AUTHORIZED OFFICERS.

DIVISION II.

9. The Minister may by notice in writing appoint a person to be a government authorized officer for the purposes of this Act.

Government
authorized
officers.

10. A council or board may by notice in writing appoint a person to be a local authorized officer for the purpose of this Act to act in that capacity in relation to the area of the council or district of the board as the case may be.

Local
authorized
officers.

PART IA.
DIVISION II.

Powers, etc.
of authorized
officer.

11. Every authorized officer may, with or without assistants—

- (a) enter upon any land ;
 - (b) search that land to ascertain whether any vermin are to be found upon that land ;
 - (c) remain on that land for such time as is reasonably necessary for the purposes of that search ;
- and
- (d) exercise and perform such other powers and functions as are prescribed.

Duties of
local
authorized
officer.

12. Every local authorized officer shall inform the council or board which appointed him of any failure to observe the provisions of this Act within the area or district, as the case may be, of that council or board, which comes to the knowledge of the local authorized officer.

DIVISION III.

Subsidy for
approved
vermin control
programme.

DIVISION III.—POWERS OF THE MINISTER.

13. (1) If during any financial year a council or board has carried out a programme of vermin control or destruction approved by the Minister to the satisfaction of the Minister, and in the execution of that programme the council or board has employed any local authorized officer, then subject to subsection (2) of this section the Minister may out of moneys provided by Parliament for the purpose grant to the council or board, as the case may be, a sum not exceeding one half of the wages or salary paid by the council or board in respect of the work performed by any local authorized officer in relation to that programme.

(2) Nothing in subsection (1) of this section shall be construed as authorising a grant under that subsection in respect of any work performed by a local authorized officer who is or was at the material time a district clerk, town clerk or overseer of a council.

(3) Notwithstanding anything in subsection (1) of this section the Minister may, on the advice of the Committee, grant a sum under that subsection exceeding the maximum prescribed by that subsection, if he is of the opinion that some special circumstances exist which justify such a grant.

Powers of
Minister
outside areas
or districts.

14. In respect of a part of the State which is not within an area or district the Minister shall have and may exercise all the powers and functions of a council as if that part of the State were an area of that council.

PART IA.

DIVISION IV.—CONTROL ON LANDS OF THE CROWN, ETC.

DIVISION IV.

Control on certain Lands of the Crown.

15. If—

(a) any land is vested in, under the control of or occupied by a Minister of the Crown, a Department or instrumentality of the Crown ;

and

(b) that Minister of the Crown, the Minister of the Crown by whom the Department is for the time being administered or the instrumentality, as the case may be, is satisfied that—

(i) the land adjoining that land is free from vermin ;

or

(ii) the owner of that adjoining land has taken all reasonable action necessary to control or destroy the vermin on that adjoining land,

then the Minister of the Crown concerned or the instrumentality may take such action as appears necessary or desirable to control or destroy any vermin on the land vested in or occupied by him, the Department, or it, as the case requires.

7. Part II of the principal Act is repealed and the following heading, Part, divisions and sections are enacted and inserted in lieu thereof—

Repeal and re-enactment of Part II of the principal Act—

PART II.

PART II.

CONTROL AND DESTRUCTION OF VERMIN.

DIVISION I.—VERMIN AND POISONS.

DIVISION I.

16. The Governor may by proclamation declare any animal to be vermin in relation to—

Declaration of vermin.

(a) the whole State ;

or

(b) a part or parts of the State specified in the proclamation ;

and may by a like proclamation, vary or revoke that proclamation.

17. The Governor may by proclamation declare any substance to be a restricted poison for the purposes of this Act and may by a like proclamation amend, vary or revoke that declaration.

Declaration of restricted poison.

18. The Governor may make regulations, not inconsistent with this Act, regulating the use of poisons and restricted poisons for the control or destruction of vermin.

Regulations as to the use of poison, etc.

PART II.

DIVISION II.

DIVISION II.—POWERS AND DUTIES OF COUNCILS AND BOARDS.

Lands within
council areas
and vermin
districts.

19. (1) Where the whole of an area is within a district the provisions of this Part shall be carried out and enforced by the board for that district.

(2) Where portion only of an area is within a district, the provisions of this Part shall be carried out and enforced—

(a) as regards that portion of the area which is within a district, by the board for that district ;

and

(b) as regards that portion of the area which is not within a district, by the council for that area.

General duties
of councils
and boards.

20. Every council and board shall within its area or district ensure that the provisions of this Act in relation to the control or destruction of vermin are complied with.

Duty of
council or
board to
control or
destroy
vermin.

21. Every council or board shall control or destroy all vermin—

(a) subject to section 41, on all lands which are vested in it ;

(b) on all roads within its area or district as the case may be ;

and

(c) at the request of the Minister, on all lands within its area or district as are specified in the request.

Power of
council to
declare special
rates.

22. (1) Any council may, for the purpose of providing funds to perform the duties imposed upon it by section 20, declare a special rate on the ratable property (not being land within the boundaries of a town) within its area or a portion of its area.

(2) A special rate declared pursuant to subsection (1) of this section may be declared without the consent of the ratepayers and shall be in addition to any special rate authorized to be declared or levied under the Local Government Act, 1934-1967, and the amount of the special rate so declared shall not be taken into account in determining whether the limit up to which a council may rate has been reached.

(3) Except where inconsistent with this Act, the Local Government Act, 1934-1967, shall apply to and in relation to a rate declared under subsection (1) of this section, as if that rate was declared under that Act.

(4) Notwithstanding anything in this or any other Act, a council may expend any portion of its revenue on complying with this Act.

PART II.

DIVISION II.

Reimbursement
for certain
moneys
expended by
councils or
boards.

23. Where the Minister is satisfied that a council or a board has expended money on a programme of vermin control or destruction in accordance with a request made in accordance with paragraph (c) of section 21, the council or board may be paid out of money provided by Parliament for the purpose the amount of money expended by the council or board on that programme.

24. (1) Subject to this section, where a council, or board pursuant to a duty under this Act, expends any money on the control or destruction of vermin on a road, then it may recover the amount expended as to any amount expended by the council or board for the purposes of control or destruction of vermin on the half width of a road adjoining any land, from the owner or occupier of that land.

Recovery by
council or
board of
certain
amounts
expended on
roads.

(2) Where land referred to in subsection (1) of this section is—

(a) land of a kind referred to in section 15 ;

or

(b) land specified by the Minister under paragraph (c) of section 21,

then the council or board, as the case may be, shall bear that portion of the expenditure referred to in subsection (1) which would otherwise be payable by the owner or occupier.

(3) A council or board shall give notice to the owner or occupier required to contribute in accordance with subsection (1) of this section, within one month of the expenditure of the money, specifying the amount required to be contributed by the owner or occupier.

(4) An amount payable pursuant to this section may be recovered from the owner or occupier as a debt due to the council or board, as the case may be, and shall be a charge upon the land.

(5) In proceedings for the recovery of an amount payable pursuant to this section, a document under the seal of the council or board, stating—

(a) the work specified therein was carried out on the road or portion thereof specified ;

(b) the cost of that work ;

and

(c) the period within which the work was carried out, shall be *prima facie* evidence of the facts stated therein.

PART II.

DIVISION II.

Council or board may be re-imbursed with certain expenses.

Power to form associated councils vermin board.

25. Where the Minister is satisfied that a council or board has borne any expense pursuant to subsection (2) of section 24, then the council or board may be paid out of moneys to be provided by Parliament for the purpose, the amount so expended by the council or board.

26. (1) For the purposes of more effectively carrying out the provisions of this Part, any two or more councils whose areas are contiguous, may each nominate two members of a board to be called an "associated councils vermin board".

(2) Every member nominated under subsection (1) of this section shall, unless he ceases to be a member of the council by which he was nominated, or resigns his place on the board, continue in office for three years from the date of the proclamation referred to in subsection (3) of this section.

(3) The Governor may by proclamation declare any associated councils vermin board to be constituted and the names and residences of the members thereof and the area of the associated councils vermin board, being the aggregate of the areas of the councils nominating members of the board.

(4) An associated board shall continue in existence for three years only from the day of the proclamation referred to in subsection (3) unless the Governor by proclamation declares that the associated board shall be continued from time to time, in which case a further nomination of members shall take place as provided for in this section.

(5) Where a member of an associated board—

(a) ceases to be a member of the council nominating him ;

or

(b) resigns his place on the associated board,

his place shall thereupon be vacated and the council which nominated him shall nominate another member of the board for the portion of the term remaining unserved by the member vacating his place.

(6) Meetings of the associated board shall be regulated by the provisions of Part VIII of the Local Government Act, 1934-1967, as far as those provisions are applicable to those meetings.

Vesting of powers of councils in associated boards.

27. While an associated board continues in existence all the powers and functions and duties of the councils under this Act constituting that associated board shall be vested

in and may be exercised, performed and carried out by that associated board in relation to the aggregate of the areas of the constituting councils.

28. Each council constituting an associated board shall contribute such proportion of the expenses of the associated board as may be agreed upon by the constituting councils and in default of such agreement as may be determined by the Minister.

Finance.

29. An associated district councils vermin board in existence at the commencement of the Vermin Act Amendment Act, 1967, shall by virtue of this section continue in existence as an associated councils vermin board under this Act, for the balance of the period for which it was last proclaimed under the Vermin Act, 1931-1964, and thereafter may be continued as if it was an associated councils vermin board constituted under section 26 of this Act.

Continuation
of associated
district
councils
vermin boards.

30. (1) If the Minister is satisfied that a council or board has failed or is failing to carry out or enforce within its area or district, as the case may be, any of the provisions in this Act, then the Minister may by notice in writing to the council or board direct that the council or board carry out or enforce within its area or district the provisions of this Act specified in the notice or the provisions of this Act generally.

Failure to
comply with
Act on part
of council or
board.

(2) If within one month of receiving a notice under subsection (1) of this section a council or board does not comply with directions contained therein then the Minister may cause to be carried out the directions contained therein and for that purpose shall have and may exercise and perform all the powers and functions of the council or the board conferred by this Act, as the case may be.

(3) Any expense incurred by the Minister in the exercise and performance of the powers and functions referred to in subsection (1) of this section may be recovered by the Minister from the council or the board as a debt due to the Crown, and without limiting that right of recovery the Minister may, in addition, retain from any amount payable to a council or board under this Act, all or portion of the amount of any expense referred to in this section.

31. (1) Any council or board may enter into an agreement with an owner or occupier of any land for the council or board to control or destroy vermin on that land.

Agreements
between
councils,
boards and
owners or
occupiers.

(2) Any amount payable by the owner or occupier of land pursuant to an agreement under subsection (1) of this section may be recovered by the council or board as a debt and shall be a charge upon the land.

PART II.

DIVISION III. DIVISION III.—CONTROL OR DESTRUCTION OF VERMIN BY OWNERS AND OCCUPIERS.

Duty of owner or occupier.

32. Every owner and every occupier of any land shall at all times and at his own cost or expense, control or destroy all vermin on that land.

Penalty : One hundred dollars.

Non-application of Act to certain rabbits.

33. (1) Nothing in this Act shall be construed as—

(a) conferring a power or imposing a duty on any person to destroy rabbits kept in any cage on any land if the rabbits are kept in no more than one cage on that land ;

or

(b) conferring a power or imposing a duty on any person to destroy rabbits kept by any person who has been granted permission by the Governor to keep rabbits where those rabbits are kept in accordance with the conditions (if any) specified in the permission.

(2) In this section—

“cage” means a cage, hutch or box or other similar enclosure, which is completely rabbit proof and does not exceed thirty-six square feet in floor area.

Notice to owner or occupiers.

34. (1) Any council or board may in respect of any land in its area or district, as the case may be, give to the owner or occupier of that land a notice requiring the owner or occupier within the time specified in the notice to take such action of a kind specified in the notice relating to the control or destruction of vermin on that land.

(2) An owner or occupier given by a notice pursuant to subsection (1) of this section may within twenty-one days of being so given that notice request the Minister by notice in writing to vary or annul the requirement specified in the notice.

(3) On receiving a request pursuant to subsection (2) of this section the Minister may—

(a) confirm ;

(b) vary ;

or

(c) annul,

the requirement and shall give notice of his decision to the owner or occupier.

(4) Where the Minister varies the notice the variation shall have effect as if it were the requirement made to the owner or occupier pursuant to subsection (1) of this section, and where the Minister annuls the notice, the notice shall for the purposes of this Act have no further force or effect.

35. (1) An owner or occupier given notice under subsection (1) of section 34 shall not neglect or fail, within the time specified in that notice, to take the action of a kind specified in that notice relating to the destruction or control of vermin on the land to which the notice relates.

Failure of owner or occupier to comply with notice.

Penalty : Two hundred dollars.

(2) For the purposes of this section the time specified in the notice shall be deemed to be extended by a period commencing on and including the day on which a request pursuant to subsection (2) of section 34 of this Act in respect of that notice was made to the Minister and concluding on and including the day on which the notice of the decision of the Minister was given the owner or occupier pursuant to subsection (3) of that section.

36. Where an owner or occupier neglects or fails to comply with a notice issued under section 34, a council or board may, in addition to instituting proceedings for an offence that is a contravention of subsection (1) of section 35, and notwithstanding the infliction of penalty under that section, by its authorized officers and their assistants—

Right of council or board to take action.

(a) enter upon the land of the owner or occupier ;

(b) use all such means and take all such measures and do and perform all such things as to it seems proper and necessary to carry out the requirement specified in the notice or so much of that requirement as has not been carried out by the owner or occupier ;

and

(c) enter and remain upon the land for the purposes set out in this section.

37. For the purposes of section 36, an owner or occupier who—

Evidence of non-compliance with notice by owner or occupier.

(a) subject to subsection (2) of section 35 does not within the time specified in a notice given pursuant to section 34 commence to take the action specified ;

or

PART II.
DIVISION III.

(b) having so commenced does not continue to take that action in a manner satisfactory to an authorized person,

shall be deemed to have neglected or failed to comply with that notice.

Costs recoverable from owner or occupier.

38. The cost and expenses incurred in relation to any work performed by an authorized officer and his assistants pursuant to section 36 shall be a debt due by the owner or occupier to the council or board as the case may be payable on demand and may be recovered in any court of competent jurisdiction or in a summary way.

DIVISION IV.—DESTRUCTION ON BREAKWIND RESERVES IN PINNAROO RAILWAY DISTRICT AND ON DRAINAGE LANDS.

Definition of breakwind reserve and drainage hereto.

39. For the purposes of this Part—

“breakwind reserve” means any land within the Pinnaroo Railway District reserved by the Surveyor-General as a breakwind whether or not the land so reserved is within any of the hundreds mentioned in section 13 of the Pinnaroo Railway Act :

“drainage lands” means lands—

(a) reserved under the Crown Lands Act, 1915, or the Crown Lands Act, 1929, for drainage purposes ;

(b) vested in Her Majesty the Queen or in the South-Eastern Drainage Board ;

or

(c) vested in any council by virtue of the provisions of the South-Eastern Drainage Act, 1878, or the South-Eastern Drainage Act Amendment Act, 1908,

on which is situated any drain or drainage works within the meaning of the South-Eastern Drainage Act, 1931-1959.

Application of Act to breakwind reserve.

40. For the purposes of Part II of this Act—

(a) where a breakwind reserve is bounded by a road the breakwind reserve will be deemed to be part of that road ;

(b) where a breakwind reserve is adjoined by land of a kind referred to in section 15 on one side or on two immediately opposite sides, then that breakwind reserve shall be deemed to be a road ;

and

- (c) where a breakwind reserve is adjoined on both and immediately opposite sides by lands other than the lands of a kind referred to in section 15 then the each owner or occupier of the adjoining lands shall be obliged to treat the one half width of that breakwind reserve adjoining his lands as if that half width were his land.

41. For the purposes of Part II of this Act—

Application of
Act to drainage
lands.

- (a) where a road adjoins any drainage lands and there is a fence erected on the side of the drainage lands remote from the side adjoining the road those drainage lands shall be deemed to be part of the road ;
- (b) where a road adjoins each side of the drainage lands those roads and those lands shall be deemed to be one road ;
- (c) where the drainage lands are adjoined on both and immediately opposite sides by land of a kind referred to in section 15, then those drainage lands shall be deemed to be a road ;
- (d) where those drainage lands are adjoined on both and immediately opposite sides by lands other than lands of a kind referred to in section 15, and there is no fence erected on either side of the drainage lands then each owner or occupier of the adjoining lands shall be obliged to treat the one half width of those drainage lands adjoining his lands as if those drainage lands were his lands ;
- (e) where those drainage lands are adjoined on both and immediately opposite sides by land other than lands of a kind referred to in section 15 and there is a fence erected only on one side of the drainage lands the owner or occupier of the lands adjoining those drainage lands remote from the fence shall treat those drainage lands as if they were his lands ;
- (f) where those drainage lands are adjoined on one side by land other than lands of a kind referred to in section 15 and on the other side by a road and there is not a fence erected on the first-mentioned side then the owner of those lands shall treat those drainage lands as if they were his lands ;

PART II.
DIVISION IV.

and

(g) where any drainage lands do not fall within the classes specified in paragraphs (a) to (f) of this section then where they are vested in a council, section 21 will apply to and in relation to those lands and where they are not so vested section 15 shall apply to and in relation to those lands.

Amendment of principal Act, s. 104—
Fencing of water supplies.

8. Section 104 of the principal Act is amended by striking out from subsection (2) the passage “the inspector” and inserting in lieu thereof the passage “an authorized officer”.

Amendment of principal Act, s. 137—
Appointment and salaries of officers.

9. Section 137 of the principal Act is amended by inserting after the passage “inspectors,” the passage “local authorized officers”.

Amendment of principal Act, s. 231—
Penalty for personating officers.

10. Section 231 of the principal Act is amended by striking out the passage “an authorized person either by giving a notice to an owner or occupier purporting to be a notice under Part II, or in any other manner howsoever personating an authorized person” and inserting in lieu thereof the passage “an authorized officer”.

Amendment of principal Act, s. 232—
Penalty for obstructing authorized person.

11. Section 232 of the principal Act is amended—

(a) by striking out from paragraph (a) of subsection (1) thereof the passage “authorized person” (twice occurring) and inserting in lieu thereof the passage “authorized officer” in each case;

(b) by striking out from that paragraph the passage “Part II” and inserting in lieu thereof the passage “this Act”.

(c) by striking out from paragraph (b) of that subsection the passage “an authorized person” and inserting in lieu thereof the passage “an authorized officer”;

and

(d) by striking out from subsection (2) the passage “such authorized person” and inserting in lieu thereof the passage “such authorized officer”.

Amendment of principal Act, s. 254—
Certificates *prima facie* evidence of cost of construction.

12. Section 254 of the principal Act is amended by striking out the passage “destroying vermin” and inserting in lieu thereof the passage “controlling or destroying vermin”.

PART II.

DIVISION IV.

13. Section 257 of the principal Act is amended by striking out the passage "authorized person" (twice occurring) and inserting in lieu thereof the passage "authorized officer" in each case.

Amendment of principal Act, s. 257—

Certain allegations *prima facie* proof.

14. Section 270 of the principal Act is amended—

(a) by striking out the passage "district";

and

(b) by striking out the passage "except a penalty imposed for an offence under section 23 or section 43".

Amendment of principal Act, s. 270—

Power of board to remit fines except for failure to destroy vermin.

15. The fifth schedule to the principal Act is repealed.

Repeal of fifth schedule to principal Act.

16. The sixth schedule to the principal Act is repealed.

Repeal of sixth schedule to principal Act.

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

J. M. NAPIER, Governor's Deputy.