

1963

VICTORIA.



ANNO DUODECIMO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 7001.

An Act relating to the fluids to be used for the Branding
of Sheep.

[21st May, 1963.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

- Short title.** 1. (1) This Act may be cited as the *Sheep Branding Fluids Act 1963*.
- Commencement.** (2) This Act shall come into operation on a date to be fixed by proclamation of the Governor in Council published in the *Government Gazette*.
- Interpretation.** 2. In this Act unless inconsistent with the context or subject-matter—
- “Approved branding substance.” “Approved branding substance” means the branding substance which has been approved by the Minister pursuant to the provisions of this Act.
- “Branding substance.” “Branding substance” means any substance which is used for the purpose of making an identifying or distinguishing mark or brand on any sheep or upon the wool of any sheep.

“An

“An Inspector” means any inspector of stock appointed under the *Stock Diseases Act 1958* or any person who has been appointed in writing by the Minister to be an inspector for the purposes of this Act. “An Inspector.”

3. Any person who marks or brands a sheep with any branding substance which is not an approved branding substance shall be guilty of an offence against this Act. Offence to brand a sheep with anything but an approved branding substance.

4. (1) The Minister on application being made in writing and accompanied by a fee of Five pounds shall cause to be made such tests as he thinks necessary to establish whether any substance— Procedure for obtaining approval of branding substance.

(a) is suitable for the marking or branding of sheep ; and

(b) is capable of being completely removed from the wool of the sheep by the operation of the normal scouring processes.

(2) The Minister if satisfied that such substance is suitable for marking or branding sheep or wool and can be removed by scouring shall notify the applicant in the form of the First Schedule. First Schedule.

(3) The Minister if not satisfied that such substance is suitable for marking or branding of sheep or wool shall notify the applicant in the form of the Second Schedule. Second Schedule.

5. (1) No person shall sell or offer for sale any substance in respect of which any claim or statement as to its efficacy for use for the branding or marking of sheep or wool has been made by him or with his consent either verbally or in any written or printed matter relating thereto unless the substance is an approved branding substance. Offence to sell substances other than approved substances for branding sheep.

(2) No person shall sell or offer for sale any approved branding substance unless it is contained in a package or container upon which is written or printed the words “Approved under the *Sheep Branding Fluids Act 1963*”. Containers of approved branding substances to be labelled.

6. (1) An inspector may on the production of proof of his appointment as such take or seize a sample of any substance used to mark or brand sheep or wool and a sample of any wool on which such substance has been used for the purposes of testing or analysis. Powers and duties of inspectors.

(2) Such

(2) Such inspector immediately after the seizing or taking of such sample or samples aforesaid shall forward such sample or samples to the Minister who shall make or cause to be made such tests or analyses as he thinks necessary to establish whether the substance taken or seized is an approved branding substance and if a sample of wool has been taken or seized whether or not such wool is marked or branded with an approved branding substance.

(3) An inspector may take or seize any container that contains any substance used for marking or branding of any sheep or wool.

(4) It shall be an offence against this Act to cause obstruction or in any way impede an inspector from carrying out his duties under this Act.

Penalty.

7. Any person convicted of an offence against this Act shall be liable to a penalty not exceeding Fifty pounds for a first offence and for a second or further offence to a penalty not exceeding One hundred pounds.

SCHEDULES.

SCHEDULES.

FIRST SCHEDULE.

First Schedule.
Section 4 (2).

Sheep Branding Fluids Act 1963.

I
Minister for Agriculture in the State of Victoria hereby notify.....that a
substance submitted by.....and known
as.....is suitable for use as a marking or branding substance
for sheep or wool. The containers of this substance must now be labelled " Approved
under the *Sheep Branding Fluids Act 1963* ".

.....Minister for Agriculture.

Date / / .

SECOND SCHEDULE.

Second
Schedule.
Section 4 (3).

Sheep Branding Fluids Act 1963.

I
Minister for Agriculture in the State of Victoria hereby notify.....
.....that a
substance known assubmitted
to me for analysis for the purpose of ascertaining whether or not such substance is
suitable for marking or branding of sheep or wool has been found unsuitable and is
not therefore an approved branding substance under the *Sheep Branding Fluids Act*
1963.

.....Minister for Agriculture.

Date / / .

