

STOCK.

<i>Brands Act of 1915</i>	6 Geo. V. No. 9
<i>Diseases in Stock Act of 1915</i>	6 Geo. V. No. 16

6 GEO. V.
No. 9.
THE BRANDS
ACT OF 1915.

**An Act to Consolidate and Amend the Law relating
to Brands and Marks on Stock.**

[ASSENTED TO 15TH NOVEMBER, 1915.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title
and com-
mencement
of Act.

1. This Act may be cited as "*The Brands Act of 1915*," and shall come into operation on the first day of January, one thousand nine hundred and sixteen.

Repeal of
certain
enactments.
Schedule.

2. (1.) The Acts mentioned in the Schedule to this Act are repealed to the extent therein indicated.

(2.) Provided that, without limiting the operation of "*The Acts Shortening Acts*"*—

- (a) Except when it is in this Act otherwise expressly provided, such repeal shall not restrict or affect any right or privilege conferred upon or acquired by any owner under the enactments hereby repealed; and
- (b) All things lawfully done under the said enactments, and in force or subsisting at the commencement of this Act, shall continue in full force and effect, and shall, so far as is consistent with this Act, be deemed to have been done under and for the purposes of this Act; and
- (c) In particular all brands and marks of whatever kind issued pursuant to and registered under the said enactments shall be deemed to have been issued and to be registered under this Act, and when used on or in connection with stock shall be deemed to have been used pursuant to and under this Act, and may continue to be used, and shall have effect accordingly.

* 31 Vic. No. 6 and amending Acts, *supra*, pages 15 *et seq.*

1915.

Brands Act.

3. In this Act, unless the context otherwise indicates, the following terms have the meanings set against them respectively, that is to say:—

- Interpreta-
tion.
35 Vic. No. 4,
s. 1.
62 Vic.
No. 21, s. 4.
- Brands
Directory.
- Branding
instrument.
- Cattle.
- Cattle
earmark.
- Distinctive
brand.
- Distinctive
mark.
- District.
- Goat.
- Holding.
- Horse.
- Horse and
cattle
brand.
- “Brands Directory”—The list of horse and cattle brands, and of cattle earmarks, compiled and published by the registrar ;
- “Branding Instrument ”—An instrument or contrivance used for branding stock ;
- “Cattle”—Any bull, cow, ox, heifer, steer, or calf ;
- “Cattle Earmark”—Any mark or cut upon the ear of cattle registered for use in conjunction with an owner’s horse and cattle brand ;
- “Distinctive Brand ”—Any registered brand other than a horse and cattle brand which is set apart by the registrar for a specific purpose or which the owner is empowered to brand upon the cheek of any horses, cattle, or camels to denote—
The ownership of the individual members of a family or partnership where a horse and cattle brand is registered conjointly in the names of members of a family or partnership, or
The class, age, or description of horses, cattle, or camels, or any other fact which the owner desires to denote ;
- “Distinctive Mark”—Any mark or cut, other than a sheep earmark, which an owner is empowered to make upon the ear of sheep, goats, or swine to denote their age or class, and whether registered or unregistered ;
- “District”—A district constituted under this Act ;
- “Goat ”—Any male or female goat or any kid ;
- “Holding”—Any run, station, farm, freehold, or leasehold, or place where stock are kept or depastured ;
- “Horse”—Any horse, mare, gelding, colt, filly, ass, or mule ;
- “Horse and Cattle Brand”—The permanent impression of any letter, numeral, sign, or character branded upon any horses, cattle, or camels, and registered : the term includes a symbol brand but not a distinctive brand ;

Inspector.	“Inspector”—The registrar and any inspector appointed under this Act ;
Minister.	“Minister”—The Secretary for Agriculture and Stock, or other Minister of the Crown for the time being charged with the administration of this Act ;
Owner.	“Owner,” used with reference to any brand or earmark of whatever kind, or any stock, or any holding—The owner jointly or in severalty, or the authorised agent or superintendent of such owner ;
Pliers.	“Pliers”—An instrument or contrivance approved by any inspector, and used for earmarking stock ;
Prescribed.	“Prescribed ”—Prescribed by this Act or by the regulations ;
Registered.	“Registered”—Registered under this Act ;
Register.	“Register”—Any register book kept in pursuance of this Act ;
Registrar.	“Registrar”—The registrar of brands or any deputy registrar of brands appointed under this Act ;
Regulations.	“Regulations”—Regulations made under this Act ;
Residence.	“Residence”—The residence, house, homestead, or head station of any owner ;
Sheep.	“Sheep”—Any ram, ewe, wether, or lamb ;
Sheep brand.	“Sheep Brand ”—Any fire brand permanently impressed on the face or horn, or any pitch, paint, or tar brand imprinted on the wool on any portion of any sheep or upon any goats, and registered ;
Sheep Brands and Earmarks Directory.	“Sheep Brands and Earmarks Directory”—The list of registered sheep brands and sheep earmarks compiled and published by the registrar ;
Sheep earmark.	“Sheep Earmark”—Any registered mark or cut upon the ear of sheep or upon any goats or swine ;
Stock.	“Stock ”—Any horse, cattle, or camel, and any sheep, goat, or swine ;
Symbol brand.	“Symbol Brand ”—Any horse or cattle brand consisting of a device or symbol registered as a symbol brand, and of such shape and pattern as the registrar approves, and which can be briefly described in writing ;

1915.

Brands Act.

“This Act”—This Act and all regulations and This Act.
Orders in Council made thereunder.

4. (1.) The Governor in Council may from time to Officers and districts.
time appoint a registrar of brands and a deputy registrar 35 Vic. No. 4,
of brands, and such inspectors and other officers as may s. 10.
be necessary for the effectual administration of this Act.

(2.) The Governor in Council may from time to time, by Order in Council—

- (a) Appoint any part of the State to be a district for the purposes of this Act ;
- (b) Alter the boundaries of any district ;
- (c) Abolish any district ;
- (d) Assign districts to any inspector or inspectors.

(3.) Unless the Governor in Council otherwise directs, any inspector may exercise and discharge his powers and duties in any part of the State notwithstanding that a district or districts may have been assigned to him.

5. Any person who desires to become the owner of Application for brand or earmark.
a registered brand or earmark of whatever kind under this Act shall deliver or transmit to the registrar an application therefor in the prescribed form, accompanied by the prescribed fee.

6. (1.) The registrar, if satisfied that an application Registration of horse and cattle brands and cattle earmarks.
for a horse and cattle brand or cattle earmark is in conformity with this Act, shall allot and register to the applicant a horse and cattle brand or cattle earmark, as 35 Vic. No. 4,
the case may be. ss. 4, 12, 15.

(2.) Every registered horse and cattle brand, other than a symbol brand, shall consist of letters, numerals, signs, or characters. 62 Vic. No. 21, ss. 12, 13, 17.

The shape and pattern of such letters, numerals, signs, or characters, and their arrangement, shall be determined by the Minister in such positions as he may decide.

(3.) Subject to this Act, any owner of a registered Symbol brands.
horse and cattle brand other than a symbol brand may obtain registration of a symbol brand in conjunction with such horse and cattle brand.

Such symbol brand may be imprinted in accordance with this Act either instead of or in addition to such horse and cattle brand.

No symbol brand shall be registered or used by any owner unless it is accompanied by a dot to the right of

and on a line with the lower part of the symbol brand ; such dot shall be taken to indicate that such symbol brand was registered in Queensland.

Branding
irons.

(4.) Branding irons used for horses, cattle, and camels shall not be less than one and one-quarter inches in length.

Cattle
earmarks.

(5.) A cattle earmark shall be registered only in conjunction with a horse and cattle brand, and shall be used only in the district in which it is registered.

Every registered cattle earmark shall consist of one or more cuts on either or both of the ears of cattle, and shall be arranged and placed in such positions as may be prescribed, and shall be made with pliers :

Provided that the cut or cuts when made on the ear shall not remove more than one-third of the ear.

When any head of cattle has been earmarked, whether with a registered earmark or otherwise, it must not again be earmarked with a registered earmark.

No mark other than the registered earmark shall be made upon either ear of cattle.

Monthly
gazettal of
brands
registered,
transferred,
&c.

(6.) The registrar shall, at the end of every month or as soon thereafter as possible, transmit to the Government Printer, for publication in the *Gazette*, a statement of all such brands and earmarks registered, transferred, or cancelled up to the last day of such month.

Brands
Directory.

(7.) From such monthly publications the registrar shall, as soon as possible after the thirty-first day of December in each year, cause to be compiled and published a Brands Directory, containing all the horse and cattle brands and cattle earmarks registered up to that date, and shall cause copies thereof to be transmitted to each keeper of a public pound, inspector, and clerk of petty sessions in the State as soon after publication as possible.

Order of
branding on
horses, &c.
5 Geo. V.
No. 12, s. 4.

7. (1.) Brands shall be imprinted on horses or camels as follows, that is to say :—

(i.) The breeder or person imprinting the first brand may—

(a) Imprint his registered brand upon any one or other of the positions mentioned in the table next hereinafter set forth ; or

(b) Imprint his registered symbol brand upon any one or other of the positions mentioned in the said table or upon the cheek.

1915.

Brands Act.

- (ii.) Every second or subsequent brand shall, if there is sufficient space, be imprinted on the same position as and at a distance of not less than one and a-half inches nor more than two and a-half inches from and directly underneath the brand which, in accordance with the prescribed order of branding, is the immediately preceding brand; and if there is not sufficient space for such second or subsequent brand on the said position, then it shall be imprinted on the position next in the prescribed order consecutively, position one succeeding position six.

This provision does not apply to horses or camels branded on the cheek with a symbol brand.

- (iii.) In the case of horses or camels branded only on the cheek with a symbol brand, the second brand may be imprinted on any one of the prescribed positions, but subsequent brands shall be imprinted on the position next in the prescribed order consecutively, position one succeeding position six.
- (iv.) All horses and camels shall be deemed branded with the registered brand which appears to be the last brand according to the prescribed order.

Table of Positions and Order for Branding Horses and Camels.

First position—Near shoulder ;
 Second position—Off shoulder ;
 Third position—Near quarter or thigh ;
 Fourth position—Off quarter or thigh ;
 Fifth position—Near ribs ;
 Sixth position—Off ribs.

(2.) All brands shall be imprinted on cattle as follows, Order of branding on cattle. that is to say :—

- (i.) The breeder or person imprinting the first brand may—
- (a) Imprint his registered brand upon any one or other of the positions mentioned in the table next hereinafter set forth ; or
- (b) Imprint his registered symbol brand upon any one or other of the positions mentioned in the said table or upon the cheek.

- (ii.) Every second or subsequent brand shall, if there is sufficient space, be imprinted on the same position as and at a distance of not less than one and a-half inches nor more than two and a-half inches from and directly underneath the brand which, in accordance with the prescribed order of branding, is the immediately preceding brand ; and if there is not sufficient space for such second or subsequent brand on the said position, then it shall be imprinted on the position next in the prescribed order consecutively, position one succeeding position four : Provided that each second or subsequent brand must be imprinted on the same side as the brand which, in accordance with the prescribed order, is the immediately preceding brand.

This provision does not apply to cattle branded on the cheek with a symbol brand.

- (iii.) In the case of cattle branded only on the cheek with a symbol brand, the second brand may be imprinted on any one of the prescribed positions ; but subsequent brands shall be imprinted on the position next in the prescribed order consecutively and on one side only, position one succeeding position four.
- (iv.) All cattle shall be deemed branded with the registered brand which appears to be the last brand according to the prescribed order.

Table of Positions and Order for Branding Cattle.

First position—Neck ;

Second position—Rump, hip, or thigh ;

Third position—Ribs ;

Fourth position—Shoulder or top of arm.

- (3.) Any person who fails to comply with this section shall be liable to a penalty not exceeding fifty pounds.

8. Notwithstanding anything contained in this Act, it is lawful for the breeder or person imprinting the first brand upon any horses or cattle to imprint any numerals under his registered brand for reference to any stud or herd book containing a description of such horses or cattle.

First
brander may
imprint stud
or herd book
numbers
under his
registered
brand.

38 Vic. No. 9,
s. 2.

1915.

Brands Act.

But such numerals shall not be imprinted at a less distance than one and a-half nor more than two and a-half inches from and directly underneath such registered brand.

9. (1.) The registrar, if satisfied that an application for a distinctive brand is in conformity with this Act, shall allot and register to the applicant a distinctive brand.

Registration of distinctive brands.
35 Vic. No. 4, s. 7.
5 Geo. V. No. 12, s. 3.

(2.) No distinctive brand shall be allotted to any person who is not the owner of a registered horse and cattle brand.

(3.) Every distinctive brand shall be branded on the cheek of horses, cattle, or camels.

(4.) All distinctive brands to be used by owners upon stock branded with a registered horse and cattle brand shall be of such character and shape as the Minister may direct.

10. (1.) The registrar, if satisfied that an application for a sheep brand or sheep earmark is in conformity with this Act, shall allot and register to such applicant a sheep brand or sheep earmark as the case may be :

Registration of sheep brands and marks.
54 Vic. No. 21, ss. 8, 10.

(2.) Provided that, if any sheep brand or sheep earmark applied for is similar to or easily convertible into any other sheep brand or sheep earmark already registered for the same district or in another district but in the same locality, the registrar shall make such modification in that applied for as shall render such sheep brands or sheep earmarks dissimilar.

(3.) Every fire brand shall be imprinted on the face or horn, and every tar, pitch, or paint brand on the shoulder, ribs, back, or rump.

Position of brands and marks.

All sheep brands and sheep earmarks shall be branded and made in such manner as may be prescribed :

Provided that—

(a) The cut or cuts when made on the ear shall not remove more than one-third of the ear;

(b) No mark shall be made on that ear which is already marked with a registered sheep earmark.

(4.) The registrar shall, as soon as possible after the thirty-first day of December in each year, cause a Sheep Brands and Earmarks Directory, containing all the sheep brands and sheep earmarks registered up to that date, to

Sheep Brands and Earmarks Directory.

be compiled and published in the *Gazette*, and shall cause copies thereof to be transmitted to each keeper of a public pound, inspector, and clerk of petty sessions in the State as soon after publication as possible.

Distinctive
marks
may be
used.
54 Vic.
No. 21, s. 9.

11. Any owner may use any number of distinctive marks to denote the age or class of his sheep, goats, or swine, but such distinctive marks shall not be made on the same ear as the registered sheep earmark.

Such distinctive marks may upon application be registered.

Certificate of
registration.
35 Vic. No. 4,
s. 13.

12. Upon the registration of any brand or earmark of whatever kind under this Act, the registrar shall deliver or transmit to the person to whom it is allotted a certificate of registration in the prescribed form.

Register.
35 Vic. No. 4,
s. 11.

13. The registrar shall keep registers, in the prescribed form, of all brands and earmarks of whatever kind allotted and registered under this Act.

Distinguish-
ing brand to
be used by
each public
pound.
35 Vic. No. 4,
s. 24.

14. The registrar shall allot and register to each public pound throughout the State a horse and cattle brand for such public pound.

The keeper of such pound shall, on the sale of any horses or cattle impounded in such pound, brand the same with such brand on the portions and in the order prescribed, in such manner as to show that the said brand is the last brand at that time imprinted on such horses or cattle.

Any poundkeeper who fails to comply with this section shall be liable to a penalty not exceeding fifty pounds.

Pound-
keepers, &c.,
to keep copy
of directory,
&c., open to
inspection.
35 Vic. No. 4,
s. 22.

15. Every poundkeeper, inspector, and clerk of petty sessions shall keep a copy of the latest edition of the Brands Directory and copies of the *Gazettes* containing the monthly statements of registered horse and cattle brands not included in such directory, and of the Sheep Brands and Earmarks Directory, and shall permit a search in such directories and *Gazettes* at all reasonable hours, and for any failure to comply with this section shall be liable to a penalty not exceeding five pounds.

Transfers.
35 Vic. No. 4,
ss. 16, 17.
54 Vic.
No. 21, s. 11.

16. (1.) Any person wishing to transfer the right to any registered horse and cattle brand, and the person to whom such right is intended to be transferred, shall make and sign, in the presence of a justice of the peace or

1915.

Brands Act.

commissioner of the Supreme Court, a memorandum in the prescribed form, and shall deliver or transmit the same to the registrar together with the prescribed fee.

The registrar shall, upon the receipt of such memorandum and fees, cancel the original registration of such brand standing in the name of the transferor, and shall re-register such brand in the name of the transferee, and shall deliver or transmit to the transferee a notification of transfer in the prescribed form.

Such transferee shall thereafter be deemed to be the person having the exclusive right to use such brand.

Any cattle earmark or symbol brand registered in conjunction with such brand shall, unless otherwise specified by the transferor, be transferred at the same time to the same person.

(2.) The right to use any sheep brand or sheep earmark may be transferred in like manner; but such sheep brand or sheep earmark shall not, except in the case of travelling sheep, be used by the transferee in any district other than that for which it was originally registered.

(3.) The registrar shall keep a register in the prescribed form, in which all such transfers shall be recorded.

17. The owner of any registered brand or earmark of whatever kind may surrender the same. Surrender and cancellation of brand or mark. 62 Vic. No. 21, s. 18.

The registrar shall, upon receipt of notice of such surrender, cancel the registration of the same, and, subject to this Act, it may then be registered in the name of another person.

18. Every owner of a registered brand or registered earmark of whatever kind shall, simultaneously with the return of stock furnished by him under "*The Stock Returns Act of 1893*,"* also transmit a return in the prescribed form of all such brands and earmarks. Return of brands and earmarks.

If any owner fails during three consecutive years to so transmit such return, all registered brands and registered earmarks whereof he appears to be the owner may, at the discretion of the Minister, be cancelled.

19. When it appears to the registrar, upon the report of an inspector or otherwise, that a registered brand or earmark of whatever kind is not in use, the registrar may cause notice to be given to the owner Cancellation of disused brand or mark. 62 Vic. No. 21, s. 19.

* 57 Vic. No. 10, *supra*, page 3277.

thereof calling upon him to show cause why the same should not be cancelled.

The notice shall be served as prescribed, and shall also be published in the *Gazette*.

If, within six months after such service or within six months after the last publication of such notice, cause is not shown to the satisfaction of the registrar why the brand or earmark should not be cancelled, the registrar may cancel the same.

Cancelled brand or mark, how dealt with. 62 Vic. No. 21, s. 20.

20. When a brand or earmark of whatever kind is cancelled, the last owner thereof shall be entitled, on application to the registrar, to have the brand or earmark again registered in his name upon payment of the prescribed fee, so long as the brand or earmark has not been allotted and registered to another person.

No horse and cattle brand or cattle earmark which has been cancelled shall be allotted and registered to any person other than the last registered owner, unless the registrar is satisfied that a period of at least five years has elapsed since such brand or earmark was in regular use.

Inspectors of slaughter-houses to furnish weekly list of brands of cattle slaughtered. 35 Vic. No. 4, s. 25.

21. All inspectors of slaughter-houses shall furnish the inspector of brands for the district in which such slaughter-houses are situated with a weekly list of the brands of the cattle about to be slaughtered, or which have been slaughtered at such slaughter-houses during the preceding week.

Stock on which brand has been wilfully altered or blotched to be deemed unbranded. 35 Vic. No. 4, s. 29.

22. Any horse or cattle bearing a brand which has been wilfully altered, blotched, defaced, or rendered illegible shall be held to be unbranded, and any cattle or sheep, goats, or swine upon which the ear has been cut or cropped contrary to this Act shall be held to be not earmarked, and any such stock may be seized by any justice of the peace, inspector, or police officer and detained for the purposes of any prosecution.

Powers of inspectors. 35 Vic. No. 4, s. 3.

23. For the purposes of this Act every inspector, with or without assistants, is entitled to enter upon any part of any holding and to search for and inspect any stock, brand, or branding instrument, and to seize and detain any stock in respect of which the owner has committed or is suspected of committing any breach of this Act, and to seize any branding instrument which is not authorised by this Act, or which is or is suspected to be had in possession contrary to this Act, and for the purposes aforesaid to use such force as may be necessary.

1915.

Brands Act.

Any person who hinders or impedes or attempts to hinder or impede any inspector or assistant in the execution of his duty, or refuses to produce any branding instrument to be inspected or to permit any stock or branding instrument to be inspected, shall be liable to a penalty not exceeding fifty pounds.

24. Every person who is guilty of any of the following acts relating to the branding or marking of any stock shall be liable to a penalty not exceeding fifty pounds, namely:—

- (i.) Using or attempting to use or knowingly permitting to be used, or without lawful excuse (the proof whereof shall lie upon him), having in possession or at his residence or premises any branding instrument or pliers by which any brand or earmark of any kind whatever, other than the brand or earmark which under this Act he is entitled to use, may be impressed or made upon stock ;
- (ii.) Branding or marking, or directing, aiding, or assisting to brand or mark, any stock on any portion thereof with a brand or earmark of any kind whatever which is not registered ;
- (iii.) Marking any cattle, sheep, goat, or swine by removing more than one-third of the ear ;
- (iv.) In any other way offending against any of the provisions of this Act connected with the branding or marking of stock.

25. (1.) Any registered horse and cattle brand upon any horse, cattle, or camel shall be *primâ facie* evidence of the ownership of such brand and of the stock on which such brand is imprinted.

(2.) Any registered sheep brand or sheep earmark branded or marked upon any sheep, goat, or swine (such sheep brand or sheep earmark being registered for the district in which the stock then are), and being the only sheep brand or sheep earmark imprinted or marked thereon, shall be *primâ facie* evidence of the ownership of such sheep, goat, or swine.

(3.) A copy of a certificate of registration or notification of transfer or cancellation of a brand or earmark of any kind whatever, under the hand of the registrar, shall be *primâ facie* evidence of the facts therein set forth.

(4.) On the trial of any person charged with stealing any stock, the Attorney-General or other officer prosecuting on behalf of the Crown may adduce evidence

Penalties for
breaches
as to
branding
or marking
of stock.
35 Vic. No. 4,
ss. 9, 14.
54 Vic.
No. 21, s. 15.

Evidence.
35 Vic. No. 4,
ss. 35, 36.
54 Vic.
No. 21, s. 12.

that the registered brands or earmarks of any kind whatever appearing upon the stock alleged to have been stolen are the registered brands or earmarks of the person alleged in the indictment or complaint to be the owner or of some person through whom such alleged owner claims, and such evidence may, if in the opinion of the jury or justices the other circumstances proved at the trial warrant such course, be taken into consideration in determining the question of ownership.

(5.) The fact that any stock bearing any brand or earmark of any kind whatever has been claimed or dealt with by any person as his property shall be *primâ facie* evidence that such person put such brand or earmark upon it.

Fees chargeable under this Act.
35 Vic. No. 4, s. 31.

26. (1.) In order to provide a fund for carrying into effect this Act and to defray the expenses connected therewith—

(a) Fees at the prescribed rate shall be payable upon the registration and transfer of any brand or earmark of any kind whatever under this Act ;

Assessment.

(b) An annual assessment at the prescribed rate shall be levied on and paid by all owners possessed of not less than fifty head of horses and cattle, and shall be paid by them on the first day of January in every year or within one month thereafter.

How enforced.

(2.) Such assessment shall be paid by each owner on the actual numbers of horses and cattle returned by him in the return made under "*The Stock Returns Act of 1893.*"*

Brands Act Fund.
35 Vic. No. 4, s. 33.

27. (1.) The Minister shall keep a separate and distinct account of all moneys received under this Act as fees, assessments, or penalties, and the fund arising from such moneys shall be called the "Brands Act Fund," and shall be by him appropriated towards the payment of the salaries, wages, and other expenses consequent upon the administration of this Act and to no other purpose :

Provided that any such rate of fees or annual assessments may be reduced or wholly remitted by the Governor in Council by Order in Council published in the *Gazette*.

(2.) All moneys which at the commencement of this Act are standing to the credit of the Brands Act Fund established under "*The Brands Act of 1872*"† shall be

* 57 Vic. No. 10, *supra*, page 3277.

† 35 Vic. No. 4, *supra*, page 3282.

1915.

Brands Act.

transferred to the credit of the Brands Act Fund established under this Act, and be applied accordingly.

28. Nothing herein contained shall affect any mortgage or other security under the "*Mercantile Act of 1867*"* or any Act relating to the mortgage of stock or holdings. Not to affect mortgages on stock. 35 Vic. No. 4, s. 26.

29. The Governor in Council may from time to time make regulations, not being inconsistent with this Act, prescribing— Regulations. 62 Vic. No. 21, s. 22.

- (1) The shape or pattern of the letters, signs, characters, numerals, symbols, and marks to be used for brands and earmarks of any kind whatever, under this Act, and the arrangement and position thereof ;
- (2) The shape, size, or pattern of branding instruments or pliers used under this Act ;
- (3) The conditions under which brands and earmarks of any kind whatever may be transferred, surrendered, cancelled, or re-allotted ;
- (4) The branding of horses or cattle with a departmental distinctive brand set apart by the registrar for a specific purpose, and, where deemed necessary, making such branding by the owners compulsory ;
- (5) The fees payable under this Act ;
- (6) The forms to be used under this Act ;
- (7) Any other matters or things necessary for carrying out this Act.

All such regulations shall upon publication in the *Gazette* be read as one with this Act and be of equal validity.

All such regulations shall be laid before both Houses of Parliament within forty days after the making thereof if Parliament is then sitting, or, if Parliament is not then sitting, within forty days after the commencement of the next session of Parliament.

If either House of Parliament, by resolution passed within one month after such regulations have been laid before such House, resolves that the whole or any part of such regulations ought not to continue in force, in such case the whole or such part thereof as is so included in such resolution shall from and after such resolution cease to be binding, but without prejudice to the validity of anything previously done thereunder.

* 31 Vic. No. 36, *supra*, page 2133.

Notice, how given.
35 Vic. No. 4, s. 34.

30. Where by any of the provisions of this Act it is necessary to give any notice or send any document to any person, such notice or document may be communicated or sent to such person by letter through the post office or may be delivered to him personally or left at his usual or last known residence.

Recovery of penalties, &c.
35 Vic. No. 4, s. 37.

31. Every penalty for any offence against this Act and any fees made payable shall be recovered in a summary way under "*The Justices Acts, 1886 to 1909.*"*

[See s. 2 (1).]

THE SCHEDULE.

No. of Act.	Title of Act.	Extent of Repeal.
31 Vic. No. 35† ..	<i>Diseases in Sheep Act of 1867</i>	S. 69
35 Vic. No. 4‡ ..	<i>The Brands Act of 1872</i>	In s. 1 the definitions of "brand directory," "distinctive brand or mark," "district," "Governor," "Minister," "owner," "register," "registrar," and "residence"; ss. 2 to 19, 22 to 26, 29, and 31 to 37; and Schedules A to F
38 Vic. No. 9§ ..	<i>The Brands Act of 1872 Amendment Act</i>	S. 2
48 Vic. No. 21 ..	<i>The Brands Act of 1872 Amendment Act of 1884</i>	The whole
54 Vic. No. 21** ..	<i>The Diseases in Sheep Act Amendment Act of 1890</i>	SS. 8 to 12, 15, and 18, and Schedules II., III., and IV.
58 Vic. No. 13†† ..	<i>The Brands Act of 1872 Further Amendment Act of 1894</i>	The whole
62 Vic. No. 21‡‡ ..	<i>The Brands Act, 1898..</i>	The whole
5 Edw. VII. No. 17§§	<i>The Brands Acts Amendment Act of 1905</i>	The whole
5 Geo. V. No. 12	<i>The Brands Acts Amendment Act of 1914</i>	SS. 3 and 4

* 50 Vic. No. 17 and amending Acts, *supra*, pages 1132 *et seq.*

† *Supra*, page 3299.

†† *Supra*, page 3294.

‡ *Supra*, page 3282.

‡‡ *Supra*, page 3294.

§ *Supra*, page 3293.

§§ *Supra*, page 3299.

|| *Supra*, page 3293.

||| *Supra*, page 6380.

** *Supra*, page 3325.