



ANNO UNDECIMO

ELIZABETHAE II REGINAE

A.D. 1962

No. 44 of 1962

An Act to amend the Vermin Act, 1931-1960.

[Assented to 8th November, 1962.]

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 "Vermin Act Amendment Act, 1962". Short titles.
 - (2) The Vermin Act, 1931-1960, as amended by this Act, may be cited as the "Vermin Act, 1931-1962".
 - (3) The Vermin Act, 1931-1960, is hereinafter referred to as "the principal Act".
2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.
3. Section 36 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof :—
 36. (1) Nothing in this Part of this Act shall be construed as—
 - (a) imposing on any person a duty to destroy vermin upon a dedicated travelling stock reserve or upon Crown lands used as a travelling stock road if such reserve or road is within the boundaries of, or adjoining, land of which he is the owner or occupier ; or

Repeal of s. 36 of principal Act and re-enactment thereof with amendment—

Restriction on duty to destroy vermin on travelling stock reserves and rabbits in cages.

- (b) conferring a power or imposing a duty on any person to destroy rabbits kept in any cage on any land by the owner or occupier thereof if the rabbits are kept in no more than one cage on that land ; or
- (c) 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 such rabbits are kept in accordance with such conditions as may be attached to the permission.

(2) In this section—

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

Enactment of
s. 110a of
principal Act—

4. The following section is enacted and inserted in the principal Act after section 110 thereof :—

Disposal by
board of
fences no
longer
necessary for
vermin control.

110a. (1) Where—

- (a) a board, by resolution, determines that any fence vested in the board and specified in the resolution is no longer necessary for the control of vermin ; and
- (b) a copy of the resolution, certified by the chairman of the board to be a correct copy of the resolution, is sent to the Minister,

the Minister—

- (i) if he is satisfied that the fence is no longer necessary for the control of vermin—shall cause to be published in the *Government Gazette* a notice to that effect ; or
- (ii) if he is satisfied that the fence is required for the control of vermin—shall notify the board in writing to that effect.

(2) Where, pursuant to subsection (1) of this section, a notice has been published in the *Government Gazette* to the effect that a fence is no longer necessary for the control of vermin, the board may, with the approval in writing of the Minister and if it so resolves, do all or any of the following :—

- (a) sell or dispose of the fence or any part thereof subject to such terms and conditions as the Minister may in writing specify ;

(b) abandon the fence or any part thereof ;

(c) remove the fence or any part thereof and sell or dispose of the same or any materials pertaining thereto subject to such terms and conditions as the Minister may in writing specify.

(3) Where a landholder as defined in subsection (4) of section 56 of this Act becomes the owner of a fence or any part of a fence sold or disposed of pursuant to subsection (2) of this section, then, for the purposes of Part V of this Act, the fence or part shall be deemed to have been erected by the landholder and the landholder shall be deemed to be an occupier, within the meaning of that Part, of the land in relation to which he is the landholder ; but section 204 of this Act shall not apply with respect to any such fence.

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

EDRIC BASTYAN, Governor.