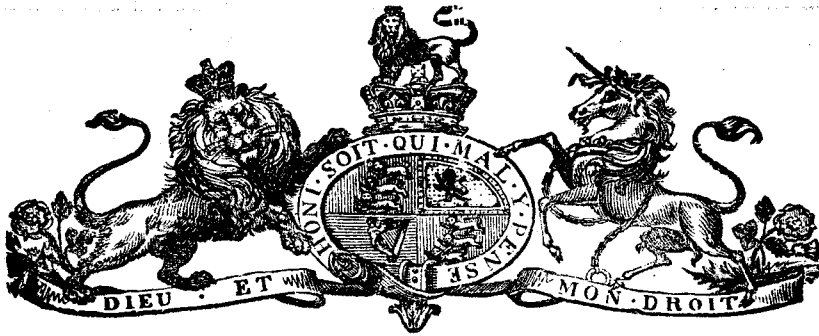


T A S M A N I A .



1872.

ANNO TRICESIMO-SEXTO

VICTORIÆ REGINÆ,

No. 21.



AN ACT to further amend "The Scab Act,
1870." [27 December, 1872.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 If any person drives or causes any diseased or infected Sheep to be driven to a public Pound, or drives any such Sheep, or causes the same to be driven from a road to any other place, except for the purpose of examining the same, without a permit from an Inspector, he shall be deemed to be the owner of any such Sheep, and upon conviction shall be liable to a penalty not exceeding Twenty Pounds.

Persons driving infected Sheep liable to a penalty.

The Inspector may cause any Sheep driven as aforesaid to be detained in some secure place, or destroyed or otherwise disposed of as he deems best, at the cost of the owner thereof; and if any person, being the owner or person in charge, obstructs the Inspector in examining the said Sheep, or refuses to obey any directions given by him regarding the disposal of such Sheep, he shall upon conviction be liable to a penalty not exceeding Twenty Pounds.

2 If any owner of diseased or infected Sheep, having failed to comply with the provisions of the Sixth Section of "The Scab Act Amendment Act, No. 2," relating to dipping such Sheep twice immediately after shearing, neglects or refuses after the commencement of this Act to collect and dip such Sheep in such manner as the Inspector directs within a reasonable time after written notice requiring him so to do has

Penalty on persons refusing to dip Sheep after the commencement of this Act.

Scab Act Amendment, No. 3.

been served upon him from the Inspector, he shall upon conviction be liable to a penalty not exceeding Fifty Pounds, and for a second neglect or refusal after a further written notice as aforesaid to a penalty of not less than Twenty Pounds and not exceeding One hundred Pounds.

If the owner of the said Sheep refuses or neglects to comply with the directions of the Chief Inspector in that behalf, or of any person he may appoint for that purpose, then it shall be lawful for the Chief Inspector to cause such sheep to be collected and dipped at the expense of the owner thereof, or the Chief Inspector may direct the said Sheep to be destroyed or otherwise disposed of as he may think fit at the expense of the owner of the said Sheep.

Penalty on persons refusing to erect a dip after the commencement of this Act.

3 If after the commencement of this Act any owner of diseased or infected Sheep refuses or neglects, within a reasonable time after written notice requiring him so to do has been served upon him from the Inspector, to provide and maintain upon his premises or run a Dip or other necessary means to the satisfaction of the Inspector for cleansing the said Sheep, then the Chief Inspector may at his option either direct proceedings to be taken against such Sheepowner under the Sixth Section of "The Scab Act Amendment Act, No. 2," for enforcing the penalty to which such Sheepowner is liable thereunder, or he may cause the said diseased or infected Sheep to be destroyed or otherwise disposed of as he may think fit at the cost of the owner of the said Sheep.

As to the disposal of stray Sheep.

4 If any Sheepowner finds stray Sheep in his flock, he shall not return them to the land or flock from whence they came without giving notice to the owner or person in charge; and any Sheepowner who acts contrary to this Section shall, upon conviction, be liable to a penalty of not less than Five Pounds nor more than Fifty Pounds.

Penalty on persons concealing infected Sheep, &c.

5 If any person, being the owner of any diseased or infected Sheep, separates by himself or by any other person such Sheep from any other Sheep which are not visibly diseased, and secretes or in any manner conceals such diseased or infected Sheep so separated as aforesaid, and if such person, being such owner as aforesaid, afterwards by himself or by any other person drives the Sheep not visibly diseased along any road, or offers or exposes the same for sale in any manner by himself or by any other person, every person so offending shall, upon conviction, be liable to a penalty not less than Ten Pounds nor more than Two hundred Pounds; and any person who knowingly aids or assists in doing any act in this Section mentioned shall be liable to a penalty not exceeding Ten Pounds.

Sheep to be deemed infected unless owner holds a clean certificate.

6 On and after the First day of *February*, 1873, all Sheep shall be considered as infected within the meaning of the First Section of "The Scab Act Amendment Act, No. 2," unless the owner thereof holds a certificate of cleanness for the said Sheep.

Where in any case a Sheepowner has made a written application to the Inspector to have his Sheep examined in order to the issue of a clean certificate to him in respect of such Sheep, such Sheep shall not be deemed infected Sheep until they have been examined by the Inspector and the Inspector has refused to grant such certificate for reasons to be stated at once in writing and forwarded forthwith to the Chief Inspector.

As to landing Sheep from Islands.

7 If any person commits any of the following offences, he shall be liable on conviction to a penalty not exceeding One hundred Pounds nor less than Ten Pounds:—

Scab Act Amendment, No. 3.

1. Lands upon any part of the coasts of the Main Land of this Colony from any Island forming part thereof any infected Sheep, or causes, suffers, or permits the same to be landed as aforesaid without the authority in writing of an Inspector :
2. Drives inland any infected Sheep :

And any Inspector may seize the said Sheep, and adopt such measures for cleansing the same if infected as he sees fit at the expense of the owner thereof; or he may grant a Licence to the owner of the said Sheep for the purpose of cleansing the same, if they can be removed to a convenient place for that purpose.

8 The sum of money mentioned in and made payable by Section Six of "The Scab Act, 1870," to the Scab Act Fund is hereby increased from a sum not exceeding One Farthing to any sum not exceeding One Halfpenny during the year 1873 and no longer. Increase of contribution to Scab Act Fund.

9 Wherever the words "First day of *March*" or "First day of *March* next preceding" occur or are referred to in "The Scab Act, 1870," the same shall, in the year 1874 and in every succeeding year, be deemed and taken to mean the First day of *January*; and wherever the words "First day of *April*" occur or are referred to in the said Act the same shall, in the year 1874 and in every succeeding year, be deemed and taken to mean the First day of *February*, anything in the said Act to the contrary notwithstanding. Interpretation of terms in "The Scab Act, 1870."

10 The Chief Inspector may grant to any owner of diseased or infected Sheep the first renewed licence to cleanse the said Sheep without calling upon the said Sheepowner to pay One Halfpenny for such renewal, as provided by Section Seventeen of "The Scab Act, 1870," anything contained in any Act to the contrary notwithstanding. On first renewal of licence to cleanse, Inspector may remit payment.

11 The Form in the Schedule to this Act is hereby substituted for the Form A. in the Schedule to "The Scab Act, 1870." Substituted form of Return.

12 No fee shall be payable or paid to any person for or in respect of the taking any Declaration under "The Scab Act, 1870," or any Act amending the same, anything contained in any other Act to the contrary notwithstanding. No fee payable for taking declarations.

13 Save as altered or amended by this Act, "The Scab Act, 1870," and any Act amending the same, and this Act, shall be read and construed together as one Act. Acts to be read together.

14 This Act may be cited as "The Scab Act Amendment Act, No. 3." Short title.

Scab Act Amendment, No. 3.

SCHEDULE.

SCAB ACT.

RETURN of Number of Sheep by Owner to Chief Inspector or other person duly authorised; to be declared to before a Justice of the Peace.

Name of Run.	Name and Address of Owner and Person in charge.	Description of Sheep and Lambs.	Number of each description.	Brands and other Marks.	Under clean Certificate.	Under Licence.	Remarks.

Sheepowner.

I, _____ of _____ do hereby solemnly and sincerely declare that the above Return contains a just and true account of the several matters therein set forth, all which matters I conscientiously believe to be true; and I make this declaration under the provisions of the Act of this Island, intituled "An Act for the Abolition of extra-judicial and unnecessary Oaths."

Sheepowner.

Taken before me this _____ day of _____ 187

J.P.