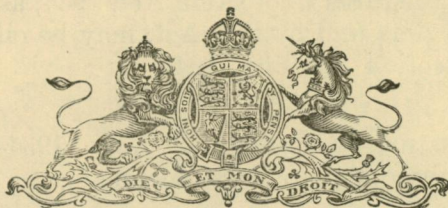


New South Wales.



ANNO TERTIO DECIMO

GEORGII VI REGIS.

Act No. 18, 1949.

An Act to repeal the provision requiring the branding (other than earmarking) of sheep; to increase the maximum pastures protection rates which may be levied by pastures protection boards; to make certain provisions as to the removal of directors of boards from office and the appointment of administrators in their stead; for these and other purposes to amend the Pastures Protection Act, 1934-1948, and the Trustees Audit Act, 1912, in certain respects; and for purposes connected therewith. [Assented to, 30th June, 1949.]

Pastures Protection (Amendment).

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 New South Wales in Parliament assembled, and by the authority of the same, as follows.—

Short title
and
citation.

1. (1) This Act may be cited as the "Pastures Protection (Amendment) Act, 1949."

(2) The Pastures Protection Act, 1934, as amended by subsequent Acts and by this Act, may be cited as the Pastures Protection Act, 1934-1949.

Amendment
of Act No.
35, 1934.

2. The Pastures Protection Act, 1934-1948, as amended by subsequent Acts, is amended—

New sec.
8A.

(a) by inserting next after section eight the following new section:—

Removal
of board
from office
and appoint-
ment of
administra-
tor.

8A. (1) The Governor may, by proclamation published in the Gazette, remove all the directors of a board from office—

cf. Act No.
41, 1919,
ss. 86, 219.

(a) if there are not sufficient directors of the board to form a quorum; or

(b) if the board has failed or neglected to make or levy rates as required by this Act or otherwise to exercise or discharge its powers, authorities, duties and functions under this Act in any material respect:

Provided that in the circumstances referred to in paragraph (a) hereof the Governor may, instead of removing the directors from office, by proclamation published in the Gazette, appoint the necessary number of persons eligible to be elected to be directors until elections are held or appointments made to fill the vacancies as provided in this Act.

(2)

Pastures Protection (Amendment).

(2) Where the Governor has pursuant to subsection one of this section removed the directors of a board from office, he may, by proclamation at the same or any subsequent time, appoint an administrator for the district who shall have the powers, authorities, duties, functions and liabilities of the board and who shall be paid out of the funds of the district such salary as the Governor may determine. The Governor may in like manner at any time remove an administrator.

(3) Where the directors of a board have been removed from office pursuant to subsection one of this section, the Minister may, and if the board's term of office has more than twelve months to run, shall, order that an election of directors be held on a day appointed by him and notified in the Gazette. The date so appointed shall be a date not more than six months after the date of removal of the directors from office and not less than four weeks after the date upon which the notification is published in the Gazette. The provisions of this Act with respect to the holding of general elections shall, mutatis mutandis, apply to such election. Any director elected at such election shall hold office until the time when the term of office of the board the directors of which have been removed from office would but for such removal have expired and no longer but shall be eligible for re-election if otherwise qualified.

(4) Upon sufficient directors, by election or appointment under this Act, taking office to form a quorum, the powers and duties of the administrator shall cease.

(5) Where the directors of a board have been removed from office because of the board's failure or neglect as referred to in paragraph (b) of subsection one of this section each director of the board shall be ineligible for election

Pastures Protection (Amendment).

election at a general election ordered under subsection three of this section or, if no such election is so ordered, at the next general election of directors of the board, unless such failure or neglect took place without his knowledge or consent.

Sec. 19.
(Pastures
Protection
Fund.)

- (b) by omitting subsection five of section nineteen and by inserting in lieu thereof the following subsection:—

(5) The Auditor-General may, at any time, and where so requested by the Minister shall, audit the accounts of a board. Such audit may be made by any person duly authorised in that behalf by the Auditor-General. The expenses of any such audit shall, where such audit has been requested by the Minister, be paid out of the Pastures Protection Fund.

New sec.
19A.

- (c) by inserting next after section nineteen the following new section:—

19A. (1) (a) The Auditor-General may disallow any expenditure, transfer or entry in the books or accounts of a board which has been improperly or wrongly incurred or made or which has been incurred or made in contravention of any Act or any ordinance, regulation or by-law.

(b) The Auditor-General shall surcharge the amount of any such disallowance upon the directors or servants of the board by whom the expenditure, transfer or entry was incurred or made or ordered to be incurred or made.

(c) The Auditor-General may surcharge on any director or servant of the board the amount of any deficiency or loss incurred by the culpable negligence or misconduct of such director or servant or of any sum which ought to have been but is not brought into account by such director or servant.

Surcharge
of directors
and servants
of a board.
cf. Act No.
41, 1919, s.
213, and Act
No. 21,
1912, s. 6.

Pastures Protection (Amendment).

(2) The Auditor-General shall furnish particulars of any surcharge and of the person or persons on whom the surcharge is made to the Colonial Treasurer who may call upon such person or persons to pay into the appropriate fund of the board the amount of the surcharge.

(3) The person so called upon may appeal to the court of petty sessions or district court nearest in either case to the office of the board, and the decision of such court to confirm, reduce or annul the surcharge shall be final.

(4) If the person so called upon does not within one month appeal, or if on appeal the surcharge is not annulled, the Colonial Treasurer, the board or any ratepayer may recover in a court of competent jurisdiction the amount to be surcharged against such person (or any deficiency which may remain after the appropriation of any moneys in the possession of the board the property of such person); and the money so recovered shall be paid into the appropriate fund of the board. If there are any moneys in the possession of the board the property of such person, the board may appropriate so much of them as may be necessary to satisfy the amount surcharged.

(5) If any amount to be surcharged on any person in accordance with this section be not, within six months of his being called upon to make payment as hereinbefore provided, or of the decision of the court confirming or reducing such surcharge, as the case may be, satisfied by payment, such person shall if he be a director cease to hold office as such and shall be ineligible for election as a director of the board concerned during such further time as the amount of the surcharge remains unpaid.

(d)

Pastures Protection (Amendment).

Sec. 26.
(Irregularity in making or levying rate.)

(d) (i) by inserting in section twenty-six after the words "any rate is not made" the words "or rate notices are not issued";

(ii) by inserting in the same section after the words "the making of the rate" the words "or the issue of rate notices, as the case may be";

Sec. 30.
(Amount of rate.)

(e) by omitting subsection four of section thirty and by inserting in lieu thereof the following subsection:—

(4) The rate shall not exceed sixpence per head in the case of large stock and three farthings per head in the case of sheep;

Sec. 41.
(Control of travelling stock and camping reserves.)

(f) by inserting next after subsection three of section forty-one the following new subsections:—

(3A) In the general management, maintenance and control of any reserves or parts thereof which are under its control, a board shall take proper measures for the conservation of soil and the prevention or mitigation of soil erosion therein.

(3B) For the purpose of subsection (3A) of this section or of maintaining or improving any reserve or part thereof under its control a board may and where directed by the Minister shall close such reserve or part thereof to stock, including travelling stock, for such period as the Minister may approve. The board shall cause the area so closed to be adequately fenced to prevent the movement of stock on to the area and any stock, pigs or goats thereafter found on such reserve or part shall be deemed to be trespassing stock and the provisions of section sixty-six of this Act shall apply, mutatis mutandis, to such trespassing stock and the owner or person ordinarily in charge thereof.

(g)

Pastures Protection (Amendment).

- (g) by omitting from subsection seven of section forty-three the words "not exceeding one shilling may" and by inserting in lieu thereof the words "of one shilling shall"; Sec. 43.
(Rate on travelling stock.)
- (h) by omitting from section fifty-one the words "an owner's registered brand and"; Sec. 51.
(Travelling stock to be branded with letter T.)
- (i) by inserting in section fifty-six after the word "rubbish" the words "or the carcase of any animal"; Sec. 56.
(Stock unattended on reserves: depositing rubbish.)
- (j) (i) by omitting from subsection two of section fifty-eight the words "If stock travelling on a permit, renewed permit, travelling statement, or license for working large stock" and by inserting in lieu thereof the words "If travelling stock"; Sec. 58.
(Rate of travel.)
- (ii) by inserting in the same subsection after the word "starting" the words "their journey";
- (k) by inserting in paragraph (e) of subsection one of section sixty-six after the words "working large stock" the words "on the reserve under a working large stock license"; Sec. 66.
(Stock unlawfully on a travelling stock reserve.)
- (l) by inserting at the end of section ninety-two the words:—"The Governor may, by proclamation published in the Gazette, apply this Division to other pastures protection districts and he may on the application of a board in like manner exclude the pastures protection district for which such board is constituted from the application of this Division." Sec. 92.
(Application of Division.)
- (m) by omitting subsection one of section one hundred and forty-four and by inserting in lieu thereof the following subsection:— Sec. 144.
(Earmarking of sheep.)

(1) All sheep above the age of six months shall if not already earmarked be earmarked by the owner.

(n)

Pastures Protection (Amendment).

New sec.
160A.

(n) by inserting next after section one hundred and sixty the following new section:—

Official
defaults of
a board.
cf. Local
Government
Act, 1919,
s. 634.

160A. (1) If any board neglects or fails to do any act or thing which by or under this Act it is directed or required to do or does any act or thing which is in contravention of the provisions of this Act, the board shall be guilty of a breach of the provisions of this Act and shall be liable on summary conviction for every such offence to a penalty not exceeding one hundred pounds.

(2) Where a board is convicted of an offence under this Act every person who at the time of the commission of the offence was a director of the board shall be deemed to have committed the like offence and be liable to the like penalty as the board unless he proves that the offence was committed without his knowledge or consent or that he used all due diligence to prevent the commission of the offence.

Amendment
of Act No.
21, 1912.
Sch. 2.

3. The Trustees Audit Act, 1912, as amended by subsequent Acts, is amended by omitting from Schedule Two the words "The accounts of Pastures Protection Boards."

By Authority:

ALFRED HENRY PETTIFER, Government Printer, Sydney, 1949.

[3d.]

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 22 June, 1949.

New South Wales.



ANNO TERTIO DECIMO

GEORGII VI REGIS.

Act No. 18, 1949.

An Act to repeal the provision requiring the branding (other than earmarking) of sheep; to increase the maximum pastures protection rates which may be levied by pastures protection boards; to make certain provisions as to the removal of directors of boards from office and the appointment of administrators in their stead; for these and other purposes to amend the Pastures Protection Act, 1934-1948, and the Trustees Audit Act, 1912, in certain respects; and for purposes connected therewith. [Assented to, 30th June, 1949.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Pastures Protection (Amendment).

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 New South Wales in Parliament assembled, and by the authority of the same, as follows.—

Short title
and
citation.

1. (1) This Act may be cited as the "Pastures Protection (Amendment) Act, 1949."

(2) The Pastures Protection Act, 1934, as amended by subsequent Acts and by this Act, may be cited as the Pastures Protection Act, 1934-1949.

Amendment
of Act No.
35, 1934.

2. The Pastures Protection Act, 1934-1948, as amended by subsequent Acts, is amended—

New sec.
8A.

(a) by inserting next after section eight the following new section:—

Removal
of board
from office
and appoint-
ment of
administra-
tor.

cf. Act No.
41, 1919,
ss. 86, 219.

8A. (1) The Governor may, by proclamation published in the Gazette, remove all the directors of a board from office—

(a) if there are not sufficient directors of the board to form a quorum; or

(b) if the board has failed or neglected to make or levy rates as required by this Act or otherwise to exercise or discharge its powers, authorities, duties and functions under this Act in any material respect:

Provided that in the circumstances referred to in paragraph (a) hereof the Governor may, instead of removing the directors from office, by proclamation published in the Gazette, appoint the necessary number of persons eligible to be elected to be directors until elections are held or appointments made to fill the vacancies as provided in this Act.

(2)

Pastures Protection (Amendment).

(2) Where the Governor has pursuant to subsection one of this section removed the directors of a board from office, he may, by proclamation at the same or any subsequent time, appoint an administrator for the district who shall have the powers, authorities, duties, functions and liabilities of the board and who shall be paid out of the funds of the district such salary as the Governor may determine. The Governor may in like manner at any time remove an administrator.

(3) Where the directors of a board have been removed from office pursuant to subsection one of this section, the Minister may, and if the board's term of office has more than twelve months to run, shall, order that an election of directors be held on a day appointed by him and notified in the Gazette. The date so appointed shall be a date not more than six months after the date of removal of the directors from office and not less than four weeks after the date upon which the notification is published in the Gazette. The provisions of this Act with respect to the holding of general elections shall, *mutatis mutandis*, apply to such election. Any director elected at such election shall hold office until the time when the term of office of the board the directors of which have been removed from office would but for such removal have expired and no longer but shall be eligible for re-election if otherwise qualified.

(4) Upon sufficient directors, by election or appointment under this Act, taking office to form a quorum, the powers and duties of the administrator shall cease.

(5) Where the directors of a board have been removed from office because of the board's failure or neglect as referred to in paragraph (b) of subsection one of this section each director of the board shall be ineligible for
election

Pastures Protection (Amendment).

election at a general election ordered under subsection three of this section or, if no such election is so ordered, at the next general election of directors of the board, unless such failure or neglect took place without his knowledge or consent.

Sec. 19.
(Pastures
Protection
Fund.)

- (b) by omitting subsection five of section nineteen and by inserting in lieu thereof the following subsection:—

(5) The Auditor-General may, at any time, and where so requested by the Minister shall, audit the accounts of a board. Such audit may be made by any person duly authorised in that behalf by the Auditor-General. The expenses of any such audit shall, where such audit has been requested by the Minister, be paid out of the Pastures Protection Fund.

New sec.
19A.

- (c) by inserting next after section nineteen the following new section:—

Surcharge
of directors
and servants
of a board.
cf. Act No.
41, 1919, s.
213, and Act
No. 21,
1912, s. 6.

19A. (1) (a) The Auditor-General may disallow any expenditure, transfer or entry in the books or accounts of a board which has been improperly or wrongly incurred or made or which has been incurred or made in contravention of any Act or any ordinance, regulation or by-law.

(b) The Auditor-General shall surcharge the amount of any such disallowance upon the directors or servants of the board by whom the expenditure, transfer or entry was incurred or made or ordered to be incurred or made.

(c) The Auditor-General may surcharge on any director or servant of the board the amount of any deficiency or loss incurred by the culpable negligence or misconduct of such director or servant or of any sum which ought to have been but is not brought into account by such director or servant.

Pastures Protection (Amendment).

(2) The Auditor-General shall furnish particulars of any surcharge and of the person or persons on whom the surcharge is made to the Colonial Treasurer who may call upon such person or persons to pay into the appropriate fund of the board the amount of the surcharge.

(3) The person so called upon may appeal to the court of petty sessions or district court nearest in either case to the office of the board, and the decision of such court to confirm, reduce or annul the surcharge shall be final.

(4) If the person so called upon does not within one month appeal, or if on appeal the surcharge is not annulled, the Colonial Treasurer, the board or any ratepayer may recover in a court of competent jurisdiction the amount to be surcharged against such person (or any deficiency which may remain after the appropriation of any moneys in the possession of the board the property of such person); and the money so recovered shall be paid into the appropriate fund of the board. If there are any moneys in the possession of the board the property of such person, the board may appropriate so much of them as may be necessary to satisfy the amount surcharged.

(5) If any amount to be surcharged on any person in accordance with this section be not, within six months of his being called upon to make payment as hereinbefore provided, or of the decision of the court confirming or reducing such surcharge, as the case may be, satisfied by payment, such person shall if he be a director cease to hold office as such and shall be ineligible for election as a director of the board concerned during such further time as the amount of the surcharge remains unpaid.

(d)

Pastures Protection (Amendment).

Sec. 26.
(Irregularity in making or levying rate.)

- (d) (i) by inserting in section twenty-six after the words "any rate is not made" the words "or rate notices are not issued";
- (ii) by inserting in the same section after the words "the making of the rate" the words "or the issue of rate notices, as the case may be";

Sec. 30.
(Amount of rate.)

- (e) by omitting subsection four of section thirty and by inserting in lieu thereof the following subsection:—

(4) The rate shall not exceed sixpence per head in the case of large stock and three farthings per head in the case of sheep;

Sec. 41.
(Control of travelling stock and camping reserves.)

- (f) by inserting next after subsection three of section forty-one the following new subsections:—

(3A) In the general management, maintenance and control of any reserves or parts thereof which are under its control, a board shall take proper measures for the conservation of soil and the prevention or mitigation of soil erosion therein.

(3B) For the purpose of subsection (3A) of this section or of maintaining or improving any reserve or part thereof under its control a board may and where directed by the Minister shall close such reserve or part thereof to stock, including travelling stock, for such period as the Minister may approve. The board shall cause the area so closed to be adequately fenced to prevent the movement of stock on to the area and any stock, pigs or goats thereafter found on such reserve or part shall be deemed to be trespassing stock and the provisions of section sixty-six of this Act shall apply, mutatis mutandis, to such trespassing stock and the owner or person ordinarily in charge thereof.

(g)

Pastures Protection (Amendment).

- (g) by omitting from subsection seven of section forty-three the words "not exceeding one shilling may" and by inserting in lieu thereof the words "of one shilling shall"; Sec. 43.
(Rate on travelling stock.)
- (h) by omitting from section fifty-one the words "an owner's registered brand and"; Sec. 51.
(Travelling stock to be branded with letter T.)
- (i) by inserting in section fifty-six after the word "rubbish" the words "or the carcase of any animal"; Sec. 56.
(Stock un-attended on reserves: depositing rubbish.)
- (j) (i) by omitting from subsection two of section fifty-eight the words "If stock travelling on a permit, renewed permit, travelling statement, or license for working large stock" and by inserting in lieu thereof the words "If travelling stock"; Sec. 58.
(Rate of travel.)
- (ii) by inserting in the same subsection after the word "starting" the words "their journey";
- (k) by inserting in paragraph (e) of subsection one of section sixty-six after the words "working large stock" the words "on the reserve under a working large stock license"; Sec. 66.
(Stock unlawfully on a travelling stock reserve.)
- (l) by inserting at the end of section ninety-two the words:—"The Governor may, by proclamation published in the Gazette, apply this Division to other pastures protection districts and he may on the application of a board in like manner exclude the pastures protection district for which such board is constituted from the application of this Division." Sec. 92.
(Application of Division.)
- (m) by omitting subsection one of section one hundred and forty-four and by inserting in lieu thereof the following subsection:— Sec. 144.
(Earmarking of sheep.)
- (1) All sheep above the age of six months shall if not already earmarked be earmarked by the owner.

(n)

Pastures Protection (Amendment).

New sec.
160A.

(n) by inserting next after section one hundred and sixty the following new section:—

Official
defaults of
a board.
cf. Local
Government
Act, 1919,
s. 634.

160A. (1) If any board neglects or fails to do any act or thing which by or under this Act it is directed or required to do or does any act or thing which is in contravention of the provisions of this Act, the board shall be guilty of a breach of the provisions of this Act and shall be liable on summary conviction for every such offence to a penalty not exceeding one hundred pounds.

(2) Where a board is convicted of an offence under this Act every person who at the time of the commission of the offence was a director of the board shall be deemed to have committed the like offence and be liable to the like penalty as the board unless he proves that the offence was committed without his knowledge or consent or that he used all due diligence to prevent the commission of the offence.

Amendment
of Act No.
21, 1912.
Sch. 2.

3. The Trustees Audit Act, 1912, as amended by subsequent Acts, is amended by omitting from Schedule Two the words "The accounts of Pastures Protection Boards."

In the name and on behalf of His Majesty I assent to this Act.

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 30th June, 1949.*

PASTURES PROTECTION (AMENDMENT) BILL.

*Schedule of amendments referred to in Legislative Council's Message of
16th June, 1949.*

- No. 1.—Page 2, clause 2, line 19. *After “quorum” insert “or”*
No. 2.—Page 2, clause 2, line 23. *Omit “any of”*
No. 3.—Page 2, clause 2, line 25. *Omit “; or” insert “in any material respect;”*
No. 4.—Page 2, clause 2, lines 26 to 28 both inclusive. *Omit paragraph (c).*

THE UNIVERSITY OF CHICAGO

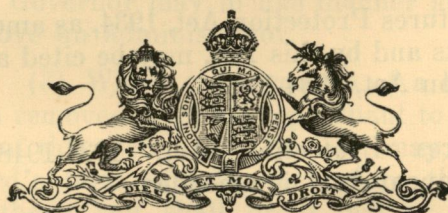
PHYSICS DEPARTMENT

REPORT OF THE

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 9 June, 1949.

New South Wales.



ANNO TERTIO DECIMO

GEORGII VI REGIS.

Act No. , 1949.

An Act to repeal the provision requiring the branding (other than earmarking) of sheep; to increase the maximum pastures protection rates which may be levied by pastures protection boards; to make certain provisions as to the removal of directors of boards from office and the appointment of administrators in their stead; for these and other purposes to amend the Pastures Protection Act, 1934-1948, and the Trustees Audit Act, 1912, in certain respects; and for purposes connected therewith.

Pastures Protection (Amendment).

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 New South Wales in Parliament assembled, and by the authority of the same, as follows.—

1. (1) This Act may be cited as the "Pastures Protection (Amendment) Act, 1949." Short title and citation.

(2) The Pastures Protection Act, 1934, as amended by subsequent Acts and by this Act, may be cited as the Pastures Protection Act, 1934-1949.

2. The Pastures Protection Act, 1934-1948, as amended by subsequent Acts, is amended— Amendment of Act No. 35, 1934.

(a) by inserting next after section eight the following new section:— New sec. 8A.

15 8A. (1) The Governor may, by proclamation published in the Gazette, remove all the directors of a board from office— Removal of board from office and appointment of administrator.

(a) if there are not sufficient directors of the board to form a quorum; cf. Act No. 41, 1919, ss. 86, 219.

20 (b) if the board has failed or neglected to make or levy rates as required by this Act or otherwise to exercise or discharge any of its powers, authorities, duties and functions under this Act; or

25 (c) if in the opinion of the Governor circumstances have arisen rendering it advisable so to do:

30 Provided that in the circumstances referred to in paragraph (a) hereof the Governor may, instead of removing the directors from office, by proclamation published in the Gazette, appoint the necessary number of persons eligible to be elected to be directors until elections are held or appointments made to fill the vacancies as provided in this Act.

35

(2)

Pastures Protection (Amendment).

5 (2) Where the Governor has pursuant to subsection one of this section removed the directors of a board from office, he may, by proclamation at the same or any subsequent time, appoint an administrator for the district who shall have the powers, authorities, duties, functions and liabilities of the board and who shall be paid out of the funds of the district such salary as the Governor may determine. 10 The Governor may in like manner at any time remove an administrator.

15 (3) Where the directors of a board have been removed from office pursuant to subsection one of this section, the Minister may, and if the board's term of office has more than twelve months to run, shall, order that an election of directors be held on a day appointed by him and notified in the Gazette. The date so appointed shall be a date not more than six months after the date of removal of the directors from office and not less than four weeks after the date upon 20 which the notification is published in the Gazette. The provisions of this Act with respect to the holding of general elections shall, mutatis mutandis, apply to such election. Any director 25 elected at such election shall hold office until the time when the term of office of the board the directors of which have been removed from office would but for such removal have expired and no longer but shall be eligible for re-election if 30 otherwise qualified.

35 (4) Upon sufficient directors, by election or appointment under this Act, taking office to form a quorum, the powers and duties of the administrator shall cease.

40 (5) Where the directors of a board have been removed from office because of the board's failure or neglect as referred to in paragraph (b) of subsection one of this section each director of the board shall be ineligible for election

Pastures Protection (Amendment).

5 election at a general election ordered under subsection three of this section or, if no such election is so ordered, at the next general election of directors of the board, unless such failure or neglect took place without his knowledge or consent.

(b) by omitting subsection five of section nineteen and by inserting in lieu thereof the following subsection:—

Sec. 19.
(Pastures
Protection
Fund.)

10 (5) The Auditor-General may, at any time, and where so requested by the Minister shall, audit the accounts of a board. Such audit may be made by any person duly authorised in that behalf by the Auditor-General. The expenses
15 of any such audit shall, where such audit has been requested by the Minister, be paid out of the Pastures Protection Fund.

(c) by inserting next after section nineteen the following new section:—

New sec.
19A.

20 19A. (1) (a) The Auditor-General may disallow any expenditure, transfer or entry in the books or accounts of a board which has been improperly or wrongly incurred or made or
25 which has been incurred or made in contravention of any Act or any ordinance, regulation or by-law.

Surcharge
of directors
and servants
of a board.
cf. Act No.
41, 1919, s.
213, and Act
No. 21,
1912, s. 6.

(b) The Auditor-General shall surcharge the amount of any such disallowance upon the directors or servants of the board by whom the expenditure, transfer or entry was
30 incurred or made or ordered to be incurred or made.

(c) The Auditor-General may surcharge on any director or servant of the board the amount of any deficiency or loss incurred by the culpable negligence or misconduct of such
35 director or servant or of any sum which ought to have been but is not brought into account by such director or servant.

(2)

Pastures Protection (Amendment).

5 (2) The Auditor-General shall furnish particulars of any surcharge and of the person or persons on whom the surcharge is made to the Colonial Treasurer who may call upon such person or persons to pay into the appropriate fund of the board the amount of the surcharge.

10 (3) The person so called upon may appeal to the court of petty sessions or district court nearest in either case to the office of the board, and the decision of such court to confirm, reduce or annul the surcharge shall be final.

15 (4) If the person so called upon does not within one month appeal, or if on appeal the surcharge is not annulled, the Colonial Treasurer, the board or any ratepayer may recover in a court of competent jurisdiction the amount to be surcharged against such person (or any deficiency which may remain after the appropriation of any moneys in the possession of the board the property of such person); and
20 the money so recovered shall be paid into the appropriate fund of the board. If there are any moneys in the possession of the board the property of such person, the board may
25 appropriate so much of them as may be necessary to satisfy the amount surcharged.

30 (5) If any amount to be surcharged on any person in accordance with this section be not, within six months of his being called upon to make payment as hereinbefore provided, or of the decision of the court confirming or reducing such surcharge, as the case may be, satisfied by payment, such person shall if he be
35 a director cease to hold office as such and shall be ineligible for election as a director of the board concerned during such further time as the amount of the surcharge remains unpaid.

(d)

Pastures Protection (Amendment).

- (d) (i) by inserting in section twenty-six after the words "any rate is not made" the words "or rate notices are not issued";
- 5 (ii) by inserting in the same section after the words "the making of the rate" the words "or the issue of rate notices, as the case may be";
- (e) by omitting subsection four of section thirty and by inserting in lieu thereof the following subsection:—
- 10 (4) The rate shall not exceed sixpence per head in the case of large stock and three farthings per head in the case of sheep;
- (f) by inserting next after subsection three of section forty-one the following new subsections:—
- 15 (3A) In the general management, maintenance and control of any reserves or parts thereof which are under its control, a board shall take proper measures for the conservation of soil and the prevention or mitigation of soil erosion therein.
- 20 (3B) For the purpose of subsection (3A) of this section or of maintaining or improving any reserve or part thereof under its control a board may and where directed by the Minister shall close such reserve or part thereof to stock, including travelling stock, for such period as the Minister may approve. The board shall cause the area so closed to be adequately fenced to prevent the movement of stock on to the area and any stock, pigs or goats thereafter found on such reserve or part shall be deemed to be trespassing stock and the provisions of section sixty-six of this Act shall
- 25 apply, mutatis mutandis, to such trespassing stock and the owner or person ordinarily in charge thereof.
- 30
- 35
- (g)

Sec. 26.
(Irregularity in making or levying rate.)

Sec. 30.
(Amount of rate.)

Sec. 41.
(Control of travelling stock and camping reserves.)

Pastures Protection (Amendment).

- (g) by omitting from subsection seven of section forty-three the words "not exceeding one shilling may" and by inserting in lieu thereof the words "of one shilling shall";
- 5 (h) by omitting from section fifty-one the words "an owner's registered brand and";
- (i) by inserting in section fifty-six after the word "rubbish" the words "or the carcass of any animal";
- 10 (j) (i) by omitting from subsection two of section fifty-eight the words "If stock travelling on a permit, renewed permit, travelling statement, or license for working large stock" and by inserting in lieu thereof the words
- 15 "If travelling stock";
- (ii) by inserting in the same subsection after the word "starting" the words "their journey";
- 20 (k) by inserting in paragraph (e) of subsection one of section sixty-six after the words "working large stock" the words "on the reserve under a working large stock license";
- (l) by inserting at the end of section ninety-two the words:—"The Governor may, by proclamation published in the Gazette, apply this Division to other pastures protection districts and he may on the application of a board in like manner exclude the pastures protection district for which such board is constituted from the application of this Division."
- 25
- 30 (m) by omitting subsection one of section one hundred and forty-four and by inserting in lieu thereof the following subsection:—
- 35 (1) All sheep above the age of six months shall if not already earmarked be earmarked by the owner.

Sec. 43.
(Rate on travelling stock.)

Sec. 51.
(Travelling stock to be branded with letter T.)

Sec. 56.
(Stock unattended on reserves: depositing rubbish.)

Sec. 58.
(Rate of travel.)

Sec. 66.
(Stock unlawfully on a travelling stock reserve.)

Sec. 92.
(Application of Division.)

Sec. 144.
(Earmarking of sheep.)

(n)

Pastures Protection (Amendment).

(n) by inserting next after section one hundred and sixty the following new section:—

New sec.
160A.

5 160A. (1) If any board neglects or fails to do any act or thing which by or under this Act it is directed or required to do or does any act or thing which is in contravention of the provisions of this Act, the board shall be guilty of a breach of the provisions of this Act and shall be liable on summary conviction for every such offence to a penalty not exceeding one hundred pounds.

Official
defaults of
a board.
cf. Local
Government
Act, 1919,
s. 634.

10 (2) Where a board is convicted of an offence under this Act every person who at the time of the commission of the offence was a director of the board shall be deemed to have committed the like offence and be liable to the like penalty as the board unless he proves that the offence was committed without his knowledge or consent or that he used all due diligence to prevent the commission of the offence.

15 20 3. The Trustees Audit Act, 1912, as amended by subsequent Acts, is amended by omitting from Schedule Two the words "The accounts of Pastures Protection Boards."

Amendment
of Act No.
21, 1912.
Sch. 2.

No. , 1949.

A BILL

To repeal the provision requiring the branding (other than earmarking) of sheep; to increase the maximum pastures protection rates which may be levied by pastures protection boards; to make certain provisions as to the removal of directors of boards from office and the appointment of administrators in their stead; for these and other purposes to amend the Pastures Protection Act, 1934-1948, and the Trustees Audit Act, 1912, in certain respects; and for purposes connected therewith.

[Mr. GRAHAM;—19 May, 1949.]

Pastures Protection (Amendment).

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 New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Pastures Protection (Amendment) Act, 1949." Short title and citation.
- (2) The Pastures Protection Act, 1934, as amended by subsequent Acts and by this Act, may be cited as the Pastures Protection Act, 1934-1949.
2. The Pastures Protection Act, 1934-1948, as amended by subsequent Acts, is amended—
- (a) by inserting next after section eight the following new section:—
- 15 8A. (1) The Governor may, by proclamation published in the Gazette, remove all the directors of a board from office—
- (a) if there are not sufficient directors of the board to form a quorum;
- 20 (b) if the board has failed or neglected to make or levy rates as required by this Act or otherwise to exercise or discharge any of its powers, authorities, duties and functions under this Act; or
- 25 (c) if in the opinion of the Governor circumstances have arisen rendering it advisable so to do:
- 30 Provided that in the circumstances referred to in paragraph (a) hereof the Governor may, instead of removing the directors from office, by proclamation published in the Gazette, appoint the necessary number of persons eligible to be elected to be directors until elections are held or appointments made to fill the vacancies as provided in this Act.
- 35

Amendment of Act No. 35, 1934.

New sec. 8A.

Removal of board from office and appointment of administrator.
cf. Act No. 41, 1919, ss. 86, 219.

Pastures Protection (Amendment).

5 (2) Where the Governor has pursuant to
subsection one of this section removed the
directors of a board from office, he may, by
proclamation at the same or any subsequent
time, appoint an administrator for the district
who shall have the powers, authorities, duties,
functions and liabilities of the board and who
shall be paid out of the funds of the district
such salary as the Governor may determine.
10 The Governor may in like manner at any time
remove an administrator.

15 (3) At any time after the appointment
of an administrator the Governor may, by
proclamation published in the Gazette, order a
general election of directors to be held on a day
appointed in such proclamation and the
provisions of this Act with respect to the holding
of general elections shall, mutatis mutandis,
apply to such election. Any director elected
20 at such election shall hold office until the time
when the term of office of the board the directors
of which have been removed from office would
but for such removal have expired and no longer
but shall be eligible for re-election if otherwise
25 qualified.

(4) Upon sufficient directors, by election
or appointment under this Act, taking office to
form a quorum, the powers and duties of the
administrator shall cease.

30 (5) Where the directors of a board have
been removed from office because of the board's
failure or neglect as referred to in paragraph
(b) of subsection one of this section each
director of the board shall be ineligible for
35 election at a general election ordered under
subsection three of this section or, if no such
election is so ordered, at the next general
election of directors of the board, unless such
failure or neglect took place without his
40 knowledge or consent.

(b)

Pastures Protection (Amendment).

- (b) by omitting subsection five of section nineteen and by inserting in lieu thereof the following subsection:—

Sec. 19.
(Pastures
Protection
Fund.)

5 (5) The Auditor-General may, at any time, and where so requested by the Minister shall, audit the accounts of a board. Such audit may be made by any person duly authorised in that behalf by the Auditor-General. The expenses of any such audit shall, where such audit has been requested by the Minister, be paid out of the Pastures Protection Fund.

- (c) by inserting next after section nineteen the following new section:—

New sec.
19A.

15 19A. (1) (a) The Auditor-General may disallow any expenditure, transfer or entry in the books or accounts of a board which has been improperly or wrongly incurred or made or which has been incurred or made in contravention of any Act or any ordinance, regulation or by-law.

Surcharge
of directors
and servants
of a board.
cf. Act No.
41, 1919, s.
213, and Act
No. 21,
1912, s. 6.

25 (b) The Auditor-General shall surcharge the amount of any such disallowance upon the directors or servants of the board by whom the expenditure, transfer or entry was incurred or made or ordered to be incurred or made.

30 (c) The Auditor-General may surcharge on any director or servant of the board the amount of any deficiency or loss incurred by the culpable negligence or misconduct of such director or servant or of any sum which ought to have been but is not brought into account by such director or servant.

35 (2) The Auditor-General shall furnish particulars of any surcharge and of the person or persons on whom the surcharge is made to the Colonial Treasurer who may call upon such person or persons to pay into the appropriate fund of the board the amount of the surcharge.

(3)

Pastures Protection (Amendment).

5 (3) The person so called upon may appeal to the court of petty sessions or district court nearest in either case to the office of the board, and the decision of such court to confirm, reduce or annul the surcharge shall be final.

10 (4) If the person so called upon does not within one month appeal, or if on appeal the surcharge is not annulled, the Colonial Treasurer, the board or any ratepayer may recover in a court of competent jurisdiction the amount to be surcharged against such person (or any deficiency which may remain after the appropriation of any moneys in the possession of the board the property of such person); and
15 the money so recovered shall be paid into the appropriate fund of the board. If there are any moneys in the possession of the board the property of such person, the board may appropriate so much of them as may be
20 necessary to satisfy the amount surcharged.

25 (5) If any amount to be surcharged on any person in accordance with this section be not, within six months of his being called upon to make payment as hereinbefore provided, or of the decision of the court confirming or reducing such surcharge, as the case may be, satisfied by payment, such person shall if he be
30 a director cease to hold office as such and shall be ineligible for election as a director of the board concerned during such further time as the amount of the surcharge remains unpaid.

- 35 (d) (i) by inserting in section twenty-six after the words "any rate is not made" the words "or rate notices are not issued";
(ii) by inserting in the same section after the words "the making of the rate" the words "or the issue of rate notices, as the case may be";

Sec. 26.
(Irregularity in making or levying rate.)

(e)

Pastures Protection (Amendment).

- (e) by omitting subsection four of section thirty and by inserting in lieu thereof the following subsection:—

Sec. 30.
(Amount of
rate.)

5 (4) The rate shall not exceed sixpence per head in the case of large stock and three farthings per head in the case of sheep;

- (f) by inserting next after subsection three of section forty-one the following new subsections:—

Sec. 41.
(Control of
travelling
stock and
camping
reserves.)

10 (3A) In the general management, maintenance and control of any reserves or parts thereof which are under its control, a board shall take proper measures for the conservation of soil and the prevention or mitigation of soil erosion therein.

15 (3B) For the purpose of subsection (3A) of this section or of maintaining or improving any reserve or part thereof under its control a board may and where directed by the Minister shall close such reserve or part thereof to stock, including travelling stock, for such period as the Minister may approve. The board shall cause the area so closed to be adequately fenced to prevent the movement of stock on to the area and any stock, pigs or goats thereafter found on such reserve or part shall be deemed to be trespassing stock and the provisions of section sixty-six of this Act shall apply, mutatis mutandis, to such trespassing stock and the owner or person ordinarily in charge thereof.

- 20 (g) by omitting from subsection seven of section forty-three the words "not exceeding one shilling may" and by inserting in lieu thereof the words "of one shilling shall";

Sec. 43.
(Rate on
travelling
stock.)

- 25 (h) by omitting from section fifty-one the words "an owner's registered brand and";

Sec. 51.
(Travelling
stock to be
branded
with
letter T.)

(i)

Pastures Protection (Amendment).

- (i) by inserting in section fifty-six after the word "rubbish" the words "or the carcase of any animal";
- 5 (j) (i) by omitting from subsection two of section fifty-eight the words "If stock travelling on a permit, renewed permit, travelling statement, or license for working large stock" and by inserting in lieu thereof the words "If travelling stock";
- 10 (ii) by inserting in the same subsection after the word "starting" the words "their journey";
- 15 (k) by inserting in paragraph (e) of subsection one of section sixty-six after the words "working large stock" the words "on the reserve under a working large stock license";
- 20 (l) by inserting at the end of section ninety-two the words:—"The Governor may, by proclamation published in the Gazette, apply this Division to other pastures protection districts and he may in like manner vary or revoke any such proclamation."
- 25 (m) by omitting subsection one of section one hundred and forty-four and by inserting in lieu thereof the following subsection:—
- (1) All sheep above the age of six months shall if not already earmarked be earmarked by the owner.
- 30 (n) by inserting next after section one hundred and sixty the following new section:—
- 35 160A. (1) If any board neglects or fails to do any act or thing which by or under this Act it is directed or required to do or does any act or thing which is in contravention of the provisions of this Act, the board shall be guilty of a breach of

Sec. 56.
(Stock un-
attended on
reserves:
depositing
rubbish.)

Sec. 58.
(Rate of
travel.)

Sec. 66.
(Stock
unlawfully
on a travel-
ling stock
reserve.)

Sec. 92.
(Application
of
Division.)

Sec. 144.
(Earmarking
of sheep.)

New sec.
160A.

Official
defaults of
a board.
cf. Local
Government
Act, 1919,
s. 634.

Pastures Protection (Amendment).

of the provisions of this Act and shall be liable on summary conviction for every such offence to a penalty not exceeding one hundred pounds.

5 (2) Where a board is convicted of an offence under this Act every person who at the time of the commission of the offence was a director of the board shall be deemed to have committed the like offence and be liable to the like penalty as the board unless he proves that
10 the offence was committed without his knowledge or consent or that he used all due diligence to prevent the commission of the offence.

3. The Trustees Audit Act, 1912, as amended by subsequent Acts, is amended by omitting from Schedule Two
15 the words "The accounts of Pastures Protection Boards." Amendment
of Act No.
21, 1912.
Sch. 2.

Pastures Protection (Amendment) Bill, 1949.

EXPLANATORY NOTE.

THE object of this Bill is to amend the Pastures Protection Act, 1934-1948—

- (a) to provide for the branding of sheep to be optional;
- (b) to increase the maximum pastures protection rates which may be levied by boards;
- (c) to require boards to take measures to conserve soil and prevent or mitigate soil erosion on travelling stock reserves and to enable them to close reserves for the purposes of maintaining and improving such reserves;
- (d) to empower the Governor to remove a board where the provisions of the Act are not being properly administered and to appoint an administrator to exercise the powers of the board temporarily in such cases;
- (e) to enable directors and servants of boards to be surcharged for deficiencies in board funds in certain cases.

The Bill also provides for a number of other minor amendments to the Pastures Protection Act, 1934-1948, and amends the Trustees Audit Act, 1912, to remove from the provisions of that Act the auditing of accounts of pastures protection boards.

Pasture Protection (Amendment) Bill, 1919.

EXPLANATORY NOTE.

The object of this Bill is to amend the Pasture Protection Act 1917—

(a) to provide for the branding of sheep to be grazed;

(b) to increase the maximum pasture protection rates which may be fixed by boards;

(c) to require boards to take measures to convert soil and prevent or mitigate soil erosion on travelling stock reserves and to enable them to close reserves for the purpose of maintaining and improving such reserves;

(d) to empower the Governor to remove a board where the provisions of the Act are not being properly administered and to appoint an administrator to exercise the powers of the board in respect of such cases;

(e) to enable directors and servants of boards to be punished for offences in regard to the carrying out of their duties;

(f) to provide for a number of other minor amendments to the Pasture Protection Act 1917, and amends the Pasture Protection Act 1917 to remove from the provisions of that Act the mention of servants of boards.

Enacted in the 11th year of the reign of His Majesty King George V.

1919.

No. , 1949.

A BILL

To repeal the provision requiring the branding (other than earmarking) of sheep; to increase the maximum pastures protection rates which may be levied by pastures protection boards; to make certain provisions as to the removal of directors of boards from office and the appointment of administrators in their stead; for these and other purposes to amend the Pastures Protection Act, 1934-1948, and the Trustees Audit Act, 1912, in certain respects; and for purposes connected therewith.

[Mr. GRAHAM;—19 May, 1949.]

Pastures Protection (Amendment).

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 New South Wales in Parliament assembled, and by the authority of
5 the same, as follows.—

1. (1) This Act may be cited as the "Pastures Protection (Amendment) Act, 1949." Short title and citation.

(2) The Pastures Protection Act, 1934, as amended by subsequent Acts and by this Act, may be cited as the
10 Pastures Protection Act, 1934-1949.

2. The Pastures Protection Act, 1934-1948, as amended by subsequent Acts, is amended— Amendment of Act No. 35, 1934.

(a) by inserting next after section eight the following new section:— New sec. 8A.

15 **8A.** (1) The Governor may, by proclamation published in the Gazette, remove all the directors of a board from office— Removal of board from office and appointment of administrator.

(a) if there are not sufficient directors of the board to form a quorum;

20 (b) if the board has failed or neglected to make or levy rates as required by this Act or otherwise to exercise or discharge any of its powers, authorities, duties and functions under this Act; or cf. Act No. 41, 1919, ss. 86, 219.

25 (c) if in the opinion of the Governor circumstances have arisen rendering it advisable so to do:

30 Provided that in the circumstances referred to in paragraph (a) hereof the Governor may, instead of removing the directors from office, by proclamation published in the Gazette, appoint the necessary number of persons eligible to be elected to be directors until
35 elections are held or appointments made to fill the vacancies as provided in this Act.

Pastures Protection (Amendment).

5 (2) Where the Governor has pursuant to
subsection one of this section removed the
directors of a board from office, he may, by
proclamation at the same or any subsequent
time, appoint an administrator for the district
who shall have the powers, authorities, duties,
functions and liabilities of the board and who
shall be paid out of the funds of the district
such salary as the Governor may determine.
10 The Governor may in like manner at any time
remove an administrator.

15 (3) At any time after the appointment
of an administrator the Governor may, by
proclamation published in the Gazette, order a
general election of directors to be held on a day
appointed in such proclamation and the
provisions of this Act with respect to the holding
of general elections shall, mutatis mutandis,
20 apply to such election. Any director elected
at such election shall hold office until the time
when the term of office of the board the directors
of which have been removed from office would
but for such removal have expired and no longer
but shall be eligible for re-election if otherwise
25 qualified.

(4) Upon sufficient directors, by election
or appointment under this Act, taking office to
form a quorum, the powers and duties of the
administrator shall cease.

30 (5) Where the directors of a board have
been removed from office because of the board's
failure or neglect as referred to in paragraph
(b) of subsection one of this section each
director of the board shall be ineligible for
35 election at a general election ordered under
subsection three of this section or, if no such
election is so ordered, at the next general
election of directors of the board, unless such
failure or neglect took place without his
knowledge or consent.

(b)

Pastures Protection (Amendment).

- (b) by omitting subsection five of section nineteen and by inserting in lieu thereof the following subsection:—

Sec. 19.
(Pastures
Protection
Fund.)

5 (5) The Auditor-General may, at any time, and where so requested by the Minister shall, audit the accounts of a board. Such audit may be made by any person duly authorised in that behalf by the Auditor-General. The expenses of any such audit shall, where such audit has been requested by the Minister, be paid out of the Pastures Protection Fund.

- (c) by inserting next after section nineteen the following new section:—

New sec.
19A.

15 19A. (1) (a) The Auditor-General may disallow any expenditure, transfer or entry in the books or accounts of a board which has been improperly or wrongly incurred or made or which has been incurred or made in contravention of any Act or any ordinance, regulation or by-law.

Surcharge
of directors
and servants
of a board.
cf. Act No.
41, 1919, s.
213, and Act
No. 21,
1912, s. 6.

25 (b) The Auditor-General shall surcharge the amount of any such disallowance upon the directors or servants of the board by whom the expenditure, transfer or entry was incurred or made or ordered to be incurred or made.

30 (c) The Auditor-General may surcharge on any director or servant of the board the amount of any deficiency or loss incurred by the culpable negligence or misconduct of such director or servant or of any sum which ought to have been but is not brought into account by such director or servant.

35 (2) The Auditor-General shall furnish particulars of any surcharge and of the person or persons on whom the surcharge is made to the Colonial Treasurer who may call upon such person or persons to pay into the appropriate fund of the board the amount of the surcharge.

(3)

Pastures Protection (Amendment).

5 (3) The person so called upon may appeal to the court of petty sessions or district court nearest in either case to the office of the board, and the decision of such court to confirm, reduce or annul the surcharge shall be final.

10 (4) If the person so called upon does not within one month appeal, or if on appeal the surcharge is not annulled, the Colonial Treasurer, the board or any ratepayer may recover in a court of competent jurisdiction the amount to be surcharged against such person (or any deficiency which may remain after the appropriation of any moneys in the possession of the board the property of such person); and
15 the money so recovered shall be paid into the appropriate fund of the board. If there are any moneys in the possession of the board the property of such person, the board may appropriate so much of them as may be
20 necessary to satisfy the amount surcharged.

25 (5) If any amount to be surcharged on any person in accordance with this section be not, within six months of his being called upon to make payment as hereinbefore provided, or of the decision of the court confirming or reducing such surcharge, as the case may be, satisfied by payment, such person shall if he be a director cease to hold office as such and shall
30 be ineligible for election as a director of the board concerned during such further time as the amount of the surcharge remains unpaid.

(d) (i) by inserting in section twenty-six after the words "any rate is not made" the words "or rate notices are not issued";
35 (ii) by inserting in the same section after the words "the making of the rate" the words "or the issue of rate notices, as the case may be";

Sec. 26. (Irregularity in making or levying rate.)

(e)

Pastures Protection (Amendment).

- (e) by omitting subsection four of section thirty and by inserting in lieu thereof the following subsection:—

(4) The rate shall not exceed sixpence per head in the case of large stock and three farthings per head in the case of sheep;

- (f) by inserting next after subsection three of section forty-one the following new subsections:—

(3A) In the general management, maintenance and control of any reserves or parts thereof which are under its control, a board shall take proper measures for the conservation of soil and the prevention or mitigation of soil erosion therein.

(3B) For the purpose of subsection (3A) of this section or of maintaining or improving any reserve or part thereof under its control a board may and where directed by the Minister shall close such reserve or part thereof to stock, including travelling stock, for such period as the Minister may approve. The board shall cause the area so closed to be adequately fenced to prevent the movement of stock on to the area and any stock, pigs or goats thereafter found on such reserve or part shall be deemed to be trespassing stock and the provisions of section sixty-six of this Act shall apply, mutatis mutandis, to such trespassing stock and the owner or person ordinarily in charge thereof.

- (g) by omitting from subsection seven of section forty-three the words "not exceeding one shilling may" and by inserting in lieu thereof the words "of one shilling shall";

- (h) by omitting from section fifty-one the words "an owner's registered brand and";

(i)

Sec. 30.
(Amount of rate.)

Sec. 41.
(Control of travelling stock and camping reserves.)

Sec. 43.
(Rate on travelling stock.)

Sec. 51.
(Travelling stock to be branded with letter T.)

Pastures Protection (Amendment).

- (i) by inserting in section fifty-six after the word
“rubbish” the words “or the carcase of any
animal”;
- 5 (j) (i) by omitting from subsection two of section
fifty-eight the words “If stock travelling on
a permit, renewed permit, travelling state-
ment, or license for working large stock”
and by inserting in lieu thereof the words
“If travelling stock”;
- 10 (ii) by inserting in the same subsection after
the word “starting” the words “their
journey”;
- 15 (k) by inserting in paragraph (e) of subsection one
of section sixty-six after the words “working
large stock” the words “on the reserve under a
working large stock license”;
- 20 (l) by inserting at the end of section ninety-two the
words:—“The Governor may, by proclamation
published in the Gazette, apply this Division to
other pastures protection districts and he may
in like manner vary or revoke any such
proclamation.”
- 25 (m) by omitting subsection one of section one
hundred and forty-four and by inserting in lieu
thereof the following subsection:—
(1) All sheep above the age of six months
shall if not already earmarked be earmarked by
the owner.
- 30 (n) by inserting next after section one hundred and
sixty the following new section:—
160A. (1) If any board neglects or fails to do
any act or thing which by or under this Act it
is directed or required to do or does any act or
thing which is in contravention of the provisions
of this Act, the board shall be guilty of a breach
of
- 35

Sec. 56.
(Stock un-
attended on
reserves:
depositing
rubbish.)

Sec. 58.
(Rate of
travel.)

Sec. 66.
(Stock
unlawfully
on a travel-
ling stock
reserve.)

Sec. 92.
(Application
of
Division.)

Sec. 144.
(Earmarking
of sheep.)

New sec.
160A.

Official
defaults of
a board.
cf. Local
Government
Act, 1919,
s. 634.

Pastures Protection (Amendment).

of the provisions of this Act and shall be liable on summary conviction for every such offence to a penalty not exceeding one hundred pounds.

5 (2) Where a board is convicted of an offence under this Act every person who at the time of the commission of the offence was a director of the board shall be deemed to have committed the like offence and be liable to the like penalty as the board unless he proves that
10 the offence was committed without his knowledge or consent or that he used all due diligence to prevent the commission of the offence.

3. The Trustees Audit Act, 1912, as amended by subsequent Acts, is amended by omitting from Schedule Two
15 the words "The accounts of Pastures Protection Boards."
Amendment of Act No. 21, 1912. Sch. 2.