

**CATTLE COMPENSATION (AMENDMENT)  
BILL, 1977**

No. , 1977.

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**A BILL FOR**

An Act to amend the Cattle Compensation Act, 1951, in relation to the payment of compensation in respect of cattle destroyed as suffering from bovine brucellosis; and to validate certain payments made in respect of cattle so destroyed.

[MR DAY—23 November, 1977.]

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**BE**

*Cattle Compensation (Amendment).*

**BE** it enacted by the Queen'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 :—

5 **1.** This Act may be cited as the "Cattle Compensation Short title. (Amendment) Act, 1977".

**2.** (1) This section and section 1 shall commence on the Commence-  
date of assent to this Act. ment.

10 (2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**3.** The Cattle Compensation Act, 1951, is referred to in Principal  
this Act as the Principal Act. Act.

15 **4.** This Act contains the following Schedules:— Schedules.

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL  
ACT RELATING TO THE PAYMENT OF COMPENSA-  
TION IN RESPECT OF BOVINE BRUCELLOSIS.

20 SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL  
ACT RELATING TO THE PAYMENT OF MONEY INTO  
THE CATTLE COMPENSATION FUND.

**5.** The Principal Act is amended in the manner set forth Amendment  
in Schedules 1 and 2. of Act No.  
26, 1951.

**6.**



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*Cattle Compensation (Amendment).*

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6. Any payment purporting to be made under the Validation.  
Principal Act on or after 1st December, 1976, and before the  
commencement of this section that would, but for this Act,  
not be valid, but—

5 (a) would be valid if this Act had been in force on and  
from 1st December, 1976; or

(b) was made in respect of cattle—

10 (i) that were slaughtered pursuant to an order  
referred to in section 5 (1) (a) or (c) of  
the Principal Act, being an order made or  
given because the cattle were suffering from  
or were suspected to be suffering from  
bovine brucellosis; and

15 (ii) the owner of which would, if this Act had  
been in force at the time at which the order  
was made or given and if he had so  
requested, have been an approved owner for  
the purposes of section 5B of the Principal  
Act, as amended by this Act,

20 is validated.

7. Nothing in this Act operates so as to repeal or Saving. 21  
otherwise affect Regulation 4A of the Cattle Compensation  
Regulations.

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*Cattle Compensation (Amendment).*

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SCHEDULE 1.

Sec. 5.

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE  
PAYMENT OF COMPENSATION IN RESPECT OF BOVINE  
BRUCELLOSIS.

5 (1) Section 3, definition of "Disease"—

Omit "contagious bovine pleuro-pneumonia", insert  
instead "bovine brucellosis".

(2) (a) Section 5 (1) (d)—

Omit "with; or", insert instead "with."

10 (b) Section 5 (1) (e)—

Omit the paragraph.

(c) Section 5 (1A)—

Omit the subsection.

(3) Section 5B—

15 After section 5A, insert :—

5B. (1) The Chief of the Division of Animal Industry may—

Measures  
for the  
eradication  
of bovine  
brucellosis.

(a) by order published in the Gazette, declare  
20 an area to be, for the purposes of this Act,  
on and from a date specified in the order,  
being 1st December, 1976, or a later date—

(i) a bovine brucellosis-free area; or

(ii) a bovine brucellosis eradication  
area;

SCHEDULE

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*Cattle Compensation (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE  
PAYMENT OF COMPENSATION IN RESPECT OF BOVINE  
BRUCELLOSIS—*continued.*

- 5 (b) on such terms and conditions as he may  
from time to time think fit, enrol, or cancel  
the enrolment of, cattle in the bovine  
brucellosis-free herd scheme conducted by  
the Department of Agriculture; or
- 10 (c) by order in writing under his hand, declare  
that an owner of cattle—
- (i) is, for the purposes of this section,  
an approved owner; or
- 15 (ii) has ceased to be, for the purposes  
of this section, an approved owner  
where the owner is not, in the  
opinion of the Chief of the Division  
of Animal Industry, upon considera-  
20 tion of all the relevant circum-  
stances—
- (a) undertaking a scheme of  
testing the cattle at a  
standard satisfactory to the  
25 Chief of the Division of  
Animal Industry and for the  
purpose of identifying any  
cattle suffering from or  
suspected to be suffering  
from bovine brucellosis; and
- 30 (b) bringing about the slaughter  
of the cattle so identified.

SCHEDULE



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*Cattle Compensation (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE  
PAYMENT OF COMPENSATION IN RESPECT OF BOVINE  
BRUCELLOSIS—*continued.*

5           (2) A certificate signed by the Chief of the  
Division of Animal Industry and stating that certain  
cattle were or were not, at any specified time or  
during any specified period, enrolled in the scheme  
10 referred to in subsection (1) (b) shall, for the purpose  
of any legal proceedings, be evidence of the facts  
stated therein.

(4) Section 6 (1c)—

Omit the subsection, insert instead :—

15           (1c) Notwithstanding any other provision of this  
Act, where—

- (a) cattle are destroyed pursuant to an order referred to in section 5 (1) (a) or (c);
- (b) the order was made or given because the cattle were suffering from or were suspected to be suffering from bovine brucellosis; and
- 20 (c) at the time when the order was made or given—
  - (i) the cattle were not—
    - 25 (a) in an area referred to in section 5B (1) (a) (i) or (ii); or
    - (b) enrolled in the scheme referred to in section 5B (1) (b); or

SCHEDULE

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*Cattle Compensation (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE  
PAYMENT OF COMPENSATION IN RESPECT OF BOVINE  
BRUCELLOSIS—*continued.*

- 5                                   (ii) the owner of the cattle was not, for  
  the purposes of section 5B, an  
  approved owner,  
  
  the amount of compensation payable in respect of  
  the cattle shall be as prescribed.

10 (5) Section 8 (4) (e)—

Omit the paragraph, insert instead :—

- 15                                   (e) in respect of cattle destroyed pursuant to  
  an order referred to in section 5 (1) (a)  
  or (c), made or given because the cattle  
  are suffering from or are suspected to be  
  suffering from bovine brucellosis, unless  
20                                    the cattle are destroyed at the place  
  specified by the person who made or gave  
  the order and the remains of the cattle  
  are disposed of in the manner specified  
  by that person.



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*Cattle Compensation (Amendment).*

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SCHEDULE 2.

Sec. 4.

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE  
PAYMENT OF MONEY INTO THE CATTLE COMPENSATION  
FUND.

5 (1) Section 12 (2) (b)—

Omit "1956; and", insert instead "1956;".

(2) Section 12 (2) (c)—

Omit "16H; and", insert instead "16H;".

(3) Section 12 (2) (d)—

10 Omit "16FA.", insert instead "16FA; and".

(4) Section 12 (2) (e)—

After section 12 (2) (d), insert :—

15 (e) any sums of money provided by Parliament, or  
received by the Treasurer, for the purposes of  
this Act.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977  
[8c]



**CATTLE COMPENSATION (AMENDMENT) BILL, 1977**

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**EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

THE objects of this Bill are—

- (a) to include bovine brucellosis within the definition of "Disease" in the Principal Act and to omit the reference to contagious bovine pleuropneumonia from that definition (Schedule 1 (1));
  - (b) to provide that the amount of compensation payable to the owner of cattle destroyed as suffering from or suspected to be suffering from bovine brucellosis will be—
    - (i) the market value or a percentage thereof, unless subparagraph (ii) applies; or
    - (ii) as prescribed by regulation, if the cattle were not in a declared bovine brucellosis-free area or eradication area, or were not enrolled in the Department of Agriculture's bovine brucellosis-free herd scheme, or if the owner of the cattle was not an approved owner under section 5B of the Principal Act, as amended (Schedule 1 (2), (3) and (4) and clause 7);
  - (c) to provide that no compensation will be payable to the owner of cattle so destroyed unless they are destroyed, and their remains disposed of, in an approved manner (Schedule 1 (5));
  - (d) to enable certain payments to be made into the Cattle Compensation Fund (Schedule 2); and
  - (e) to validate certain payments of compensation made before the date of commencement of the proposed Act in respect of cattle destroyed in certain circumstances under an order for slaughter made on or after 1st December, 1976 (clause 6).
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1908

# CITY OF PHOENIX (ARIZONA)

## PLANNING DEPARTMENT

### PLANNING AND ZONING COMMISSION

The Commission has the honor to acknowledge the receipt of your letter of the 10th inst. regarding the proposed change in the zoning of the property located at the corner of 1st and 2nd Streets, Phoenix, Arizona. The Commission has held a public hearing on this matter on the 15th inst. and has received the following testimony:

That the property is currently zoned as residential and is being proposed for change to commercial. The Commission has considered the testimony of the interested parties and has concluded that the proposed change is in the best interests of the city and should be granted.

The Commission has therefore recommended that the zoning of the property be changed from residential to commercial. This recommendation is subject to the approval of the City Council.

Very truly yours,  
[Signature]



PROOF

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**5** 1. This Act may be cited as the "Cattle Compensation Short title.  
(Amendment) Act, 1977".

**2.** (1) This section and section 1 shall commence on the Commence-  
date of assent to this Act. ment.

**10** (2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**3.** The Cattle Compensation Act, 1951, is referred to in Principal  
this Act as the Principal Act. Act.

**15** **4.** This Act contains the following Schedules.  
Schedules:—

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL  
ACT RELATING TO THE PAYMENT OF COMPENSA-  
TION IN RESPECT OF BOVINE BRUCELLOSIS.

**20** SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL  
ACT RELATING TO THE PAYMENT OF MONEY INTO  
THE CATTLE COMPENSATION FUND.

**5.** The Principal Act is amended in the manner set forth Amendment  
in Schedules 1 and 2. of Act No.  
26, 1951.



*Cattle Compensation (Amendment).*

6. Any payment purporting to be made under the Validation. Principal Act on or after 1st December, 1976, and before the commencement of this section that would, but for this Act, not be valid, but—

5 (a) would be valid if this Act had been in force on and from 1st December, 1976; or

(b) was made in respect of cattle—

10 (i) that were slaughtered pursuant to an order referred to in section 5 (1) (a) or (c) of the Principal Act, being an order made or given because the cattle were suffering from or were suspected to be suffering from bovine brucellosis; and

15 (ii) the owner of which would, if this Act had been in force at the time at which the order was made or given and if he had so requested, have been an approved owner for the purposes of section 5B of the Principal Act, as amended by this Act,

20 is validated.

7. Nothing in this Act operates so as to repeal or Saving. otherwise affect Regulation 4A of the Cattle Compensation Regulations.

*Cattle Compensation (Amendment).*

SCHEDULE 1.

Sec. 5.

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE  
PAYMENT OF COMPENSATION IN RESPECT OF BOVINE  
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5 (1) Section 3, definition of "Disease"—

Omit "contagious bovine pleuro-pneumonia", insert  
instead "bovine brucellosis".

(2) (a) Section 5 (1) (d)—

Omit "with; or", insert instead "with."

10 (b) Section 5 (1) (e)—

Omit the paragraph.

(c) Section 5 (1A)—

Omit the subsection.

(3) Section 5B—

15 After section 5A, insert :—

5B. (1) The Chief of the Division of Animal  
Industry may—

Measures  
for the  
eradication  
of bovine  
brucellosis.

(a) by order published in the Gazette, declare  
20 an area to be, for the purposes of this Act,  
on and from a date specified in the order,  
being 1st December, 1976, or a later date—

(i) a bovine brucellosis-free area; or

(ii) a bovine brucellosis eradication  
area;

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*Cattle Compensation (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE  
PAYMENT OF COMPENSATION IN RESPECT OF BOVINE  
BRUCELLOSIS—*continued.*

- 5 (b) on such terms and conditions as he may  
from time to time think fit, enrol, or cancel  
the enrolment of, cattle in the bovine  
brucellosis-free herd scheme conducted by  
the Department of Agriculture; or
- 10 (c) by order in writing under his hand, declare  
that an owner of cattle—
- (i) is, for the purposes of this section,  
an approved owner; or
- 15 (ii) has ceased to be, for the purposes  
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where the owner is not, in the  
opinion of the Chief of the Division  
of Animal Industry, upon considera-  
20 tion of all the relevant circum-  
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Chief of the Division of  
25 Animal Industry and for the  
purpose of identifying any  
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suspected to be suffering  
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of the cattle so identified.

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*Cattle Compensation (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE  
PAYMENT OF COMPENSATION IN RESPECT OF BOVINE  
BRUCELLOSIS—*continued.*

5 (2) A certificate signed by the Chief of the  
Division of Animal Industry and stating that certain  
cattle were or were not, at any specified time or  
during any specified period, enrolled in the scheme  
referred to in subsection (1) (b) shall, for the purpose  
10 of any legal proceedings, be evidence of the facts  
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(4) Section 6 (1c)—

Omit the subsection, insert instead :—

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- (a) cattle are destroyed pursuant to an order referred to in section 5 (1) (a) or (c);
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*Cattle Compensation (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE  
PAYMENT OF COMPENSATION IN RESPECT OF BOVINE  
BRUCELLOSIS—*continued.*

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the purposes of section 5B, an  
approved owner,

the amount of compensation payable in respect of  
the cattle shall be as prescribed.

10 (5) Section 8 (4) (e)—

Omit the paragraph, insert instead :—

15 (e) in respect of cattle destroyed pursuant to  
an order referred to in section 5 (1) (a)  
or (c), made or given because the cattle  
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20 suffering from bovine brucellosis, unless  
the cattle are destroyed at the place  
specified by the person who made or gave  
the order and the remains of the cattle  
are disposed of in the manner specified  
by that person.

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*Cattle Compensation (Amendment).*

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SCHEDULE 2.

Sec. 4.

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE  
PAYMENT OF MONEY INTO THE CATTLE COMPENSATION  
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5 (1) Section 12 (2) (b)—

Omit "1956; and", insert instead "1956;".

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977