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"Diseased Stock Act, 1872" (Victoria), and Regulations thereunder.

Colonial Secretary's Office,
Wellington, 1st February, 1873.

THE following copy of an Act, and of certain Regulations published thereunder, for the Prevention of Diseases in Stock, which have been received from the Government of Victoria, are published for general information, and the attention of Stockowners and others interested in the exportation of stock to the Colony of Victoria is particularly directed to the subject.

JOHN HALL.

AN ACT for the Prevention of Diseases in Stock.
[17th December, 1872.]

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 Victoria, in this present Parliament assembled, and by the authority of the same, as follows (that is to say):—

1. This Act shall be called and may be cited as "The Diseases in Stock Act, 1872."

2. Part III. of "The Prevention of Diseases of Animals Statute, 1864," and "The Prevention of Diseases of Animals Statute, 1872," No. 418, are hereby repealed.

3. In the construction of this Act, the following words shall, if not inconsistent with the context or subject matter, have the meanings hereby respectively assigned to them (that is to say):—

"Inspector of Stock" shall include the Chief Inspector of Stock.

"Stock" shall include any bull, cow, ox, calf, stallion, mare, gelding, foal, ass, mule, ram, ewe, wether, lamb, pig, goat, dog, or other animal whatsoever.

"Drive" shall mean drive, conduct, or convey, whether by land or by water.

"Disease" shall mean any contagious or infectious disease to which any animal is subject, which the Governor in Council may from time to time, by order, declare to be a contagious

or infectious disease for the purposes of this Act.

"Diseased stock" shall mean all stock proclaimed by the Governor in Council to be diseased.

"Fittings" shall mean any sheep pens, cattle or horse boxes, and any materials used for penning, yarding, or confining stock; as also any halters, brushes, clothes, buckets, or other articles whatever, which shall have been brought in contact with any diseased stock.

"Place" shall mean and include any defined division or portion of the Colony.

"Fodder" shall mean any food or bedding used or which shall have been brought in contact with any imported stock.

4. The Governor in Council may from time to time make such regulations under this Act as may be deemed expedient for all or any of the following purposes, and may rescind the same:—

For extending all or any of the sections of this Act to any particular stock, or kind of stock.

For prohibiting the introduction into the Colony, either by sea or land, of any stock found to be diseased.

For regulating and fixing the conditions upon which certain kind of stock may be introduced into the Colony.

For the inspection of newly-introduced stock.

For taking such steps as may be deemed expedient to prevent the spread of any disease which may have obtained a footing in the Colony, and to eradicate it.

For placing any stock in quarantine for such periods, at such places or buildings, and within such limits, as may be deemed expedient, and for declaring any such place or building a quarantine district.

For the purpose of subjecting any stock to such restrictions or remedial measures as may be deemed necessary to prevent the introduction and spread of disease.

For the seizure and destruction of any diseased stock.

For the purpose of proclaiming any portion of the Colony a quarantine or a clean district.

For prohibiting or regulating the introduction into the Colony of any fodder or fittings, and for the seizure, sale, or destruction of any such fodder or fittings landed without the written authority of an Inspector of Stock.

5. The Governor in Council may from time to time appoint and remove a Chief Inspector of Stock, Inspectors of Stock, and such other officers as may be necessary to carry out the provisions of this Act.

6. Inspectors of Stock shall have power to enter at any time into any ship, or on any land, or into any building not being a dwelling-house, for the purpose of inspecting any stock or enforcing the provisions of this Act, or the regulations made in pursuance hereof. Any person who shall obstruct or hinder any Inspector in the performance of his duty shall, on conviction before two Justices of the Peace, forfeit and pay a penalty not exceeding fifty pounds for every such offence.

7. Stock newly introduced either by sea or land shall not travel until it has been inspected by an Inspector appointed for that purpose, the cost of such inspection and of carrying out the several provisions of this Act shall be defrayed by a charge to be imposed of one shilling per head for every head of cattle and horses, sixpence per head for every head of calves and foals, and one penny per head for every head of sheep and pigs so inspected; and such charge may be recovered in a summary way before any two Justices.

8. Any person who shall allow to stray or shall drive or cause to be driven any newly introduced stock which has not been inspected, or any stock of the kind for the time being subject to contagious or infectious disease, into a quarantine or clean district without the written authority of an Inspector of Stock, shall, on conviction before two Justices of the Peace, forfeit and pay a penalty not exceeding one hundred pounds for every such offence.

9. Any person who shall introduce into the Colony any fodder or fittings without the written authority of an Inspector of Stock shall, on conviction before two Justices of the Peace, forfeit such fodder and fittings, and pay a penalty not exceeding fifty pounds for every such offence.

10. Whenever the Governor in Council shall be satisfied, upon the report of an Inspector of Stock and otherwise, that any stock is diseased, he may order the destruction of the same, and the owner thereof shall have no claim for compensation for their destruction.

11. Whenever the Governor in Council shall have ordered that any stock shall be placed in quarantine or under restrictions for the purposes of this Act, or that remedial measures shall be taken to prevent the introduction or spread of disease, the cost and expense thereby incurred shall in every case be borne by the owner of the stock dealt with, if it shall be proved to the satisfaction of the Governor in Council that such stock are or have been diseased, and such cost and expense may be recovered in a summary manner before any two Justices of the Peace on complaint by an Inspector of Stock.

12. Any person who shall drive or cause to be driven into through or out of any quarantine district, or shall remove from any quarantine district any fodder or fittings, or any soil sand or other material upon which any diseased stock have been kept, or any dairy produce of diseased stock, without the written authority of an Inspector of Stock, shall, upon conviction before two Justices of the Peace, forfeit and pay a penalty not exceeding fifty pounds for every such offence.

13. Any person who shall be guilty of a breach of any of the regulations made under this Act by the Governor in Council, shall, on conviction of the same before two Justices of the Peace, forfeit and

pay a penalty not exceeding one hundred pounds for every such offence.

14. Any regulation made or to be made under this Act shall have the full force of law until the same shall have been disallowed by resolution of both Houses of Parliament, and thereupon such regulation or any part thereof so disallowed shall cease to have any force or effect in law: Provided also and be it enacted that this Act shall continue in force until the thirty-first day of December, one thousand eight hundred and seventy-three, and until the end of the then next ensuing session of Parliament.

REGULATIONS.

WHEREAS by "The Diseases in Stock Act, 1872," it is amongst other things enacted that the Governor in Council may from time to time make such regulations as may be deemed expedient for all or any of the purposes mentioned in the 4th section of the said Act: Now therefore, His Excellency the Governor, by and with the advice of the Executive Council, doth by this present Order, in exercise of the power conferred by the above recited Act, and every other power enabling him in that behalf, make the regulations following, that is to say:—

1. The diseases mentioned in the First Schedule hereto are hereby declared to be contagious or infectious diseases, and all stock affected with such diseases are hereby declared to be diseased stock for the purposes of "The Diseases in Stock Act, 1872."

2. All the sections of the said Act shall extend to all stock of the kinds mentioned in the Second Schedule hereto.

3. The introduction of any stock mentioned in the Second Schedule hereto into the Colony, either by sea or land, known to be suffering from any of the diseases mentioned in the First Schedule hereto, is prohibited.

Introduction of Stock from the Australasian Colonies and New Zealand.

4. No one shall introduce into the Colony, either by sea or land, any stock of any kind mentioned in the Second Schedule hereto, coming from any of the Australasian colonies or New Zealand, without the authority in writing of an Inspector of Stock, and except in accordance with the conditions of such authority.

5. Such authority may be granted to introduce such stock at any of the places mentioned in the Fourth Schedule hereto, but shall not, unless under special circumstances, be granted to introduce stock at any other place.

6. No Inspector shall authorize any of the said stock to be introduced or to travel until he has inspected such stock, and is satisfied that it is free from any of the diseases mentioned in the First Schedule hereto, and has received a statutory declaration, made by the owner or person in charge, stating the number and description of stock which he is desirous to import, and that the same have been free from disease and from contact with any diseased stock for the space of not less than thirty days, and has counted the same, or been otherwise satisfied in regard to the number of stock to be so imported, and received the charge imposed by the 7th section of the said Act in respect thereof, for which charge a receipt shall be given in the form of the Third Schedule hereto.

7. In the case of the introduction of saddle horses, draught horses, pack horses, and working bullocks, used *bonâ fide* for the purpose of riding, draught, or carrying burdens, having been once inspected and paid the charges specified in the said section, special authority may be granted by an Inspector and continue in force until revoked by a notice from such

Inspector, to enable such horses or bullocks to pass and repass, without further inspection or payment of the said charges, between any portions of either of the adjoining colonies and this Colony.

Introduction into the Colony of Stock from places other than the Australasian Colonies and New Zealand.

8. No stock of any kind mentioned in the Second Schedule brought by sea to the Colony from any place other than one of the Australasian colonies or New Zealand, shall be introduced at any other place than Sandridge, or without the authority, in writing, of an Inspector of Stock, and except in accordance with the conditions of such authority.

9. Before authorizing the introduction of any such stock, the Inspector shall be furnished with a certificate, in the form or to the effect of the Fifth Schedule hereto, from some veterinary surgeon in whom he has confidence, that such stock are, in his opinion, free from any of the said diseases, and a statutory declaration from the master of the vessel in which such stock have been brought to this Colony, that they have not suffered from any such disease during the voyage, and be satisfied that the said stock are free from any of the said diseases.

10. No Inspector shall authorize the removal from any quarantine ground, of any stock ordered to have been placed in quarantine, until they have been twice disinfected to his satisfaction, and have been detained until he is satisfied that they appear to be free from any of the said diseases.

11. No Inspector shall authorize the introduction into the Colony of any fittings until they have been properly disinfected to the satisfaction of the Inspector, nor of any fodder, other than oilcake, bran, barley, beans, or pease, except for the purpose of burning such other fodder on the beach.

12. No fodder or fittings shall be thrown overboard from any ship in any port of the Colony.

13. The places or buildings at which stock may be kept in quarantine may be from time to time determined and varied by the Governor in Council, and on the publication in the *Government Gazette* of an Order of the Governor in Council declaring any place or building a place at which stock may be kept in quarantine, and defining the boundaries of such place or building, such place or building, together with any adjoining land, the boundaries whereof are defined by such Order and declared to form part of the district hereinafter mentioned, shall become, and until the variation or revocation of such order, continue, a quarantine district.

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25. No person shall do, or cause to be done, or assist in doing any act forbidden by these regulations; or obtain, or endeavour to obtain, or assist any one in obtaining or endeavouring to obtain by fraud any authority under these regulations, or forge any authority purporting to be issued under these regulations, or make use of any such forged authority, or fraudulently grant or issue any such authority, or

obstruct or refuse to carry out the directions of any Inspector or other person acting under the authority of these regulations.

FIRST SCHEDULE.

Catarrh.	Small-pox in sheep.
Cumberland disease.	Pleuro-pneumonia.
Foot and mouth disease.	Rinderpest.
Glanders.	Murrain.

SECOND SCHEDULE.

Bull.	Ass.
Cow.	Mule.
Ox.	Ram.
Calf.	Ewe.
Stallion.	Wether.
Mare.	Lamb.
Gelding.	Pig.
Foal.	

THIRD SCHEDULE.

"Diseases in Stock Act, 1872."—Authority to travel Stock.

No.

This is to authorize the stock particularized below, the property of Mr. , of , now in charge of Mr. , which which has been inspected, to travel from to , viz. :—

Particulars of Stock.

No.	Brand.	Sex.	Description.	Amount received.
			Horses, fee received at 1s. Ψ head	£ s. d.
			Cattle, " at 1s. "	
			Calves, " at 6d. "	
			Foals, " at 6d. "	
			Sheep, " at 1d. "	
			Pigs, " at 1d. "	
Total received per Treasury receipt or by cash				£

(Signed)

Inspector of Stock.

Stationed at

FOURTH SCHEDULE.

By Land.

Apsley,	Echuca,
Tubbut,	Tocumwall,
Euston,	Albury,
Swan Hill,	

The point where the direct road from Penola to Casterton crosses the boundary line of South Australia and Victoria.

By Sea.

Sandridge.

FIFTH SCHEDULE.

Certificate.

This is to certify that I have examined , and am of opinion that they are free from all infectious and contagious diseases.

(Signed)

Veterinary Surgeon.

Dated—

