

**WILD DOG DESTRUCTION (AMENDMENT)  
ACT, 1979, No. 143**

**New South Wales**



ANNO VICESIMO OCTAVO

**ELIZABETHÆ II REGINÆ**

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**Act No. 143, 1979.**

An Act to amend the Wild Dog Destruction Act, 1921, to make further provision with respect to rates and subsidies and to enable borrowing for the purposes of the Act. [Assented to, 28th November, 1979.]

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*Wild Dog Destruction (Amendment).*

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**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 :—

Short title.      **1.** This Act may be cited as the "Wild Dog Destruction (Amendment) Act, 1979".

Schedules.      **2.** This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENTS TO THE WILD DOG  
DESTRUCTION ACT, 1921, WITH RESPECT TO FINANCE.

SCHEDULE 2.—AMENDMENTS TO THE WILD DOG  
DESTRUCTION ACT, 1921, BY WAY OF STATUTE LAW  
REVISION.

Amendment of Act No. 17, 1921.      **3.** The Wild Dog Destruction Act, 1921, is amended in the manner set forth in Schedules 1 and 2.

Sec. 3.

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SCHEDULE 1.

AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, WITH  
RESPECT TO FINANCE.

(1) (a) Section 12 (1)—

Omit "The board", insert instead "Except as provided in this section, the board".

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*Wild Dog Destruction (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, WITH  
RESPECT TO FINANCE—*continued.*

(b) Section 12 (1)—

Omit “0.8 cents”, insert instead “the prescribed amount”.

(c) Section 12 (1A)—

After section 12 (1), insert :—

(1A) For the purposes of subsection (1), the prescribed amount is 1 cent or, where a larger amount is prescribed by regulation made under this Act, that larger amount.

(d) Section 12 (3), (4)—

After section 12 (2), insert :—

(3) The board shall not in any year impose or collect a rate under subsection (1) on any land if the total area of—

(a) that land; and

(b) where the person liable for the rate on that land is also liable for the rates imposed under subsection (1) on any other land—  
that other land,

is less than the minimum rateable area determined in respect of that year by the board with the approval of the Minister.

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*Wild Dog Destruction (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, WITH  
RESPECT TO FINANCE—*continued.*

(4) Where payment of the rate imposed in respect of any land is overdue and the board is of the opinion that the rate is not substantially more than it would cost the board to recover it, the board may write off that rate and, notwithstanding anything in this Act—

- (a) the board shall not at any time thereafter take proceedings for the recovery of that rate; and
- (b) that rate shall not thereafter be a charge on the land in respect of which it was imposed.

(2) Section 18—

Omit the section, insert instead :—

Payment  
of  
subsidy.

18. Commencing in the year 1980, in each year there shall be paid from the Consolidated Revenue Fund to the Wild Dog Destruction Fund established under this Act, without further appropriation than this Act, a sum equal to the amount of rates collected under this Act during the preceding year or the sum of \$100,000, whichever is the lesser.

(3) (a) Section 20 (a)—

Omit “therewith; and”, insert instead “therewith;”.

(b) Section 20 (b)—

Omit “scalps; and”, insert instead “scalps;”.

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*Wild Dog Destruction (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, WITH  
RESPECT TO FINANCE—*continued.*

(c) Section 20 (c)–(f)—

Omit section 20 (c), insert instead :—

- (c) the repayment of money borrowed under this Act;
- (d) the payment of interest on money borrowed under this Act;
- (e) the payment of the expenses of the board in borrowing money under this Act; and
- (f) any other purpose approved by the Minister.

(4) Part IV, Division 4—

After section 20, insert :—

DIVISION 4.—*Borrowing.*

20A. The board may from time to time, with the concurrence of the Treasurer and the approval of the Governor, borrow money for—

Purposes  
for which  
money  
may be  
borrowed.

- (a) the purpose of carrying out or performing any of its powers, authorities, duties or functions;
- (b) the renewal of loans; or
- (c) any other purpose of this Act.

20B. (1) The board shall establish a reserve for loan repayment fund in respect of each loan or renewal loan raised by the board.

Reserves  
for  
repay-  
ments of  
loans.

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*Wild Dog Destruction (Amendment).*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, WITH  
RESPECT TO FINANCE—*continued.*

(2) There shall, during each year, be transferred from the Wild Dog Destruction Fund to each fund established under subsection (1) a sum not less than the sum that the board, in its application for approval of the loan, specified that it proposed to transfer to that fund.

(3) Where any land or property of any kind which has been provided out of loan money is sold before the loan has been wholly repaid, the net proceeds of the sale shall be added to the reserve for loan repayment in the appropriate fund or paid directly to the lender.

(4) Money held as a reserve for loan repayment may be invested in Government securities of the Commonwealth or the State of New South Wales or in any securities guaranteed by the Government of that State or in such other securities as the Governor may approve or as may be prescribed, in each case at their current market price.

(5) Any interest or profits realised on investments made under subsection (4) shall be added to and form part of the reserve for loan repayment fund from which the investments were made.

(6) All money paid into the reserve for loan repayment fund in respect of any loan or renewal loan may be applied in or towards repayment of any other loan or renewal loan but may not be applied for any other purpose until the loan or renewal loan in respect of which the fund has been established has been repaid.

(7) If, after a loan has been repaid, there remains in the reserve for loan repayment fund in respect of that loan any balance, that balance shall be paid to the credit of the Wild Dog Destruction Fund.

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*Wild Dog Destruction (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, WITH  
RESPECT TO FINANCE—*continued.*

(8) A reserve for loan repayment fund shall not be subject to seizure in satisfaction of any debt other than the loan in respect of which the reserve was created.

(9) This section shall not apply to any loan to be repaid by instalments at intervals of 1 year or less.

20c. (1) For securing repayment of the principal and interest on any money borrowed, the board may, as provided by the regulations made under this Act, issue debentures, bonds, inscribed stock or other prescribed securities. <sup>Debentures, etc.</sup>

(2) Every such debenture or bond and every coupon originally annexed to the debenture or bond, and whether separated therefrom or not, shall be transferable by simple delivery.

(3) Inscribed stock shall be transferable in the books of the board in accordance with the regulations made under this Act.

(4) Debentures, bonds, inscribed stock or prescribed securities issued under this Act shall, as regards both the issue and transfer thereof for full consideration for money or money's worth, be deemed to be included in the general exemptions from stamp duty under Part III of the Stamp Duties Act, 1920, contained in the Second Schedule to that Act.

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*Wild Dog Destruction (Amendment).*


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 SCHEDULE 1—*continued.*


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 AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, WITH  
 RESPECT TO FINANCE—*continued.*

Payment of  
debentures  
and  
coupons.

20D. (1) The holder of a coupon originally annexed to a debenture or bond, and whether separated therefrom or not, shall be entitled to receive payment from the board of the interest specified in the coupon on its presentation on or after the date when, and at the place where, the interest is payable.

(2) The due repayment of any loan in respect of which debentures, bonds, inscribed stock or any other prescribed securities have been issued by the board, and the interest thereon, shall be a charge upon the income and revenue of the board from whatever source arising and is hereby guaranteed by the Government.

(3) Any liability arising under the guarantee given by subsection (2) shall be discharged out of money provided by Parliament.

(4) The charge created by subsection (2) shall not prejudice or affect any power of the board to sell, convey, lease or otherwise deal with, free of the charge, any property vested in it.

Trustees.

20E. (1) Any trustee, unless expressly forbidden by any instrument creating the trust, may invest any trust money in his hands in stock inscribed by the board or in any debentures, bonds or other securities issued in accordance with this Act, and the investment shall be deemed to be an investment authorised by the Trustee Act, 1925.



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*Wild Dog Destruction (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, WITH  
RESPECT TO FINANCE—*continued.*

(2) Any debenture or bond issued, stock inscribed, or other security issued, in pursuance of this Act, shall be a lawful investment for any money which any company, council or body corporate, incorporated by any Act, is authorised or directed to invest in addition to any other investment authorised for the investment of that money.

(3) No notice of any express, implied or constructive trust shall be received by the board or by any member or employee of the board in relation to any debenture or coupon issued or stock inscribed by the board.

20F. (1) If any debenture or bond issued by the board is lost, destroyed or defaced before it has been redeemed, the board may, subject to the provisions of this section, issue a new debenture or bond in its place. <sup>Lost debentures.</sup>

(2) A new debenture or bond, issued under subsection (1) with interest coupon annexed, shall bear the same date, number, principal sum and rate of interest as the lost, destroyed or defaced debenture or bond.

(3) Where a debenture or bond is lost or destroyed, a new debenture or bond shall not be issued unless—

- (a) it has been established to the satisfaction of the Supreme Court that the debenture or bond has been lost or destroyed before redemption;
- (b) such advertisements as the Court may direct have been published;
- (c) 6 months have elapsed since the publication of the last of the advertisements; and

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*Wild Dog Destruction (Amendment).*


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SCHEDULE 1—*continued.*AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, WITH  
RESPECT TO FINANCE—*continued.*

(d) sufficient security has been given to the board to indemnify it against any double payment if the missing debenture or bond is at any time thereafter presented for redemption.

(4) Where a debenture or bond is defaced, a new debenture or bond shall not be issued unless and until the defaced debenture or bond is lodged with the board for cancellation.

(5) The provisions of this section shall apply to and in respect of a lost, destroyed or defaced coupon in the same way as they apply to and in respect of a lost, destroyed or defaced debenture or bond.

Protection  
of  
investors.

20G. (1) A person advancing money to the board shall not be bound to inquire into the application of the money advanced or be in any way responsible for its non-application or misapplication.

(2) A notification in the Gazette of the approval of the Governor having been given to a borrowing by the board shall, in favour of a lender and of any holder of a security given by the board, be conclusive evidence that all conditions precedent to the borrowing have been complied with.

Debentures,  
bonds, etc.,  
to rank  
pari passu.

20H. All debentures, bonds, stock or other securities which are secured upon the income and revenue of the board shall rank pari passu without any preference one above another by reason of priority of date or otherwise.

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*Wild Dog Destruction (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, WITH  
RESPECT TO FINANCE—*continued.*

(5) Section 31 (1)—

After “matters”, insert “that by this Act are required or permitted to be prescribed or that are”.

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SCHEDULE 2.

Sec. 3.

AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, BY  
WAY OF STATUTE LAW REVISION.

(1) Part I, heading—

Before section 1, insert :—

PART I.

PRELIMINARY.

(2) Section 1—

Omit “1921,”, insert instead “1921”.

(3) Section 1A—

After section 1, insert :—

1A. This Act is divided as follows :—

PART I.—PRELIMINARY—*ss.* 1–3.

Arrange-  
ment.

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*Wild Dog Destruction (Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, BY  
WAY OF STATUTE LAW REVISION—*continued.*

PART II.—WILD DOG DESTRUCTION BOARD—*ss.*  
3A–3G.

PART III.—DESTRUCTION OF WILD DOGS—*ss.* 4–11.

PART IV.—FINANCE—*ss.* 12–20H.

DIVISION 1.—*Rates*—*ss.* 12–17.

DIVISION 2.—*Subsidy*—*s.* 18.

DIVISION 3.—*Wild Dog Destruction Fund*—*ss.*  
19, 20.

DIVISION 4.—*Borrowing*—*ss.* 20A–20H.

PART V.—MISCELLANEOUS—*ss.* 21–31.

(4) Part II, heading—

After section 3, insert :—

PART II.

WILD DOG DESTRUCTION BOARD.

(5) Part III, heading—

After section 3G, insert :—

PART III.

DESTRUCTION OF WILD DOGS.

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*Wild Dog Destruction (Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, BY  
WAY OF STATUTE LAW REVISION—*continued.*

(6) Section 7 (a)—

Omit “mentioned in the last preceding section”, insert  
instead “referred to in section 6”.

(7) Section 8 (1)—

Omit “fund established by this Act”, insert instead “Wild  
Dog Destruction Fund”.

(8) Part IV, headings—

After section 11, insert :—

PART IV.

FINANCE.

DIVISION 1.—*Rates.*

(9) Part IV, Division 2, heading—

After section 17, insert :—

DIVISION 2.—*Subsidy.*

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*Wild Dog Destruction (Amendment).*

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SCHEDULE 2—*continued.*AMENDMENTS TO THE WILD DOG DESTRUCTION ACT, 1921, BY  
WAY OF STATUTE LAW REVISION—*continued.*

## (10) Part IV, Division 3, heading—

After section 18, insert :—

DIVISION 3.—*Wild Dog Destruction Fund.*

## (11) Section 20—

Omit “Such fund”, insert instead “The Wild Dog Destruction Fund”.

## (12) Part V, heading—

Before section 21, insert :—

PART V.

MISCELLANEOUS.  

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