

PASTURES PROTECTION (AMENDMENT) ACT 1986
No. 147

NEW SOUTH WALES



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PASTURES PROTECTION (AMENDMENT) ACT 1986
No. 147

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Act No. 147, 1986

An Act to amend the Pastures Protection Act 1934 to abolish wild dog control boards, to provide for the establishment of Wild Dog Funds by pastures protection boards in the Central and Eastern Divisions and to make further provisions relating to the payment of wild dog scalp bonuses in the Western Division. [Assented to, 17 December 1986]

Pastures Protection (Amendment) 1986

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 "Pastures Protection (Amendment) Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on 1 January 1987.

Amendment of Act No. 35, 1934

3. The Pastures Protection Act 1934 is amended in the manner set forth in Schedule 1.

Savings and transitional provisions

4. Schedule 2 has effect.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE PASTURES PROTECTION ACT 1934

(1) Long title—

Omit ". and wild dog control boards".

(2) Section 4 (**Interpretation**)—

Omit the definition of "Scalp", insert instead:

"Scalp" means—

(a) a portion of the skin of a wild dog from the point of the nose to the tip of the tail including both ears; or

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continued

- (b) such other portion of the skin as may, from time to time, be determined by the Wild Dog Destruction Board for the purposes of the definition of “Scalp” in section 3 of the Wild Dog Destruction Act 1921.

(3) Section 19AA—

After section 19, insert:

Wild Dog Fund

19AA. (1) A board for a district in the Central or Eastern Division shall, if the Minister so directs, open a Wild Dog Fund in the board’s name.

(2) The board may transfer from its Pastures Protection Fund to the Wild Dog Fund such amounts as the board resolves from time to time.

(3) The Wild Dog Fund shall consist of—

- (a) any amounts transferred under subsection (2); and
(b) all money received by the board (whether out of money provided by Parliament or otherwise) for the suppression and destruction of wild dogs in its district.

(4) The Wild Dog Fund may be applied by the board for the following purposes only:

- (a) the suppression and destruction of wild dogs in its district; and
(b) campaigns for the suppression and destruction of wild dogs under arrangements made under section 84A.

(5) The Wild Dog Fund shall, if the Minister so directs, be closed by the board, and any balance remaining shall be transferred to its Pastures Protection Fund.

(4) Section 40D (Exemptions)—

Omit “, 104” wherever occurring.

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SCHEDULE 1—*continued*

AMENDMENTS TO THE PASTURES PROTECTION ACT 1934—
continued

(5) Section 84A—

After section 84, insert:

Suppression and destruction campaigns

84A. (1) A board may make arrangements for the conduct of campaigns for the suppression and destruction of noxious animals.

(2) An arrangement may be made with other boards, occupiers or owners of land or other persons.

(3) This section does not limit the powers, authorities, duties or functions of the board.

(6) Section 88—

Omit the section, insert instead:

Bonus for wild dog scalps in Western Division

88. (1) A board for a district in the Western Division shall pay a bonus at the rate determined under section 21 of the Wild Dog Destruction Act 1921 for the scalp of a wild dog destroyed within its district.

(2) The Wild Dog Destruction Board may reimburse a board for payment of such a bonus.

(7) Section 89—

Omit the section, insert instead:

Payment of bonus and destruction of wild dog scalps

89. (1) When the scalps of any wild dogs destroyed within a district in the Western Division are delivered to—

(a) the secretary of the board for the district; or

(b) a person authorised by the board to receive the scalps,

a certificate in the prescribed form shall be granted by the secretary or the authorised person to the person delivering the scalps.

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SCHEDULE 1—*continued*

AMENDMENTS TO THE PASTURES PROTECTION ACT 1934—
continued

(2) The amount specified in the certificate is payable to that person on its presentation to the treasurer of, or to a person authorised by, the board.

(3) As soon as practicable after the certificate has been granted, the scalps shall be destroyed by fire by the secretary or an authorised person, in the presence of a witness.

(4) The secretary or an authorised person shall certify in the prescribed form that the scalps were properly destroyed by fire.

(8) Section 90 (**False claims for bonus**)—

Section 90—

Omit “noxious animal” wherever occurring, insert instead “wild dog”.

(9) Part VI, Division 3 (sections 96-107) (**Wild dog control districts**)—

Omit the Division.

(10) Section 169 (**Notices, etc., in Gazette to be received as evidence**)—

(a) Section 169 (2)—

Omit “of a wild dog control board or”.

(b) Section 169 (2) (a)-(c)—

Omit the paragraphs.

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SCHEDULE 2

(Sec. 4)

SAVINGS AND TRANSITIONAL PROVISIONS

Notices to occupiers under s.100

1. (1) Any notice served during 1986 on an occupier of land under section 100 of the Pastures Protection Act 1934 by a wild dog control board shall be deemed—

- (a) to be an order made by a pastures protection board under section 82 of that Act for the district in which the land is situated; and
- (b) to have been duly served on the occupier by the pastures protection board at the time the notice was served.

(2) The maximum penalty for an offence under section 82 of the Pastures Protection Act 1934 in connection with such a notice is \$500.

(3) Nothing in this clause affects any liability for an offence under section 100 of the Pastures Protection Act 1934 committed before 1 January 1987.

(4) A person is not liable to be punished under both sections in connection with the one notice.

Collection or recovery of special rates levied before 1 January 1987

2. Nothing in this Act affects the collection or recovery of a special rate levied by a pastures protection board under section 104 of the Pastures Protection Act 1934 before 1 January 1987.

Trust accounts

3. All money held in trust accounts opened by wild dog control boards under section 106 of the Pastures Protection Act 1934 shall be transferred, as soon as practicable after 1 January 1987, to pastures protection boards' Wild Dog Funds in such manner and (where relevant) in such proportions as may be determined by the Minister administering section 106 of that Act.
