

CATTLE TESTING.

No. 11 of 1924.^(a)

An Ordinance relating to the Registration and Testing of Cattle.

BE it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909*, and the *Seat of Government (Administration) Act 1910* as follows:—

1. This Ordinance may be cited as the *Cattle Testing Ordinance 1924*. Short title.
2. This Ordinance shall commence on a date to be fixed by the Minister by notice in the *Gazette*. Commencement.
3. In this Ordinance unless the contrary intention appears— Definitions.
 - “Brand” means a letter, numeral, sign, mark, or character made or impressed, or to be made or impressed, in the prescribed manner, on any cattle;
 - “Commercial purposes” means the production of milk, butter, cheese, or any other article of food for sale;
 - “Dairy herd” means one cow or more and includes their progeny (if any) and any bull used in connexion with a dairy herd;
 - “Destroy” means to consume entirely by fire or to bury at a depth of not less than three feet underground;
 - “Household use” means the production of milk, butter, cheese, or any other article of food for private use;

(a) Made on 26th November, 1924; notified in *Gazette* of 27th November, 1924; affected by No 12 of 1924. *infra* p. 114.

“Inspector” means the Inspector of Stock under the *Stock Ordinance* 1920-1924 ;

“Market value” means the value of the animal calculated upon sale prices at the nearest sale yard on the date of destruction ;

“Owner” includes any person for the time being in authorized possession or charge of any cattle in relation to which the expression is used ;

“Tuberculin” means tuberculin issued by the Commonwealth Serum Laboratories.

Registration.

4.—(1.) Within one month after the commencement of this Ordinance and thereafter within fourteen days from the date of the establishment of any dairy herd, the owner of a dairy herd, used for commercial purposes, or kept for household use or for producing milk for the food of swine, shall register the herd.

(2.) If any addition is made to a registered dairy herd, either by natural increase or otherwise, the owner shall, within fourteen days, register the cattle added.

(3.) Registration shall be effected by completing the prescribed form and delivering it, either personally or by registered post, to the Inspector.

Allotment of brand.

5. On completion of registration the Inspector shall allot a brand which the owner shall, within one month from the date of allotment of brand, cause to be placed on each registered animal, or on each animal included in a registered herd.

Branding of cattle added to dairy herd.

6. In the case of cattle registered under sub-section (2.) of section four of this Ordinance, the owner shall cause the allotted brand to be placed on the animals within one month after the date of their registration.

Description of brand.

7. Every brand shall be of a prescribed size and shall be placed upon the right side of the neck of each animal in the prescribed manner.

Register of brands.

8. The Inspector shall keep a register in which shall be recorded complete descriptions of all dairy herds in the Territory and descriptions of all identification brands.

Testing of stock.

9.—(1.) Whenever the Inspector so requires, the owner of any dairy herd in the Territory shall cause all or any of his cattle to be tested with tuberculin by, or under the supervision of, the Inspector.

(2.) Whenever any cow or bull is introduced into a dairy herd which has been tested with tuberculin the owner of the cow or bull shall—

- (a) notify the Inspector within fourteen days ;
- (b) furnish a description of the animal on the prescribed form ; and
- (c) cause the animal to be tested with tuberculin by, or under the supervision of, the Inspector.

10.—(1.) Before any animal is tested with tuberculin a valuation of the animal shall be made by the owner and the Inspector.

Reacting animals.

(2.) Where no mutual valuation is arrived at, the matter shall be submitted to the Minister, whose decision shall be final.

(3.) The owner of any animal which reacts specifically to the tuberculin test shall isolate the animal or cause it to be destroyed as required by the Inspector.

(4.) The Minister shall pay to the owner of any animal so destroyed a sum equivalent to fifty per centum of the value of the animal as assessed in accordance with this section :

Provided that when the carcass of the animal destroyed is sold, the sum payable by the Minister shall be fifty per centum of the assessed value of the animal less the sum received from the sale.

11. When *post mortem* examination of an animal destroyed under the provisions of sub-section (3.) of the last preceding section shows to the satisfaction of the Inspector that the animal was not affected with tuberculosis, the Minister shall pay to the owner the market value of the animal.

Animal destroyed not affected with tuberculosis.

12. The owner of any registered tested dairy herd shall take adequate steps to prevent contact between registered tested animals and travelling or grazing stock.

Isolation of registered animals.

13. Any person who contravenes any provision of this Ordinance or of the Regulations made thereunder shall be liable to a penalty not exceeding Fifty pounds.

Penalty.

14.—(1.) The^(a) Minister may make regulations, not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Ordinance.

Regulations.

(2.) All regulations made by the Minister under this Ordinance shall—

- (a) be notified in the *Gazette*;
- (b) take effect from the date of the notification or from a later date specified in the Regulations; and
- (c) be laid before both Houses of the Parliament within thirty days of the making thereof, or, if the Parliament is not then sitting, within thirty days after the next meeting of the Parliament.

(3.) If either House of the Parliament passes a resolution, of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such Houses, disallowing any regulation, the regulation shall thereupon cease to have effect.

(a) This section has since been repealed by No. 12 of 1924, *infra* p. 114.