

New Zealand.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Definition of rabbit-proof fence amended.</p> | <p>3. Governor, on petition, to declare Fencing Act to apply to rabbit-proof fence.</p> <p>4. Limitation of operation of preceding section.</p> |
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1891, No. 43.

AN ACT to amend "The Rabbit Nuisance Act, 1890."

Title.

[25th September, 1891.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Rabbit Nuisance Act 1890 Amendment Act, 1891." Short Title.

2. Section two of "The Rabbit Nuisance Act, 1890" (herein referred to as "the said Act"), is hereby amended as follows:— Definition of rabbit-proof fence amended.

In the definition of "rabbit-proof fence," paragraph (c) in subsection one, and paragraph (d) in subsection two, shall be omitted, and the following substituted in lieu thereof respectively:—

(c.) A post-and-rail fence of substantial material, firmly erected, not less than three feet in height, or a substantial wire fence not less than three feet in height, having five wires tightly stretched, or three wires and top rail, in either case, with posts or standards of iron or durable wood not more than nine feet apart, and having galvanised-wire netting not less than three feet six inches wide, number sixteen gauge, and not larger than one-and-a-half-inch mesh, firmly affixed thereto, and pegged to the ground or sunken therein not less than six inches: Provided that, on the recommendation of the local Stock Inspector, the Governor may approve of galvanised-wire netting three feet wide being substituted.

(d.) Any post-and-rail or paling or wire fence or portion of a fence of the descriptions numbers one, two, three, or four, mentioned in Schedule A to "The Fencing Act, 1881," to which is firmly affixed galvanised-wire netting not less than three feet six inches wide and number sixteen gauge, and not larger than one-and-a-half-inch mesh, pegged to the ground or sunken therein not less than six inches; or, if a paling fence, where the palings or upright timber are sunken not less than six inches into the ground, and

the distance between the palings or upright pieces of timber thereon is reduced to not more than one inch: Provided that, on the recommendation of the Stock Inspector outside of a rabbit district, the Governor may authorise the use of galvanised-wire netting of a less width than three feet six inches wide as aforesaid.

Governor, on petition, to declare Fencing Act to apply to rabbit-proof fence.

3. Section seven of the said Act is hereby repealed, and in lieu thereof it is enacted as follows:—

Section four of the said Act shall not take effect in any part of the colony except by Order in Council, which the Governor may from time to time issue, on petition in that behalf, as follows:—

- (1.) Within a district constituted under Part II. of "The Rabbit Nuisance Act 1882 Amendment Act, 1886," on the petition of a majority of the stockowners in such district, who are qualified to be placed on the stockowners' list mentioned in section ten of the last-mentioned Act; or
- (2.) Within a district constituted under Part III. of the Act last aforesaid, on the petition of a majority of the ratepayers whose names are on the roll of ratepayers for the district formed under section thirty-five of the Act last aforesaid; or
- (3.) Within any part of the colony not included within any district constituted as herein aforesaid, on the petition of a majority of the owners of sheep or of the ratepayers respectively in such part of the colony: Provided that, on the recommendation of the local Stock Inspector, the Governor may bring section four of the said Act into effect.

And the Governor, on a like petition or recommendation, may at any time or from time to time alter, vary, or revoke any such Order in Council either in whole or in part.

Limitation of operation of preceding section.

4. Wherever the aforesaid section four shall take effect on petition or recommendation it shall be operative in respect of all the stockowners or ratepayers respectively within a rabbit district, or all the sheepowners or ratepayers respectively outside a rabbit district, from a majority of whom respectively the petition or recommendation praying that the said section should take effect was presented to the Governor.

But it shall not in any way affect any other persons.