



## ANALYSIS

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1955, No. 52

AN ACT to amend the Stock Act 1908.

Title.

[21 October 1955]

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

1. This Act may be cited as the Stock Amendment Act 1955, and shall be read together with and deemed part of the Stock Act 1908 (hereinafter referred to as the principal Act).

Short Title.

See Reprint of Statutes, Vol. I, p. 311

2. (1) Section two of the principal Act is hereby amended by omitting the definition of the term "stock", and substituting the following definition:

Interpretation.

"Stock" means—

"(a) All horses, cattle, sheep, goats, deer, dogs, swine, and other mammals of any age or sex:

"(b) All birds of any age or sex except domestic fowls, ducks, geese, and turkeys:

“(c) All other animals to which the provisions of this Act or any of them are declared to apply by any Order in Council which is for the time being in force:

“(d) The carcass or any portion of the carcass of any stock:”.

1952, No. 71

(2) Section nineteen A of the principal Act, as set out in section six of the Stock Amendment Act 1952, is hereby amended by omitting from paragraph (a) of subsection one the word “stock”, and substituting the words “cattle, sheep, horses, goats, dogs, and swine”.

Declaration of  
infected area  
for foot and  
mouth disease.  
1954, No. 41

3. (1) The principal Act is hereby amended by inserting, after section twelve A, as set out in section two of the Stock Amendment Act 1954, the following section:

“12B. (1) In this section the term ‘disease’ means foot and mouth disease; and the meanings of the term ‘diseased’ and ‘infected’ shall be modified accordingly.

“(2) Any Inspector who receives information that any stock kept or depastured on any land are suspected of being diseased or infected, or who has reasonable grounds to suspect that diseased or infected stock are kept or depastured on any land, shall forthwith proceed to that land and conduct such investigation, inquiry, inspection, or examination as he thinks fit to determine whether diseased or infected stock are kept or depastured on that land.

“(3) If after due investigation, inquiry, inspection, or examination an Inspector finds that diseased or infected stock are kept or depastured on any land inspected or examined by himself or any other Inspector, he may, by a notice published in a newspaper circulating in the district where the disease is found or by a public announcement made from an appropriate broadcasting station or by any other effective means, declare that land, and any other land within a radius of not more than fifteen miles of that land, to be an infected place or area.

“(4) Every such declaration shall, as regards any particular parcel of the land to which it relates, take effect on the publication of the declaration in a newspaper or on the making of a public announcement as aforesaid; and shall, while the declaration remains in force, continue to bind the land and all occupiers thereof notwithstanding any change in the occupancy or ownership thereof after notice as aforesaid has been given.

“(5) The Inspector who makes any declaration under subsection three of this section shall forthwith notify the Chief Inspector of that declaration, and the Chief Inspector shall cause notice of every such declaration to be published in the *Gazette*.

“(6) Until a declaration of an infected place or area under this section is released, the place or area shall be deemed to be an infected place or area from which no person shall remove any stock, fodder, fittings, or things without the written permission of an Inspector or otherwise than in accordance with such conditions as he thinks fit to impose.”

(2) Section twelve of the principal Act, as set out in section four of the Stock Amendment Act 1952 is hereby amended by omitting from subsection one the words “foot and mouth disease”.

1952, No. 71

4. Section nineteen A of the principal Act, as set out in section six of the Stock Amendment Act 1952, is hereby amended by adding the following subsection:

Power of Inspector to enter on land and destroy prohibited animals.

“(15) An Inspector may, at any reasonable time, enter upon any land or premises for the purpose of ascertaining whether any animal to which subsection five of this section applies is present, and if he finds any such animal to be present he may destroy it immediately.”

5. (1) The principal Act is hereby amended by repealing section forty-seven, and substituting the following section:

Owner to dip sheep.

REP. 19

1952, No. 71

“47. (1) Every owner of sheep shall during the period between the first day of October in every year and the thirtieth day of April following dip or cause to be dipped all sheep which he owns and which have not been otherwise dipped during that period:

“Provided that, on the application of the owner, any Inspector, if satisfied that owing to want of water or other sufficient cause the dipping cannot be done within that period, may (by writing under his hand) grant an extension of time for a period not exceeding thirty-one days.

“(2) Every such owner who fails to dip any sheep as aforesaid commits an offence and shall be liable on summary conviction to a fine not exceeding two shillings for every sheep which is not so dipped.”

(2) Section three of the Stock Amendment Act 1913 is hereby consequentially repealed.

See Reprint of Statutes, Vol. I, p. 340

Onus of proof of knowledge that sheep are affected with lice.

6. Section fifty of the principal Act is hereby amended by inserting, after subsection one, the following subsection:

“(1A) Where the owner of a sheep is charged with an offence against subsection one of this section, and it is proved that the sheep has been found in any pound or in any yard or yards or on any land or other place at which sheep are offered for sale and that the sheep is affected with lice, the owner of the sheep shall be presumed to have known of the existence of the lice unless he shows to the satisfaction of the Court that he had no knowledge thereof and could not with reasonable diligence have obtained that knowledge.”

Amending provisions as to unauthorized removal of stock.

7. (1) Section fifty-nine of the principal Act is hereby amended by inserting, before the words “Every person”, the words “Subject to the provisions of the Impounding Act 1955”.

(2) This section shall come into force on the first day of January, nineteen hundred and fifty-six.

Branded Angora or Saanen or Toggenburg goats protected.

8. (1) The principal Act is hereby amended by repealing section sixty, and substituting the following section:

“60. Except as provided in the Impounding Act 1955, nothing in any other Act, or in any by-law made by a local authority under any other Act, authorizing the destruction of goats trespassing or wandering at large shall apply with respect to branded Angora or Saanen or Toggenburg goats.”

(2) This section shall come into force on the first day of January, nineteen hundred and fifty-six.

Infectious and contagious diseases affecting stock.

9. (1) The principal Act is hereby amended by repealing the Second Schedule, and substituting the Second Schedule set out in the Schedule to this Act.

(2) The following Orders in Council are hereby consequentially revoked:

(a) The Stock Diseases Order 1937:

(b) The Stock Diseases Order 1951:

(c) The Stock Diseases Order 1952.

10. (1) Section two of the Stock Amendment Act 1930 is hereby amended by adding to subsection two the following paragraph:

“(g) To any person driving, leading, or conveying to any pound or temporary pound stock that has been seized for impounding.”

(2) This section shall come into force on the first day of January, nineteen hundred and fifty-six.

S.R. 1937/195

S.R. 1951/42

S.R. 1952/140

Stock may be moved at night for purposes of impounding.

See Reprint of Statutes, Vol. I, p. 343

Reg. 13

Stat. 1.

## SCHEDULE

Schedule.

SCHEDULE TO BE SUBSTITUTED FOR THE SECOND SCHEDULE  
TO THE PRINCIPAL ACT

Section 9 (1)

## "SECOND SCHEDULE

## "INFECTIOUS AND CONTAGIOUS DISEASES AFFECTING STOCK

"Actinobacillosis, actinomycosis, anaplasmosis, anthrax, avian encephalomyelitis, atrophic rhinitis, Aujeszky's disease, blackleg, blue tongue of sheep, borna disease, contagious bovine pleuropneumonia, dourine, ephemeral fever, epizootic lymphangitis, equine encephalomyelitis, equine infectious anaemia, feline pneumonitis, filariasis of dogs, foot and mouth disease, fowl cholera, fowl pest, fowl pox, fowl tick fever, glanders, haemorrhagic septicaemia, infectious bronchitis (poultry), infestation of stock by ticks of the family Ixodidae, Johne's disease, laryngotracheitis, louping ill, mange, malignant catarrhal fever, Malta fever, melioidosis, nagana, piroplasmosis, psittacosis, rabies, rickettsiae, rinderpest, scab, scrapie, stickfast flea, surra, swine fever, Teschen disease, trichinosis, tuberculosis, tularemia, variola, vesicular exanthema of swine, vesicular stomatitis, warbles, and also any tumour or growth which in the opinion of an Inspector is of a malignant or recurrent nature, and such as to render unfit for human consumption the flesh or milk of the animal suffering therefrom."

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