

## New Zealand.



### ANALYSIS.

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### 1898, No. 31.

Title. AN ACT to provide for Compensation in respect of Stock destroyed in the Interest of the Public Health, and also to otherwise amend "The Stock Act, 1893." [5th November, 1898.]

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

Short Title. 1. The Short Title of this Act is "The Stock Act Amendment Act, 1898," and it shall be read together with and be deemed to form part of "The Stock Act, 1893."

#### COMPENSATION.

When owner of slaughtered stock entitled to compensation.

2. Whenever in exercise of the powers in that behalf conferred upon him by "The Stock Act, 1893," an Inspector condemns any stock as being diseased and causes the same to be slaughtered, and the carcase thereof to be destroyed or otherwise disposed of, the owner of the stock shall be entitled to compensation in the cases, to the extent, and subject to the conditions hereinafter provided.

How compensation to be assessed.

3. The compensation shall be based on the fair market-value of the animal as fixed immediately prior to the inspection that resulted in its being condemned, such compensation to be ascertained in case of dispute by arbitration of two arbitrators, one to be appointed by the Inspector and one by the owner, with power to the two arbitrators to appoint an umpire, and the decision of such arbitrators or umpire shall be final.

4. Such market-value shall in no case exceed—
- (1.) For horses, twenty pounds per head :
  - (2.) For cattle, eight pounds per head :
  - (3.) For swine, two pounds per head :
  - (4.) For sheep, one pound per head.
5. In any case where, after examining the carcase of the slaughtered animal, the Inspector is satisfied that it was not diseased when he condemned it, the amount of the compensation shall be a sum equal to the full market-value as aforesaid.
6. In any other case the amount of the compensation shall be a sum equal to one-half such market-value.
7. In every case the carcase shall be destroyed or otherwise disposed of as the Inspector directs, and the net sum received in respect thereof shall be the property of Her Majesty, and shall either be paid into the Public Account as part of the Consolidated Fund or, with the consent in writing of the Inspector, be paid to the owner of the animal and deducted from the amount of the compensation.
8. No compensation shall be payable in respect of any description of stock other than horses, cattle, sheep, or swine; and in respect of them no compensation shall be payable in any of the following cases, that is to say:—
- (1.) In the case of imported stock of any description or any age, if condemned within six months after importation; nor
  - (2.) In the case of horses, if less than one year or more than twelve years old when condemned; nor
  - (3.) In the case of cattle, if less than one year or more than eight years old when condemned; nor
  - (4.) In the case of sheep or swine, if less than three months or more than four years old when condemned:
- Provided that in every such case the net sum received in respect of the carcase shall be the property of the owner of the animal, and shall be payable to him accordingly, anything hereinbefore contained to the contrary notwithstanding.
9. All moneys payable in respect of compensation under this Act shall be payable out of the Consolidated Fund without further appropriation than this Act.
10. Within twenty-one days after the close of each year ending the thirty-first day of March, if Parliament is sitting, or, if not, then within twenty-one days after the beginning of the first ensuing session, the Minister for Agriculture shall lay before both Houses of the General Assembly a return setting forth in respect of such year,—
- (1.) The total number of each description of stock condemned and slaughtered :
  - (2.) The total amount paid in respect of compensation, showing separately the total amounts based on the full market-value and on the half market-value :
  - (3.) The total sum received in respect of the disposal of the carcasses, showing separately the total amount deducted from the compensation and the total amount paid into the Public Account.
11. Section 5 of “The Stock Act Amendment Act, 1895,” is hereby repealed.

Amount of compensation.

Full market-value payable if animal not diseased.

In other cases half value.

Destruction of carcasses, and application of proceeds therefrom.

Cases in which compensation not payable.

Moneys payable out of Consolidated Fund.

Return of stock slaughtered and compensation paid.

Repeal.

## SPECIAL INSPECTION OF SLAUGHTERHOUSE.

Appointment and powers of Special Inspector of slaughterhouse.

12. On the application of the licensee of any slaughterhouse the Governor may from time to time appoint a fit person to be a Special Inspector of such slaughterhouse; provided that two or more licensees may, by application to the Governor, be associated for the purposes of this section; and for the purposes of this section the following provisions shall apply:—

- (1.) The Special Inspector shall have in respect of such slaughterhouse, the licensee thereof, and the stock therein, all the powers and functions of an Inspector under "The Stock Act, 1893," and also such additional powers and functions as the Governor from time to time confers upon him.
- (2.) The Special Inspector shall be under the control of the Minister for Agriculture, and shall be entitled to receive such salary as is agreed on between that Minister and the licensee; but the salary shall be payable by the licensee, and in no case shall there be any right or claim against Her Majesty in respect thereof.

## SHEEP-DIPPING IN THE NORTH ISLAND.

Period for sheep-dipping altered for North Island.

13. Within the North Island of New Zealand (but not elsewhere) the period prescribed by section six of "The Stock Act Amendment Act, 1895," for the dipping of sheep is hereby altered and declared to be the period between the first day of January and the thirty-first day of March, in lieu of the period between the first day of February and the thirtieth day of April, and the provisions of that section shall apply to the altered period in like manner, *mutatis mutandis*, as in the case of the original period.

## BRANDING.

Definition of "brand" extended.

14. The definition of "brand" in section fifty-six of "The Stock Act, 1893," and in section seven of "The Stock Act Amendment Act, 1895," is hereby extended to include such other descriptions of brands as the Governor by Order in Council gazetted from time to time may prescribe.