

Hon. Mr. Bell.

STALLIONS.

ANALYSIS.

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A BILL INTITULED

AN ACT to provide for the Licensing of Stallions.

Title.

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 Stallions Act, 1913, and shall commence on the first day of August, nineteen hundred and *fourteen*.

Short Title and commencement.

2. In this Act, if not inconsistent with the context,—

Interpretation.

10 " Director " means the Director of the Live-stock and Meat Division of the Department of Agriculture :

" Disease " means any disease mentioned in the Schedule hereto :

" Examiners " means Examiners appointed under this Act :

15 " Stallion " means a male horse over the age of twenty-four months which is not wholly castrated :

" Stud purposes " means the service of mares for fee or reward, but does not include the service of a mare if both the stallion and the mare are the property of the same person.

20 3. (1.) Every owner of a stallion who uses the same for stud purposes, or allows it to be so used, unless he has in his possession a subsisting license under this Act in respect of that stallion, is liable

Stallions to be licensed.

to a fine of *twenty* pounds on a first conviction, and to a fine of *one hundred* pounds on a second or subsequent conviction.

(2.) Where in any proceedings in respect of a breach of this section it is proved that the defendant used, or allowed to be used, any stallion for stud purposes, the onus of proving that he had in his possession at the time of the commission of the alleged breach a subsisting license under this Act in respect of that stallion shall lie on him. 5

Application of Act.

4. Nothing herein shall render it obligatory on the owner to obtain a license under this Act in respect of— 10

(a.) Any thoroughbred stallion registered in the New Zealand Stud-book and intended for stud purposes; or

(b.) Any stallion in New Zealand or temporarily out of New Zealand on the commencement of this Act and intended for stud purposes. 15

Application for license.

5. (1.) Application for a license under this Act in respect of any stallion intended to be used for stud purposes shall be made by the owner of the stallion in the prescribed form to the Director, and shall be accompanied by a fee of *one* pound. Every such application shall be forwarded to the Director not later than the first day of July in the year in which it is made. 20

Examination of stallions.

(2.) As soon as practicable after the receipt of any such application the Director shall arrange for two Examiners to examine the stallion, and shall cause the owner to be notified that the Examiners will attend at a specified time and place for the purpose of examining stallions; and the owner shall send his stallion to that place at the specified time for examination. 25

Examiners to furnish report to Director.

6. (1.) The Examiners shall forthwith report to the Director the result of every examination made by them.

(2.) Such report shall be in the prescribed form, and shall state, with respect to each stallion examined, whether in the opinion of the Examiners it is free from disease. 30

Director to issue licenses.

(3.) The Director shall consider every such report, and, if satisfied that any stallion mentioned therein is free from disease, shall issue a license under his hand authorizing the owner of the stallion to use it for stud purposes. 35

Licenses in respect of imported stallions.

7. Notwithstanding anything in the foregoing provisions of this Act, the Director shall, on the application of the owner made within one month after importation, issue a license, without examination, in respect of any stallion imported into New Zealand after the commencement of this Act, if the application is accompanied by a certificate signed by a veterinary surgeon residing or practising in the country from which the stallion was exported and approved by the Director that the stallion at the time of exportation was free from disease; or, where the application is not accompanied by such a certificate, the Director may issue a license after examination and report by the Examiners and on payment of the prescribed fee. 40 45

Operation of license.

8. (1.) Every license under this Act shall be in the prescribed form, and shall remain in force,— 50

(a.) In the case of a stallion under six years of age, until the thirty-first day of July then next;

(b.) In the case of a stallion six years of age and under eight years, until the thirty-first day of July in the second year after the date of the license; and

5 (c.) In the case of a stallion eight years of age and upwards, for the remainder of the life of the stallion, unless in the meantime the license is cancelled pursuant to the provisions of the *next succeeding* section.

(2.) On the sale or other disposition of a stallion in respect of which a license is in force under this Act, the license may be transferred to the purchaser or other owner, who shall forthwith give notice of such transfer to the Director. Transfer of licenses.

9. On receipt of notice that the said Minister has directed that any stallion mentioned in paragraph (c) of the *last preceding* section be again presented for examination, the owner of the stallion shall present it for examination at the time and place appointed in the notice, and thereupon, if the stallion is found to be affected with disease, the license issued in respect of the stallion shall be cancelled. Re-examination of stallions.

10. If, as a result of the report of the Examiners, the Director refuses to issue a license under this Act in respect of any stallion, the owner shall be entitled on application to the Director to be supplied with a copy of the report of the Examiners free of cost. If license refused, owner to be entitled to copy of Examiner's report.

11. Where the Examiners disagree on any matter coming before them, such matter shall be determined by the Director, whose decision shall be final. Decision of Director to be final.

12. Where the owner of any stallion is dissatisfied with the report of the Examiners, he may appeal to the Director, who shall arrange for the stallion to be re-examined by the Examiners, and, if the owner so desires, by a Government or other veterinary surgeon nominated by the owner. The report of the re-examination shall be forwarded to the Director, and his decision thereon shall be final. Owner may require stallion to be re-examined if dissatisfied with Examiner's report.

13. (1.) For the purposes of this Act the age of every stallion shall be computed as from the first day of August nearest the date when the stallion was foaled. Computation of age of stallions.

35 (2.) Any question as to the age of any stallion shall be conclusively determined by the Examiners on examination.

14. (1.) For the purposes of this Act the Governor may from time to time, by warrant, appoint such Examiners as may be necessary. Appointment of Examiners.

40 (2.) No person shall be so appointed an Examiner and no person shall be appointed Director who is not either a member of the Royal College of Veterinary Surgeons or the holder of a diploma in veterinary science granted by some other authority approved by the Governor. Qualification of Examiners and Director.

45 15. Any Inspector appointed under the Stock Act, 1908, may at any reasonable time enter on any land or premises in order to ascertain if the provisions of this Act are being complied with, and may require the owner of any stallion licensed under this Act to produce such license. Powers of Stock Inspectors under this Act.

50 16. Every person is liable to a fine of *ten* pounds who— Penalty for offences.
(a.) Obstructs or hinders an Inspector in the exercise of his powers under this Act; or

(b.) On demand by an Inspector, fails to produce any license under this Act; or

(c.) Gives to the Director or to any Examiner or Inspector any information as to the identity or age of any stallion, or who makes any such statement in an application for a license under this Act, knowing the same to be false. 5

Fees payable to Consolidated Fund.

17. All fees and fines paid under this Act shall be paid into the Public Account and form part of the Consolidated Fund.

Expenses of administration to be appropriated.

18. All expenses of administering this Act shall be paid out of moneys from time to time appropriated for the purpose by Parliament. 10

Regulations.

19. The Governor may from time to time, by Order in Council gazetted, make regulations, not inconsistent with this Act, for effectually carrying out the provisions of this Act.

Schedule.

SCHEDULE.

BONE-SPAVIN.

Ringbone.

Sidebone.

Navicular arthritis.

Laryngeal muscular atrophy, causing roaring or whistling during the act of inspiration.

Stringhalt.

Shivering.

Any inferiority in the structure or quality of the hoof, which impairs or is likely to impair the animal's usefulness, and is, in the Examiners' opinion, transmissible to the progeny.

Defective genital organs.