

1955/207



THE IMPOUNDING REGULATIONS 1955

C. W. M. NORRIE, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 7th day of December 1955

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Impounding Act 1955, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Impounding Regulations 1955.

(2) These regulations shall come into force on the 1st day of January 1956.

2. In these regulations—

“The Act” means the Impounding Act 1955:

Expressions defined in the Act have the meanings so defined.

3. (1) The Pound Book required by section 13 (1) (a) of the Act to be kept by the local authority in respect of each pound in its district shall be in form 1 in the Schedule hereto.

(2) The Pound Book shall be so bound as to enable all entries to be made in duplicate and a copy of each entry to be detached and forwarded to the Clerk of the local authority as required by section 13 (2) of the Act.

4. The Impounding Register required by section 13 (3) of the Act to be kept at the office of the local authority shall be in form 2 in the Schedule hereto.

5. The notice of impounding required by section 46 (1) of the Act to be sent to the owner of stock impounded shall be in form 3 in the Schedule hereto.

6. The notice of impounding and of intention to sell impounded stock required by section 46 (2) of the Act to be advertised by the local authority shall be in form 4 in the Schedule hereto.

SCHEDULE

Form 1

POUND BOOK

[To be entered in duplicate]

Consecutive No.

Date: Time of Impounding:

Particulars of stock impounded:

.....

.....

Brands or marks:

.....

.....

Name and address of owner (if known):

.....

Name and address of person impounding stock:

.....

Place where stock seized:

Reason for impounding:

Amount of trespass rates claimed:

Amount of driving charges claimed:

.....

Pound Keeper.

[Original to be forwarded as soon as possible to office of local authority for entry in Impounding Register.]

[Perforated edge on one copy]

SCHEDULE—continued

Form 2

IMPOUNDING REGISTER

| | | |
|---------|---------|---|
| | | Date |
| | | Time of Impounding |
| | | Particulars of Stock Impounded |
| | | Brands or Marks |
| | | Name and Address of Owner (if Known) |
| | | Name and Address of Person Impounding Stock |
| | | Place Where Stock Seized |
| | | Reason for Impounding |
| | | Date Notice Sent to Owner |
| | | Date Notice Inserted in Newspaper |
| ¢ s. d. | ¢ s. d. | Trespass Rates Claimed |
| ¢ s. d. | ¢ s. d. | Driving Charges Claimed |
| ¢ s. d. | ¢ s. d. | Poundage and Sustenance Fees and Other Charges |
| ¢ s. d. | ¢ s. d. | Total |
| | | How Stock Disposed of |
| | | Date of Release or Sale |
| ¢ s. d. | | Amount Received from Owner (if Claimed) |
| ¢ s. d. | | Name and Address of Purchaser |
| ¢ s. d. | | Amount Paid by Purchaser |
| | | Receipt Number |
| ¢ s. d. | | Costs and Charges Incidental to Sale |
| ¢ s. d. | | Poundage, Sustenance, and Other Fees Due to Local Authority |
| ¢ s. d. | | Trespass Rates and Driving Charges Paid to Persons Entitled Thereto |
| ¢ s. d. | | Residue Paid to Owner |
| ¢ s. d. | | Amount Unclaimed |
| ¢ s. d. | | Total |
| | | Remarks |

SCHEDULE—*continued*

Form 3

NOTICE TO OWNER OF IMPOUNDING OF STOCK

*The Impounding Act 1955, Section 46 (1)*To [*Name and address of Owner*].

THE undermentioned stock, having been seized for impounding at [*State place where stock seized for impounding*] is impounded at [*State place where stock impounded*]:

Description of stock [*State number and kind of stock, where and how branded, and the particular sex, colour, and other distinguishing marks*].

Notice is hereby given that, unless before [*State time and date, being forty-eight hours after time of delivery or posting of this notice*] the stock is claimed and all charges paid, the stock will be advertised for sale and sold under the provisions of the above Act.

Dated this day of 19.....

By order of [*Name of local authority*]:By [*Personal signature*],Town (County) Clerk (*or Authorized Officer*).

Form 4

NOTICE OF IMPOUNDING AND OF PROPOSED SALE OF IMPOUNDED STOCK

The Impounding Act 1955, Section 46 (2)

THE undermentioned stock, having been seized for impounding at [*State place where stock seized for impounding*] is impounded at [*State place where stock impounded*]:

Description of stock: [*State number and kind of stock, where and how branded, and the particular sex, colour, and other distinguishing marks*].

Notice is hereby given that, unless claimed by the owner and all charges paid, the stock will be sold by public auction under the provisions of the Impounding Act 1955 at [*State place, date, and time of sale, being not less than seven days after the date of the first publication of this notice*].

Dated this day of 19.....

By order of [*Name of local authority*]:By [*Personal signature*],Town (County) Clerk (*or Authorized Officer*).

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[This note is not part of the regulations, but is intended to indicate their general effect.]

These regulations prescribe for the purposes of the Impounding Act 1955 the form of the Pound Book, the Impounding Register, the notice of impounding to be given to the owner of stock impounded, and the notice of proposed sale of impounded stock to be advertised.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 8 December 1955.

These regulations are administered in the Department of Internal Affairs.