



ANNO DECIMO

## ELIZABETHAE II REGINAE

A.D. 1961

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## No. 12 of 1961

An Act to provide for the establishment and maintenance of an Artificial Breeding Board and for purposes incidental thereto.

[Assented to 2nd November, 1961.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

- Short title.**        1. This Act may be cited as the "Artificial Breeding Act, 1961".
- Commence-  
ment.**            2. This Act shall come into operation on a day to be fixed by proclamation.
- Interpretation.**   3. In this Act unless the context otherwise requires—
- "board" means the Artificial Breeding Board established under this Act :
- "chairman" means chairman of the board :
- "deputy chairman" means deputy chairman of the board :
- "the director" means the director holding office under section 13 of this Act :
- "member" means member or acting member of the board :
- "Minister" means the Minister of Agriculture :
- "stock" means cattle, horses, sheep, swine, goats and all other animals which the Governor from time to time by proclamation declares to be stock for the purposes of this Act.

4. (1) There shall be established a body to be known as "The Artificial Breeding Board".

Establishment and incorporation of board.

(2) The board shall be a body corporate with perpetual succession and a common seal and may in its corporate name be a party to any legal proceedings.

(3) All courts, judges and persons acting judicially shall take judicial notice of the seal of the board affixed to any document and shall presume that it was duly affixed.

(4) The board shall have power to hold and dispose of lands, tenements, hereditaments, goods, chattels and other property of all kinds including stock for the purposes of and subject to this Act.

5. The board shall consist of a chairman and four other members appointed by the Governor. One of such members shall be a veterinary surgeon registered in pursuance of paragraph (a) of subsection (1) of section 17 of the Veterinary Surgeons Act, 1935-1957 and at least two of the remaining members shall be persons whose business is the raising of stock.

Constitution of the board.

6. The Governor may appoint a member to be deputy chairman of the board. If the chairman is for any reason unable to perform the duties of his office or if his office has become vacant, or if he is absent from any meeting, the deputy chairman shall act in his place.

Chairman, deputy acting member of board.

7. (1) Subject to this Act the chairman and members of the board shall hold office for four years but a retiring chairman or member shall be eligible for re-appointment: Provided that a chairman or member appointed to fill a casual vacancy shall hold office only for the balance of the term of the person in whose place he was appointed.

Term of office.

(2) If a member of the board is for any reason unable to perform the duties of his office or if his office has become vacant, the Governor may appoint a suitable person to be an acting member of the board during the period of such inability or until a permanent appointment is made to the vacant office. An acting member shall while so acting have all the powers and duties of a member.

8. (1) The seat of any member of the board shall become vacant if he—

Casual vacancies.

(a) dies ;

(b) resigns by written notice given to the Minister ;

- (c) absents himself without permission of the board from more than three consecutive meetings of the board ;
- (d) becomes a mentally defective person within the meaning of the Mental Health Act, 1935-1960 ;
- (e) is removed from his office by the Governor for misbehaviour, incapacity, neglect of duty, or conviction of any crime ;
- (f) ceases to hold any office or qualification which he is required to hold as a member of the board ; or
- (g) becomes bankrupt or executes an assignment of his property or a deed of arrangement for the benefit of his creditors or compounds with his creditors for less than twenty shillings in the pound.

(2) The chairman and every member of the board shall retire upon attaining the age of seventy years.

**Quorum.**

**9.** The chairman or acting chairman and any two other members of the board shall form a quorum for the transaction of the business of the board.

**Validity of acts of board.**

**10.** An act or proceeding of the board shall not be invalid on the ground only of any vacancy in the office of the chairman or any member, or of any defect in the appointment of the chairman or acting chairman, or any member or acting member.

**Remuneration of board.**

**11.** The chairman and the other members of the board shall receive such salary and such travelling and other allowances as are approved by the Governor.

**Meetings of board.**

**12. (1)** The first meeting of the board shall be convened by the chairman and thereafter meetings of the board shall be held at the times and places determined by the board.

(2) Subject to this Act, the business of the board shall be conducted in such manner as the board determines.

**Director.**

**13. (1)** There shall be a director of the board who shall be a veterinary surgeon registered in pursuance of paragraph (a) of subsection (1) of section 17 of the Veterinary Surgeons Act, 1935-1957 appointed by the Governor on the recommendation of the board and on such terms and conditions including remuneration as are approved by the Governor on the board's recommendation.

(2) The director shall be the principal executive officer of the board and subject to the directions of the board shall be responsible for the control and management of the operations of the board.

**14.** (1) The board may appoint such officers and servants Staff. as are required to carry out the work of the board on such terms and conditions as the board fixes.

(2) The board may, with the approval of the Minister administering any department of the Public Service, make use of the services of any officers employed in that department on any terms agreed upon.

**15.** (1) Any officer of the board may, at his option, subscribe to the South Australian Superannuation Fund as if he were an employee within the meaning of the Superannuation Act, 1926-1946, and as if his service as an officer of the board were service within the meaning of that Act. Superannuation of officers.

(2) The board shall within three months after the end of each financial year pay to the Treasurer of the State an amount equal to the total of all money paid by the Government into the South Australian Superannuation Fund during that financial year in respect of any pension or benefit payable under the Superannuation Act, 1926-1960, to any officer of the board or to any dependant of any such officer: Provided that where a person has contributed to the said Fund during a period of his employment in the Public Service of the State as well as during a period of his employment by the Board, the board shall pay to the Treasurer that part of the said total money paid by the Government, which is proportionate to the period of the officer's employment by the board.

**16.** The board shall pay the salaries, remuneration and expenses of the chairman and members and all costs of administering this Act, out of the revenue received by it under this Act. Financial provision.

**17.** The board shall not be a department of the Government of the State or an agent or servant of the Crown nor shall the chairman, members or employees of the board be subject to the Public Service Act, 1936-1959. Relation of board to Crown.

**18.** (1) The Treasurer may on terms and conditions to be agreed between him and the board advance to the board such sums during the five financial years commencing with the financial year ending on the thirtieth day of June one thousand nine hundred and sixty-two as are reasonably required to meet the initial expenditure of the board: Provided that the total sum of any amounts advanced under this subsection shall not exceed one hundred and fifty thousand pounds. Advances by Treasurer.

(2) This Act shall be sufficient authority for the Treasurer to make any such advances.

## Accounts.

**19.** The board shall keep in such manner and form as it thinks proper, accounts showing accurately and in detail, its assets, liabilities, receipts and expenditure.

## Audit.

**20.** The Auditor-General shall audit the accounts of the board annually. For the purpose of the conduct of any such audit the Audit Act, 1921-1959, shall apply as if the board were a Department of the Public Service.

## Annual report.

**21.** The board shall, as early as convenient after the end of each financial year, furnish the Minister with a report on the work of the board during that year, and the report shall as soon as practicable after receipt thereof be laid before both Houses of Parliament.

## Power of Governor to grant use of premises to board.

**22.** (1) The Governor may, subject to such terms and conditions as he thinks proper, grant the board the right to use and occupy for the purposes of the board any land and buildings of the Crown.

(2) Any Minister of the Crown or other public authority may, subject to such terms and conditions as he or it thinks proper, grant the board the right to use for the purposes of the board any plant or equipment under the control of such Minister or public authority.

## Non-application of Public Supply and Tender Act.

**23.** The Public Supply and Tender Act, 1914-1940 shall not apply to the purchase of stores, materials or other requisites required by the board.

## Duties and functions of the board.

**24.** (1) The duties and functions of the board shall be :—

- I. to establish, maintain and operate semen collection centres for the production and storage of semen for the artificial insemination of stock ;
- II. to supplement any supplies of semen produced at its own centres with supplies purchased from other sources ;
- III. to establish distribution centres in the State and to create field services to provide for the insemination of stock ;
- IV. to promote the use of artificial insemination in the breeding of stock in all areas where in its opinion it is economically feasible ;
- V. to carry out investigations in connection with artificial insemination and fertility.

(2) The board shall be entitled to laboratory assistance free of charge from the Institute of Medical and Veterinary Science.

(3) The board shall have access to the Herd Production records of the Department of Agriculture.

(4) The board may charge such fees for any work done or semen supplied as the board fixes.

**25.** (1) The board shall be responsible for the testing of animals prior to admission to the centre in accordance with the Stock Diseases Act, 1934-1959. Application of Stock Diseases Act.

(2) All operations of the board in connection with the collection, storage and distribution of semen and the insemination of stock shall conform to the provisions of the Stock Diseases Act, 1934-1959, and the regulations thereunder.

**26.** The Governor may, on the recommendation of the board, make any regulations necessary or convenient to be made for the due administration of this Act including, without limiting the generality of the foregoing, regulations for all or any of the following purposes :— Regulations.

- (a) the management and facilitation of the work and operations of the board ;
- (b) the protection of the property and premises of or occupied or used by the board and the plant and equipment therein against damage, defilement or loss ;
- (c) for prescribing penalties recoverable summarily and not exceeding twenty pounds for breach of any regulation.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. M. NAPIER, Governor's Deputy.