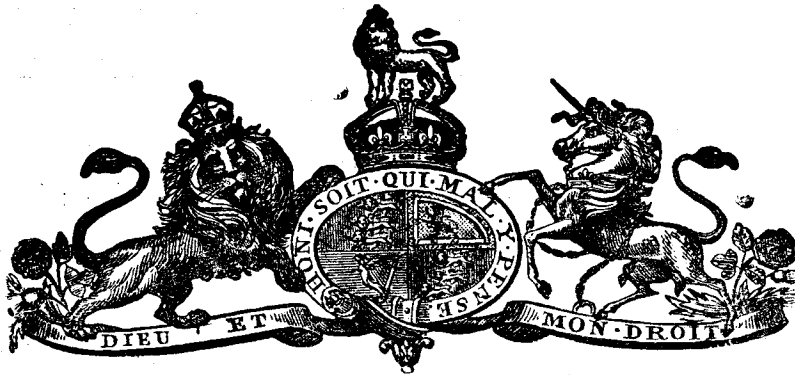


TASMANIA



1918.

ANNO NONO

GEORGII V. REGIS.

No. 16.

ANALYSIS.

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Governor may proclaim districts. 6. The collector to keep book with names and particulars of cattle-owners. 7. Penalty for not keeping book. | <ul style="list-style-type: none"> 8. Payment of cattle tax to "The Contagious Diseases (Cattle) Municipal Act Fund." 9. Return of cattle for purposes of cattle tax and penalty for refusal or false return. 10. Additional amount charged if cattle tax not paid in time. 11. Contribution to be paid to Chief Inspector. 12. Governor may make any regulations he thinks fit for better execution of Act. 13. Penalties, how recoverable. 14. Recovery of cattle tax. 15. Acts to be read together. |
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AN ACT to further amend "The Contagious Diseases (Cattle) Act, 1861," and "The Contagious Diseases (Cattle) Act, 1901," and for other purposes. [22 November, 1918.]

A.D.
1918.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as "The Contagious Diseases (Cattle) Short title. Act, 1918."

Contagious Diseases (Cattle) Act Amendment.

A.D. 1918.

Interpretation.

2 In the construction of this Act—

“Cattle-tax” shall mean the sum per head due or payable by any cattle-owner under the provisions of this Act or any Act with which this Act is incorporated :

“District” shall mean the area defined by proclamation in which the cattle tax under the provisions of this Act may be collected :

“Collector” shall mean the person or persons proclaimed under this Act collectors of the cattle tax :

“Cattle” shall include horses.

“Horses” shall mean and include horses or ponies of any sex or description, or any age above Six months.

“Municipal council” shall mean a municipal council for a municipality proclaimed under “The Local Government Act, 1906.”

Municipalities singly or jointly may apply to Minister to have District proclaimed.

3 Notwithstanding anything contained in “The Contagious Diseases (Cattle) Act, 1901” —

1. The warden of any municipal council, by writing under his hand, after due authorisation by resolution of his council : or
- II. The wardens of Two or more municipal councils desirous of having their respective municipalities formed into a District under this Act jointly, by writing under their respective hands, after due authorisation by resolution of their respective councils, may apply to the Governor to have his municipality or the area of their municipalities proclaimed a District under this Act.

Governor may proclaim District and purpose of tax, and appoint collector.

4 Upon receipt of any such application as set forth in the preceding section, the Governor may, by proclamation published in the “Gazette,” declare any area mentioned in such application a District for the collection of the cattle tax, and may appoint a collector for such District to be under the direction and control of the governing body of the municipality or municipalities forming the District, and may declare the purpose for which the tax, when collected, is to be applied, and such purpose shall be the employment and payment (in whole or in part) of the salary of a duly qualified veterinary surgeon, his travelling and other expenses incidental to his appointment, provided that such proclamation may be withdrawn by the Governor, on the recommendation of the Minister.

Employment of Veterinary Surgeon.

Governor may proclaim district.

5 Where the area of Two or more municipalities is proclaimed a District under this Act such municipalities shall be deemed to have been formed a united municipality for the purpose of collecting the cattle tax in such district, and employing a veterinary surgeon, and generally for carrying out the provisions of this Act, and the Governor may, in the proclamation declaring any such District, or by any subsequent proclamation, extend to or apply in respect of such District (as a united municipality) and the councils of the municipalities forming

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such District all or any of the provisions of Sections One hundred and forty-three to One hundred and forty-eight inclusive of "The Local Government Act, 1906," with such modifications, alterations, and additions as he thinks fit.

A.D. 1918.

6 The collector so appointed for any District shall keep a book showing the names of all the cattle-owners in the District, the total number of head of cattle, and the number of head of cattle above the age of Six months possessed by each such cattle-owner, and the sum paid or due by him for cattle tax. Such book, and all returns, documents, papers, and writings referring thereto or in connection therewith, shall at all times be open to the inspection of the Auditor-General, the Deputy Auditor General, Agricultural Department, or any officer appointed in writing by either of them. Each collector under this Act shall once in every year forward to the Chief Inspector a copy of, or such extracts from the said book as may be prescribed. No cattle-owner whose name appears in such book shall be required to send in the return prescribed by Section Nine of "The Contagious Diseases (Cattle) Act, 1901."

The collector to keep book with names and particulars of cattle-owners.

7 If any duly appointed collector fails to keep such book, or wilfully makes any false entry therein, or refuses or fails, when required by any person entitled to inspect the same to produce for inspection by him such book and all returns, documents, papers, and writings referring thereto or in connection therewith, or commits a breach of any of the provisions of the next preceding section, such collector shall forfeit and pay for each such offence a penalty not exceeding Five Pounds.

Penalty for not keeping book.

8—(1) For the purposes of this Act there shall be payable to "The Contagious Diseases (Cattle) Act Municipal Fund" to be created and kept as prescribed in respect of each District upon and in respect of all cattle above the age of Six months possessed by any cattle-owner, and depastured and kept in any District in Tasmania or its dependencies, a cattle tax not exceeding Sixpence per annum for each head of cattle of the bovine species, and not exceeding Two Shillings per head for horses in each case above the age of Six months possessed by such cattle-owner; the amount of such tax in any one year to be fixed on the recommendation of the governing body of the municipality or municipalities forming the District by the Governor by proclamation published in the "Gazette"; and such tax shall be paid to the collector on the First day of January in every year, and shall be calculated for each year upon the number of cattle possessed by such cattle-owner on the said day.

Payment of cattle tax to "The Contagious Diseases (Cattle) Municipal Act Fund."

(2) No owner of less than Four head of cattle shall be liable to pay any such tax as aforesaid in respect of any cattle owned by him.

(3) All moneys paid to the a collector in respect of any District shall be paid by him as prescribed to the credit of the aforesaid fund created in respect of such District.

*Contagious Diseases (Cattle) Act Amendment.***A.D. 1918.**

Return of cattle for purposes of cattle tax, and penalty for refusal or false return.

9 Every cattle-owner, when paying such cattle tax, shall deliver to the collector a return in the form in the Schedule (1) of "The Contagious Diseases (Cattle) Act, 1901," substituting only in such form the figures "1918" for "1901," and the word "collector" for the words "Chief Inspector"; and such return shall state the number and description of all cattle in his possession on the First day of January in such year; and every cattle-owner who refuses or neglects to make such return shall forfeit and pay a penalty not exceeding Five Pounds.

Any person wilfully making any false return shall forfeit and pay a penalty not exceeding Five Pounds.

Additional amount charged if cattle tax not paid in time.

10 Every cattle-owner who omits to pay the cattle tax due from him on or before the First day of March in any year shall pay an additional amount equal to One-fourth part of such tax; and if any cattle-owner after the said First day of March omits or refuses to pay the tax payable by him, then it shall be lawful for any collector, to sue for and recover such cattle tax and additional amount at any time, not being more than One year after the time when such cattle tax should have been paid.

Contribution to be paid to Chief Inspector.

11 Out of the amount of the cattle tax collected by any collector under this Act, the collector shall forward to the Chief Inspector an amount equal to One half-penny for each head of cattle exclusive of horses, in respect of which the tax has been paid, and no cattle-owner shall be required to pay any further cattle tax to the said Chief Inspector.

Governor may make any regulations he thinks fit for better execution of Act.

12 The Governor may from time to time make any such regulations whatsoever as he thinks fit and experience may prove to be necessary for the better execution of this Act.

Penalties, how recoverable.

13 All offences under this Act shall be heard and determined, and penalties shall be recovered, before a police magistrate or any Two justices of the peace in the mode prescribed by "The Magistrates' Summary Procedure Act."

Recovery of cattle tax.

14 Any cattle tax and additional amount required to be paid to any collector under the provisions of this Act may be recovered in a summary way before a police magistrate or any Two justices of the peace in the mode prescribed by "The Magistrates' Summary Procedure Act."

Acts to be read together.

15 This Act and "The Contagious Diseases (Cattle) Act, 1901" and every Act amending the same, shall, save as amended by this Act, be read and construed together, *mutatis mutandis*, as one and the same Act.