

NORTHERN TERRITORY OF AUSTRALIA

STOCK ROUTES AND TRAVELLING
STOCK AMENDMENT ACT 1996

No. 6 of 1996

TABLE OF PROVISIONS

Section

1. Short title
2. New sections:
 - "55A. OFFENCES RELATING TO DRIVING AWAY STOCK
 - "55B. POSSESSION OF STOCK SUSPECTED TO HAVE BEEN STOLEN
 - "55C. UNLAWFUL USE OF STOCK
 - "55D. STOCK GATES NOT TO BE OPENED EXCEPT FOR CERTAIN PURPOSES
 - "55E. FAILURE TO CLOSE STOCK GATES"



NORTHERN TERRITORY OF AUSTRALIA

No. 6 of 1996

AN ACT

to amend the *Stock Routes*
and *Travelling Stock Act*

[Assented to 20 March 1996]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Stock Routes and Travelling Stock Amendment Act 1996*.

2. NEW SECTIONS

The *Stock Routes and Travelling Stock Act* is amended by inserting after section 55 the following:

"55A. OFFENCES RELATING TO DRIVING AWAY STOCK

"(1) Subject to subsection (2), the owner of stock (or his agent) may, when any of his stock are upon the lands of any other person (including lands leased from the Crown to that other person), enter upon those lands and drive his stock off the lands of that other person.

"(2) The owner of stock (or his agent) shall, before entering upon the lands of any other person give to that other person not less than 2 days nor more than 7 days notice in writing of his intention to enter upon those lands and drive his stock off those lands and shall specify in that notice the place at which he intends to enter upon and also the place at which he intends to leave those lands.

Stock Routes and Travelling Stock Amendment

"(3) A person who enters upon the lands of any other person (including lands leased from the Crown to that other person) and drives any stock off the lands of that other person without giving the notice referred to in subsection (2) is guilty of an offence.

Penalty: \$1,000 or imprisonment for 6 months.

"(4) A person who drives away any stock, other than his own or his master's or employer's, from the land or out of the herds of any other person is guilty of an offence, unless he proves to the satisfaction of the court that he had reasonable ground for believing the stock were his own or his master's or employer's.

Penalty: \$1,000 or imprisonment for 6 months.

"(5) Where the owner of stock (or his agent) has given notice in accordance with subsection (2) of his intention to enter upon land that is Aboriginal land, within the meaning of the *Aboriginal Land Act*, he and such persons employed by him as are reasonably necessary to assist him for the purpose of driving his stock off that land may enter upon that land and drive off that stock in accordance with the notice, notwithstanding that he or any of them does not hold a permit under that Act to enter or remain on that land.

"(6) In this section, entry upon land shall be taken to include entry into the airspace above land.

"55B. POSSESSION OF STOCK SUSPECTED TO HAVE BEEN STOLEN

"A person in whose possession is found any stock reasonably suspected to have been stolen shall be guilty of an offence, unless he proves that he acquired the stock in a lawful manner.

Penalty: \$1,000 or imprisonment for 6 months.

"55C. UNLAWFUL USE OF STOCK

"Any person who unlawfully uses stock without the consent of the owner or person in lawful possession thereof is guilty of an offence.

Penalty: \$100 for every head of stock used or imprisonment for 6 months.

"55D. STOCK GATES NOT TO BE OPENED EXCEPT FOR CERTAIN PURPOSES

"A person shall not open a gate in a fence erected to prevent the passage of stock except for the purpose of an animal, vehicle or person passing through the gate.

Penalty: \$200.

Stock Routes and Travelling Stock Amendment

"55E. FAILURE TO CLOSE STOCK GATES

"A person who opens or causes to be opened any gate in a fence erected to prevent the passage of stock, for the purpose of an animal, vehicle or person passing through that gate, shall ensure that the gate is closed and securely fastened immediately after the vehicle, animal or person, as the case may be, has passed through the gate.

Penalty: \$200.".
