



NORTHERN TERRITORY OF AUSTRALIA

No. 20 of 1982

AN ACT

To amend the *Stock Routes and Travelling Stock Act*

[Assented to 27 April 1982]

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 1982*.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. PRINCIPAL ACT

The *Stock Routes and Travelling Stock Act* is in this Act referred to as the Principal Act.

4. DEFINITIONS

Section 4 of the Principal Act is amended -

- (a) by omitting the definition of "holding" and substituting the following:

"'holding' means land held by a person under any form of tenure;";

- (b) by omitting the definition of "owner" and substituting the following:

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"owner", in relation to a holding, means a person who holds an estate in fee simple, lease or licence over the land and includes that person's manager, agent or representative;

and, in relation to stock, means the person to whom the stock belongs, his manager, agent or representative;"

- (c) by omitting the definitions of "permit" and "permit officer";
- (d) by inserting in the definition of "stock" after "cattle" the word "buffalo,"; and
- (e) by adding after the definition of "watering place" the following:

"way-bill" means a way-bill issued under Part IV and includes an endorsed way-bill."

5. REPEAL

Section 13 of the Principal Act is repealed.

6. REPEAL AND SUBSTITUTION OF PART IV

Part IV of the Principal Act is repealed and the following substituted:

"PART IV - WAY-BILLS FOR TRAVELLING STOCK

"18. ISSUE OF WAY-BILL

"(1) The owner of stock shall issue a way-bill in respect of stock which -

- (a) are to be driven on the hoof, or to be transported by railway, vehicle, vessel or aircraft outside the boundaries of the holding on which the stock are ordinarily kept or depastured or are placed for agistment; or
- (b) are to be driven on the hoof on a stock reserve or stock route.

"(2) The way-bill shall be issued from a way-bill book provided for that purpose by the Chief Inspector and shall be made out in the prescribed manner by the owner of the stock.

"19. DUTIES OF PERSON IN CHARGE OF STOCK

"The person named in the way-bill by the owner as being the person in charge of stock shall -

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- (a) before commencement of the shipment of the stock, sign the way-bill;
- (b) at the conclusion of the shipment of the stock, endorse and sign in the prescribed manner the way-bill to show the number of stock, if any, lost during the journey; and
- (c) upon delivery of the stock to the consignee named in the way-bill, surrender the way-bill to the consignee.

Penalty: \$1,000.

"20. DUTIES OF CONSIGNEE

"(1) A consignee shall certify that the consignment which is delivered to him contains the correct number of stock by countersigning in the prescribed manner the way-bill surrendered to him in accordance with section 19(c).

"(2) A consignee shall retain the way-bill and make it available, for a period of 12 months from the date of delivery of the stock to which it refers, for inspection by an inspector.

Penalty: \$1,000.

"21. DUTIES OF OWNER

"(1) An owner of stock shall make 3 copies of each original way-bill which he issues and shall -

- (a) hand the first copy over to the drover of the travelling stock to which it relates; and
- (b) send the second copy to the Chief Inspector within 28 days of the issue of the way-bill.

"(2) The third copy of each way-bill issued by an owner of stock shall be retained by him in the way-bill book provided under section 18(2).

Penalty: \$1,000.

"(3) An owner of stock shall upon request make the way-bill book available for inspection at a reasonable hour by an inspector.

Penalty: \$500."

7. REPEAL AND SUBSTITUTION

Section 37 of the Principal Act is repealed and the following substituted:

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"37. DROVER TO HAVE WAY-BILL

"A drover shall not drive stock on the hoof -

- (a) unless he carries a way-bill relating to those stock; or
- (b) unless the stock are driven within the boundaries of a holding or land on which the stock are ordinarily kept or depastured or are placed for agistment and are not driven more than 24 kilometres along a stock route.

Penalty: \$1,000."

8. STOCK NOT TO BE TRANSPORTED UNTIL WAY-BILL ISSUED

Section 38 of the Principal Act is amended by omitting paragraph (b) and substituting the following:

"(b) a way-bill relating to those stock has been issued."

9. REPEAL AND SUBSTITUTION

Section 38A of the Principal Act is repealed and the following substituted:

"38A. DROVER TO CARRY WAY-BILL

"A drover shall not transport stock by railway, vehicle, vessel or aircraft unless -

- (a) the stock are transported within the boundaries of a holding on which the stock are ordinarily kept or depastured or are placed for agistment; or
- (b) a way-bill relating to those stock has been issued and he has that way-bill with him.

Penalty: \$1,000."

10. REPEAL AND SUBSTITUTION

Section 38B of the Principal Act is repealed and the following substituted:

"38B. OFFENCE TO PURCHASE TRAVELLING STOCK WITHOUT PRODUCTION OF WAY-BILL

"A person shall not purchase or receive from a person in charge of travelling stock any stock which are incorrectly described or are not fully described in a way-bill carried by the person in charge of the stock.

Penalty: \$1,000."

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11. EXEMPTIONS

Section 38C of the Principal Act is amended by omitting all words after "in relation to" and substituting "travelling stock of a specified class of stock."

12. REPEAL AND SUBSTITUTION

Section 39 of the Principal Act is repealed and the following substituted:

"39. DROVER TO PRODUCE WAY-BILL TO INSPECTOR

"A person in charge of travelling stock in respect of which a way-bill has been issued shall produce that way-bill -

- (a) to an inspector, when lawfully requested to do so; and
- (b) to the owner of a holding through which the stock are being driven or transported, if requested to do so by him within the boundaries of his holding.

Penalty: \$500."

13. OFFENCES IN CONNECTION WITH WATER

Section 52(1)(c) of the Principal Act is amended by omitting all words after "in respect of which" and substituting "a way-bill has been issued".

14. POWERS OF INSPECTOR

Section 57 of the Principal Act is amended -

- (a) by omitting from paragraph (b)(iv) "permit" and substituting "way-bill";
- (b) by omitting paragraph (b)(v) and substituting the following:
 - "(v) to drive or transport the stock to a place specified by the inspector, and hold them at that place for such time as the inspector specifies;"
- (c) by omitting paragraph (c);
- (d) by omitting from paragraph (d) "place" and substituting "place; and"; and
- (e) by adding after paragraph (d) the following:

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"(e) order the person in charge of travelling stock to slaughter any maimed or injured stock and dispose of the carcass."

15. REGULATIONS

Section 67 of the Principal Act is amended by inserting after paragraph (a) the following:

"(aa) the form of way-bills;"

16. FURTHER AMENDMENTS

The Principal Act is further amended as set out in the Schedule.

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SCHEDULE

Section 16

Provision	Amendment	
	omit	substitute
section 4 - definitions of "stock reserve" and "stock route"	<u>"Crown Lands Ordinance"</u>	<u>"Crown Lands Act"</u>
section 11(2)(c)	"miles"	"kilometres"
section 11(4)	"paragraphs (a), (b), (c), (d) and (e) of sub-section (2)"	"sub-section (2) (a), (b), (c), (d) and (e)"
section 16	"Administrator"	"Minister"
section 16B	"Administrator"	"Minister"
section 26(2)	<u>"Stock Diseases Ordinance"</u>	<u>"Stock Diseases Act"</u>
section 27(1)	"one mile"	"1.5 kilometres"
section 27(2)	"the provisions of section 48 apply"	"section 48 applies"
section 28(1)	"200 dollars"	"\$500"
section 29	"The provisions of section 27 apply"	"Section 27 applies"
section 30	"100 dollars"	"\$250"
section 31(b)	<u>"Crown Lands Ordinance"</u>	<u>"Crown Lands Act"</u>
section 32	"Administrator"	"Minister"
section 38	"400 dollars"	"\$1,000"
section 40	"400 dollars"	"\$1,000"
section 41	"100 dollars"	"\$250"
section 42	"200 dollars"	"\$500"
section 43	"200 dollars"	"\$500"

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Provision	Amendment	
	omit	substitute
section 44	"200 dollars"	"\$500"
section 45	"600 dollars"	"\$1,500"
section 45B	"45B"	"45A"
	"600 dollars"	"\$1,500"
section 46	"10 square yards"	"8 square metres"
	"600 dollars"	"\$1,500"
section 47	"400 dollars"	"\$1,000"
section 48(1)(a)	"56 miles" (wherever occurring)	"90 kilometres"
	"8 miles"	"13 kilometres"
section 48(1)(b)	"70 miles" (wherever occurring)	"112 kilometres"
	"10 miles"	"16 kilometres"
section 48(1)(c)	"35 miles" (wherever occurring)	"56 kilometres"
	"5 miles"	"8 kilometres"
section 48(1)	"100 dollars"	"\$250"
section 49	"10 dollars"	"\$10"
section 50	"100 dollars"	"\$250"
section 51(1)	"one mile"	"1.5 kilometres"
	"100 dollars"	"\$250"
section 51(2)	"one mile"	"1.5 kilometres"
	"100 dollars"	"\$250"
section 52(1)	"50 gallons"	"230 litres"
	"400 dollars"	"\$1,000"

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Provision	Amendment	
	omit	substitute
section 52(2)	"The provisions of paragraph (b) of sub-section (1) do not"	"Sub-section (1)(b) does not"
section 53	"200 dollars"	"\$500"
section 54(1)	"400 dollars"	"\$1,000"
section 55	"100 dollars"	"\$250"
section 60(2)	"400 dollars"	"\$1,000"
	"5 cents"	"10 cents"
section 63	"pursuant to either of the last 2 preceding sections"	"under section 61 or 62"
section 67(f)	"200 dollars"	"\$1,000"
Long title and sections 1, 2, 4, 6(3), 9(1), (2), 11(1), 27(1), 33, 48(1), 52(1), 53, 54(2), 56, 57, 58(1), 60(3), 63A, 63B(1), 65(1), (2), (3) and 67.	"Ordinance" (wherever occurring)	"Act"

