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1963, No. 67

An Act to amend the Stock Act 1908

[23 October 1963]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Stock Amendment Act 1963, and shall be read together with and deemed part of the Stock Act 1908 (hereinafter referred to as the principal Act).

PART I

2. Owner to dip or dust sheep—(1) The principal Act is hereby amended by repealing section 47 (as substituted by section 3 of the Stock Amendment Act 1958) and substituting the following section:

“47. (1) Every owner of sheep shall in every year commencing with the first day of May and ending with the thirtieth day of April following, dip or dust, or cause to be dipped or dusted, all sheep which he owns and which have not been otherwise dipped or dusted during that period.

“(2) Every owner of sheep who fails to dip or dust any sheep as aforesaid commits an offence and is liable to a fine not exceeding two shillings for every sheep which is not so dipped or dusted.”

(2) Section 3 of the Stock Amendment Act 1958 is hereby consequentially repealed.

3. Method of dipping and dusting sheep—Section 47A of the principal Act (as inserted by section 4 of the Stock Amendment Act 1958) is hereby amended by repealing subsections (1) and (2), and substituting the following subsections:

“(1) For the purpose of complying with any requirement of this Act in respect of the dusting of any sheep, the dusting shall be effected by spraying the sheep within the specified period after the sheep has been shorn with a dust containing a preparation that is effective for destroying lice and keds.

“(2) For the purpose of complying with any requirement of this Act in respect of the dipping of any sheep, otherwise than by plunging or immersing the sheep in a preparation that is effective for destroying lice and keds, the dipping shall be carried out within the specified period after the sheep has been shorn.

“(2A) For the purposes of subsections (1) and (2) of this section, the term ‘specified period’, in relation to any such preparation, means the period specified in that behalf in the directions for use set out on the label borne by or attached to the receptacle in which that dusting or dipping preparation has been sold, being a label a copy of which has been approved in respect of that preparation by the Stock Remedies Registration Board pursuant to section 8 of the Stock Remedies Act 1934.”

4. Sale and use of bloom dipping preparations prohibited—

(1) The principal Act is hereby further amended by inserting, after section 51, the following section:

“51A. (1) No person shall sell or offer for sale any substance or preparation intended to be used, or purporting to be suitable for use, in the artificial colouring of the wool of sheep.

“(2) No person shall use any substance or preparation for the purpose of artificially colouring the wool of any sheep.

“(3) No person shall sell or offer for sale or bring or cause to be brought on to any land or other place at which sheep are offered for sale or exhibition any sheep the wool of which contains any substance or preparation used for the purpose of artificially colouring the wool of the sheep.

“(4) Every person who acts or attempts to act in contravention of, or fails to comply in any respect with, any of the provisions of this section, commits an offence and is liable on summary conviction to a fine not exceeding twenty pounds.”

(2) This section shall come into force on the first day of May, nineteen hundred and sixty-four.

5. Tuberculin testing of cattle—(1) Section 7 of the Stock Amendment Act 1958 is hereby amended by adding to subsection (4) the following additional proviso:

“Provided also that no sum shall be paid as compensation in respect of any animal if, before the animal is tested with the tuberculin test for the purposes of this section, the owner of the animal agrees in writing with the Director-General of Agriculture that no compensation shall be payable in respect of the animal pursuant to this subsection or subsection (4A) of this section.”

(2) Section 7 of the Stock Amendment Act 1958 is hereby further amended by inserting, after subsection (4), the following subsection:

“(4A) Unless the person to whom compensation would be payable under the provisions of this subsection has otherwise agreed as aforesaid, where any cattle which has been tested with the tuberculin test for the purposes of this section does not give a positive reaction to the test and, at any time within the period of six months immediately following the date of the test, is slaughtered and found to the satisfaction of the Director-General to be affected with tuberculosis, compensation amounting to the sum of eight pounds shall be paid by the Crown to—

“(a) The owner of the animal immediately before the sale in any case where the animal was sold for immediate slaughter:

“(b) The owner of the animal at the time it was slaughtered in any other case:

“Provided that no sum shall be paid as compensation in respect of any animal that was less than six months old at the date when it was tested with the tuberculin test:

“Provided also that where the animal was less than twelve months old at the date when it was tested with the tuberculin test, the amount of compensation payable under this subsection shall be reduced by one-half.”

(3) Section 7 of the Stock Amendment Act 1958 is hereby further amended by omitting from paragraph (a) of subsection (8) the words “have been tested”, and substituting the words “are to be tested”.

PART II

BRANDS AND BRANDING

6. Commencement of Part—This Part of this Act shall come into force on the first day of October, nineteen hundred and sixty-five.

7. Cancellation of registered woolmarks—On the commencement of this Part of this Act, every woolmark which is registered under Part I of the Stock Amendment Act 1956 as a brand or as a standard stock mark shall be deemed to be cancelled.

8. Interpretation—Section 3 of the Stock Amendment Act 1956 is hereby amended as follows:

- (a) By omitting from the definition of the term “approved design” the words “woolmark or”;
- (b) By repealing the definition of the term “approved wool-marking preparation”;
- (c) By repealing subparagraph (iii) of paragraph (a) of the definition of the term “brand”.

9. Effect of Part I of the Stock Amendment Act 1956 on woolmarks registered at commencement thereof—(1) Section 8 of the Stock Amendment Act 1956 is hereby amended as follows:

- (a) By omitting from subsection (2) the word “woolmark”;
- (b) By omitting from paragraph (a) of subsection (4), in each place where they appear, the words “woolmark or”;
- (c) By omitting from paragraph (b) of subsection (4) the words “woolmarks and”.

(2) Section 8 of the Stock Amendment Act 1956 is hereby further amended by repealing subsection (5).

10. Similar marks and brands not to be registered—Section 9 of the Stock Amendment Act 1956 is hereby amended by omitting from subsection (1) the words “woolmarks or”.

11. Branding of stray sheep—(1) Section 19 of the Stock Amendment Act 1956 is hereby amended by omitting from subsection (1) the words “distinctly and legibly brand the sheep on the head with his registered woolmark, or if he does not use a registered woolmark with a distinguishing mark made with raddle”, and substituting the words “make a distinct and legible mark on the head of the sheep with approved raddle or an approved marking pencil”.

(2) Section 19 of the Stock Amendment Act 1956 is hereby further amended by repealing subsection (2).

12. Marking of wool prohibited—(1) The Stock Amendment Act 1956 is hereby amended by repealing section 27, and substituting the following section:

“27. (1) No person shall use or cause to be used for the purpose of making any mark on the wool of any sheep any substance or preparation other than approved raddle or an approved tuppung crayon or an approved marking pencil.

“(2) Every person who acts or attempts to act in contravention of, or fails to comply in any respect with, the provisions of this section, commits an offence and is liable on summary conviction to a fine not exceeding twenty pounds.”

(2) The Stock Amendment Act 1956 is hereby further amended by repealing section 28.

This Act is administered in the Department of Agriculture.
