

**Reprint
as at 13 March 1981**



Impounding Regulations 1981
(SR 1981/49)

David Beattie, Governor-General

Order in Council

At the Government Buildings at Wellington this 9th day of March
1981

Present:

The Right Hon R D Muldoon presiding in Council

Pursuant to sections 13, 15A, 46, and 57 of the Impounding Act 1955,
His Excellency the Governor-General, acting by and with the advice
and consent of the Executive Council, hereby makes the following
regulations.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989
have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together
with other explanatory material about this reprint.

These regulations are administered by the Department of Internal Affairs.

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Regulations

- 1 Title and commencement**
- (1) These regulations may be cited as the Impounding Regulations 1981.
- (2) These regulations shall come into force on 1 April 1981.
- 2 Interpretation**
- In these regulations, unless the context otherwise requires,—
- Act** means the Impounding Act 1955
- a reference to a numbered form is a reference to a form so numbered in Schedule 1.
- 3 Pound Book**
- The Pound Book required to be kept by a local authority under section 13(1)(a) of the Act shall be in form 1.
- 4 Impounding Register**
- The Impounding Register required to be kept by a local authority under section 13(1)(b) of the Act shall be in form 2.
- 5 Notice to owner of stock impounded**
- Every notice required by section 46(1) of the Act to be delivered or posted to an owner whose stock has been impounded shall be in form 3.

6 Notice of impounding and proposed sale of impounded stock

Every notice required by section 46(2) of the Act to be inserted in 1 or more newspapers advising that stock has been impounded and will be sold unless claimed shall be in form 4.

7 Trespass rates

The trespass rates payable under the Act shall be the rates set out in Schedule 2.

8 Revocation

The Impounding Regulations 1955 (SR 1955/207) are hereby revoked.

Schedule 1

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Forms

Form 1

Pound Book

(To be entered in duplicate)

Consecutive No:

Date:

Time of impounding:

Particulars of stock impounded:

Brands or marks:

Name and address of owner (if known):

Name and address of person impounding stock:

Place where stock seized:

Reason for impounding:

Amount of trespass rates claimed:

Amount of driving charges claimed:

Signature:

(Pound keeper)

(Copy to be forwarded as soon as possible to office of local authority
for entry in Impounding Register.)

**Form 2
Impounding Register**

	Date	
	Time of impounding	
	Particulars of stock impounded	
	Brands or marks	
	Name and address of owner (if known)	
	Name and address of person impounding stock	
	Place where stock seized	
	Reason for impounding	
	Date notice sent to owner	
	Date notice inserted in newspaper	
	Trespass rates claimed	Fees, rates, and charges payable by owner
	Driving charges claimed	
	Poundage and sustenance fees and other charges	
	Total	
	How stock disposed of	
	Date of release or sale	
	Amount received from owner (if claimed)	
	Name and address of purchaser	Particulars of sale (if not claimed)
	Amount paid by purchaser	
	Receipt number	
	Costs and charges incidental to sale	Application of amount received from owner or from proceeds of sale
	Poundage, sustenance, and other fees due to local authority	
	Trespass rates and driving charges paid to persons entitled thereto	
	Residue paid to owner	
	Amount unclaimed	
	Total	
	Remarks	

Form 3

Notice to owner of impounding of stock

*Section 46(1), Impounding Act 1955***To** *[name and address of owner]*

The undermentioned stock, having been seized for impounding at *[place where stock seized for impounding]* is impounded at *[place where stock impounded]*:

Description of stock *[number and kind of stock, where and how branded, and the particular sex, colour, and other distinguishing marks]*.

Notice is hereby given that, unless the stock is claimed before *[time and date, being 48 hours after time of delivery or posting of this notice]* it will be sold by public auction, or otherwise disposed of in accordance with the Impounding Act 1955.

Date:

By order of *[name of local authority]*

By *[personal signature]*,
Principal Administrative Officer (or Authorised Officer)

Form 4

Notice of impounding and of proposed sale of
impounded stock

Section 46(2), Impounding Act 1955

The undermentioned stock, having been seized for impounding at [place where stock seized for impounding] is impounded at [place where stock impounded]:

Description of stock: [number and kind of stock, where and how branded, and the particular sex, colour, and other distinguishing marks].

Notice is hereby given that, unless claimed by the owner, the stock will be sold by public auction or otherwise disposed of in accordance with the Impounding Act 1955 at [place, date, and time of sale, being not less than 7 days after the date of the first publication of this notice].

Date:

By order of [name of local authority]

By [personal signature],
Principal Administrative Officer (or Authorised Officer)

Schedule 2

Trespass rates

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	Trespass on any paddock of grass or stubble \$	Trespass on any land bearing any growing crop or from which the crop has not been removed, or in any reserve, cemetery, or burial ground \$
For every horse, cattle beast, deer, ass, or mule	2.00	5.00
For every sheep	0.50	1.00
For every pig or goat	5.00	10.00

P G Millen,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into effect on 1 April 1981, replace the Impounding Regulations 1955.

The principal change is a 10-fold increase in the trespass rates. Previously these rates were set out in Schedule 2 of the Act.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 12 March 1981.

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 - 2 Status of reprints
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Notes

1 *General*

This is a reprint of the Impounding Regulations 1981. The reprint incorporates all the amendments to the regulations as at 13 March 1981, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
