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No. s.



ANALYSIS

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1959, No. 53

An Act to amend the Stock Act 1908

[21 October 1959]

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 1959, and shall be read together with and deemed part of the Stock Act 1908 (hereinafter referred to as the principal Act).

2. Method of spraying and dusting sheep—(1) Section two of the principal Act is hereby amended by omitting from the definition of the term “dip”, as substituted by section two of the Stock Amendment Act 1958, the words “an effective pressure spraying apparatus”, and substituting the words “a pressure spraying apparatus complying with the standards of performance prescribed in respect of such apparatus by regulations made under this Act”.

(2) Section forty-seven A of the principal Act, as inserted by section four of the Stock Amendment Act 1958, is hereby amended by omitting from subsection three the words “an effective pressure spraying apparatus”, and substituting the

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words "a pressure spraying apparatus complying with the standards of performance prescribed in respect of such apparatus by regulations made under this Act".

(3) Section four of the principal Act is hereby amended by inserting, after paragraph (c), the following paragraph:

"(cc) Prescribing standards of performance of pressure spraying apparatus used for the purpose of dipping or dusting sheep:"

(4) This section shall come into force on the first day of January, nineteen hundred and sixty.

3. Declaration of infected area—(1) Section twelve of the principal Act, as substituted by section four of the Stock Amendment Act 1952, is hereby amended by revoking subsection one, and substituting the following subsection:

"(1) For the purposes of this section the term 'disease' means—

"(a) Anthrax, glanders, pleuro-pneumonia, rabies, rinderpest, scab, and swine fever; and

"(b) Any other disease affecting stock, not being foot and mouth disease or scrapie, whether or not the disease is a disease within the meaning of that term as it is defined in section two of this Act; and the meanings of the terms 'diseased' and 'infected' shall be modified accordingly."

(2) Section twelve of the principal Act is hereby further amended by adding to subsection three the following proviso:

"Provided that where the disease with which the stock are infected is a disease within the meaning of paragraph (b) of subsection one of this section, an Inspector shall not make any declaration under this subsection unless he is satisfied on reasonable grounds that stock depastured on other land are likely to become infected with the disease."

(3) Section twelve of the principal Act is hereby further amended by adding the following subsection:

"(7) Notwithstanding anything to the contrary in this section, where deaths are occurring among stock kept or depastured on any land and in the opinion of an Inspector the deaths may be due to disease but may equally be due to causes unconnected with any disease, he may, by writing under his hand, declare that land together with such other lands in the neighbourhood of that land as he may specify to be an infected place or area, and the foregoing provisions of this section shall thereupon apply in all respects as if the declaration was made under subsection three of this section:

“Provided that no declaration shall be made under this subsection except with the prior approval of the Minister.”

(4) The following enactments are hereby consequentially repealed:

- (a) Subsection two of section two of the Stock Amendment Act 1954:
- (b) Subsection two of section three of the Stock Amendment Act 1955.

4. Introduction into New Zealand of any organism causing disease—(1) The principal Act is hereby amended by repealing section twenty, and substituting the following section:

“20. (1) For the purposes of this section the term ‘organism’ means any viable protozoon, fungus, bacterium, virus, or other organism or micro-organism causing or transmitting any disease affecting stock, whether or not the disease is a disease within the meaning of that term as it is defined in section two of this Act.

“(2) No person shall, without the written permission of the Director-General of Agriculture, introduce, or cause to be introduced, into New Zealand, any organism, whether or not that organism is in an attenuated form.

“(3) Any person who is in possession of any organism which has been introduced into New Zealand at any time before the commencement of this Act, or is in possession of any subculture of any such organism, shall—

“(a) Furnish in respect of the organism, or in respect of the subculture, as the case may be, such particulars, including the use being made of the same and the manner in which it is being kept, as may from time to time be required by the Chief Inspector:

“(b) At the direction of any Inspector, destroy or cause to be destroyed or deliver up to the Inspector for the purpose of being destroyed, any organism at any time introduced into New Zealand, whether before or after the commencement of this Act, or any subculture of any such organism, in any case where the Minister is satisfied that the destruction of the organism, or the subculture, as the case may be, is necessary or desirable in the public interest.

“(4) Every person commits an offence and shall be liable on conviction on indictment to imprisonment for a term not exceeding two years who introduces into New Zealand, or causes to be introduced into New Zealand, any organism in

contravention of subsection two of this section, or who knowingly has in his possession any organism imported into New Zealand in contravention of that subsection, or any subculture of any such organism.

“(5) Every person commits an offence and shall be liable on summary conviction to a fine not exceeding one hundred pounds who fails to comply with any of the provisions of subsection three of this section.”

(2) The First Schedule to the Summary Proceedings Act 1957 is hereby amended by inserting in the appropriate columns in Part II, after the provisions thereof relating to the Soil Conservation and Rivers Control Act 1941, the following words:

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5. Sale note for cattle—Section twenty of the Stock Amendment Act 1956 is hereby amended by inserting, after the word “sheep” in each place where it appears, the words “or cattle”.

6. Tuberculin testing of dairy cattle—Section thirty-five of the Stock Amendment Act 1956 is hereby amended by repealing subsection one, and substituting the following subsection:

“(1) Where, for the purpose of producing any milk or cream intended for sale for human consumption, any cattle in any herd are milked on any premises registered, whether conditionally or unconditionally, as a dairy under the Dairy (Milk Supply) Regulations 1939, those cattle, together with all other cattle in the herd, shall from time to time, as the Chief Inspector shall determine, be tested with the tuberculin test for the purpose of ascertaining whether any such cattle shows a positive reaction to the test.”
