

NORFOLK ISLAND

Pasturage and Enclosure Act 1979

Act No.8 of 1979

AN ACT

To amend the *Pasturage and Enclosure Ordinance 1949*.

[Assented to 5 November 1979]

BE IT ENACTED by the Legislative Assembly of Norfolk Island as follows:-

1. This Act may be cited as the *Pasturage and Enclosure Act 1979*. * Short title
2. In this Act, "Principal Ordinance" means the *Pasturage and Enclosure Ordinance 1949*. †
3. Section 4 of the Principal Ordinance is amended by inserting after the definition of "cattle-proof fence" the following definition:- Definitions
 " 'tag' includes a disc issued under this Ordinance before the commencement of the *Pasturage and Enclosure Act 1979*;"
4. Section 6 of the Principal Ordinance is amended by inserting after sub-section (1) the following sub-section:- Conditions upon which right of pasturage may be granted
 "(1A) The number of horses or cattle or horses and cattle in respect of which a right of pasturage may be granted to a person shall not exceed the prescribed number."
5. Section 7 of the Principal Ordinance is amended - Issue of identifying numbers and tags
 - (a) by omitting the word "disc" (wherever occurring) and substituting "tag"; and
 - (b) by omitting from sub-section (3) the words "Five pounds" and substituting "\$10".

*Notified in the *Norfolk Island Government Gazette* of 8 November, 1979.

†Ordinance No. 4, 1949, as amended by No. 6, 1964.

Recommended Retail Price 20 cents.

6. After section 11 of the Principal Ordinance the following section is inserted:—

Straying
stock
deemed to be
under
control of
Administra-
tion.

“11A. (1) All stock depastured, straying or at large on any land that is not enclosed (whether the land is or is not owned by or in the possession of the owner of the stock) shall be deemed to be within the control and management of the Administration for the purposes of the *Stock Diseases Ordinance* 1936.

“(2) Sub-section (1) applies to stock whether a right of pasturage exists in respect of the stock or not.

“(3) The Administration or an Inspector is not liable for any loss or damage sustained by a person by reason of -

- (a) an act done by an Inspector in good faith and without negligence under or for the purposes of, or purporting to be under or for the purposes of, the *Stock Diseases Ordinance* 1936 or the regulations in force under that Ordinance in respect of stock deemed by this section to be within the control and management of the Administration for the purposes of that Ordinance; or
- (b) an omission made by an Inspector in good faith and without negligence in respect of stock referred to in paragraph (a).

“(4) A reference in this section to an Inspector includes a reference to any person acting on behalf of the Administration.”.

Penalties

7. Section 12 of the Principal Ordinance is amended -

- (a) by omitting from sub-section (2) the words “Five pounds” and substituting “\$10”; and
- (b) by omitting from that sub-section the words “Two pounds” and substituting “\$4”.

Regulation

8. Section 13 of the Principal Ordinance is amended -

- (a) by omitting the word “disc” (wherever occurring) and substituting “tag”; and
- (b) by omitting from paragraph (f) the words “Two pounds” and substituting “\$4”.