

14 GEO. V. No. 16, 1923. *Stallions Registration Act.*

SALARIES.

See PUBLIC SERVICE.

SAVINGS BANKS, PRIVATE.

See BANKS.

SELECTIONS.

See LAND, CROWN.

SETTLEMENT, CLOSER.

See LAND, CROWN.

STALLIONS, REGISTRATION.

See STOCK.

STOCK.

An Act to Improve the Breed of Horses, and for other incidental purposes.

14 GEO. V.
No. 16.

THE
STALLIONS
REGISTRA-
TION ACT OF
1923.

[ASSENTED TO 10TH OCTOBER, 1923.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Stallions Registration Act of 1923.*" Short title.

2. In this Act, unless the context otherwise indicates, Interpreta- the following terms have the meanings set against them tion. respectively, that is to say:—

"Approved standard"—A standard which con- Approved forms to a reasonable standard in respect of standard. type conformation and breeding;

"Board"—A Stallion Board appointed for a Board. district under this Act;

"Certificate"—The prescribed certificate of regis- Certificate. tration granted by the Minister under this Act;

"District"—Any district constituted for the time District. being under this Act;

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Minister.	“Minister”—The Secretary for Agriculture and Stock or other Minister of the Crown for the time being charged with the administration of this Act;
Owner.	“Owner”—The owner, whether jointly or in severalty, or the representative of the owner, or, if the owner is not known to the Under Secretary or Board, as the case may be, then the person in possession or charge of any stallion; and “ownership” has a corresponding meaning;
Prescribed.	“Prescribed”—Prescribed by this Act or Regulations made thereunder;
Sound.	“Sound”—Free from such diseases or defects as are declared by Regulations under this Act to constitute hereditary unsoundness; and “soundness” has a corresponding meaning;
Stallion.	“Stallion”—Any entire male horse or donkey of the age of three years or over such age;
Under Secretary.	“Under Secretary”—The Under Secretary Department of Agriculture and Stock Brisbane;
Veterinary surgeon.	“Veterinary surgeon”—A person who holds a diploma of some recognised college or institution authorised to confer diplomas in veterinary science, and who is approved by the Minister as a veterinary surgeon under this Act.

Application
of Act.

3. This Act shall be in force in such districts as the Governor in Council, on the recommendation of the Council of Agriculture, may from time to time declare by Proclamation published in the *Gazette*.

The Governor in Council may at any time combine two or more such districts into one district or may alter the boundaries of or abolish any such district.

Stallion
Boards.

4. (1.) Stallion Boards, which shall consist of not more than five persons qualified by experience and knowledge of breeding of stock (one of whom shall be a veterinary surgeon and shall be appointed chairman of the Board), may be appointed by the Governor in Council on the recommendation of the Council of Agriculture, for any district: Provided that the Council of Agriculture shall not recommend the veterinary surgeon to be appointed to the Board.

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(2.) The Board shall be called the “[*Name of District*] Stallion Board,” and shall have the powers and perform the duties conferred and imposed upon them by this Act.

(3.) Any three members of the Board, of which one shall be the chairman, shall be a quorum at any meeting, and shall have all the powers and authority conferred upon the Board by this Act.

In the event of an equality of votes on a division, the chairman shall have a casting vote as well as a deliberative vote.

(4.) In case of the illness or absence of any member of the Board, the Minister may appoint a deputy to act for such member during his illness or absence; and every such deputy shall, while so acting, have all the powers and perform the functions of such member.

(5.) The members of the Board shall hold office for one year, and shall be eligible for reappointment from time to time: Provided that the Governor in Council may from time to time, by Order in Council published in the *Gazette*, extend the term of office of members of the Board for any period not exceeding, in the whole, three years.

All vacancies caused by death, resignation, or otherwise may be filled by the Governor in Council, whenever the same arise.

(6.) The Board shall cause minutes of their decisions to be kept.

(7.) Any member of the Board who takes part in any decision with respect to any stallion in which he is directly or indirectly interested shall be liable to a penalty not exceeding one hundred pounds, and upon conviction for such offence shall cease to be a member of the Board.

Members of Board, &c., not to be interested.

(8.) The Minister shall have the power to fix a date on and after which the functions of any Board under this Act shall cease.

5. The Minister may approve of qualified persons to act as veterinary surgeons for the purposes of this Act.

Veterinary surgeons.

6. (1.) Every owner in a district shall, on or before the first day of June in each year, make application to the Under Secretary in the prescribed form for the registration of all his stallions.

Application for registration of stallion.

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(2.) The application shall be verified by a statutory declaration by the owner, and shall specify—

- (a) The number of stallions of which he is the owner, and the dates of foaling in each case;
- (b) The locality where each of them is pastured or kept;
- (c) The name and pedigree of each stallion, and a description sufficient for the purposes of identification;
- (d) The district in which the stallion is to be travelled or offered for stud purposes.

Applications
referred to
Board.

(3.) Every application shall be referred to the Board, who shall examine such stallions in manner prescribed.

Registration.

Upon such examination being completed, the Board shall report to the Minister; and the Minister shall cause to be entered in a register of stallions to be kept at the Department of Agriculture and Stock, particulars of all such stallions which are of approved standard and sound and for which certificates are to be issued.

Certificate of
registration.
Schedule.

(4.) The Minister shall cause a certificate, in such of the forms of the Schedule to this Act as is applicable, to be issued in respect of each stallion registered under this Act.

Particulars and class of the stallions registered shall be published in one issue of the *Queensland Agricultural Journal* in each year with respect to each such stallion.

(5.) Every registration of a three-year-old or four-year-old stallion shall continue in force only until the first day of August next succeeding the date of registration, but may be renewed from year to year.

In the case of stallions which are five years of age and over that age, the registration certificate shall, subject to the next succeeding provision, be for life, without further certificate or examination:

Provided always that the Minister may at any time direct that any stallion, in respect of which a certificate has been issued under this Act, shall be re-examined by the Board at such time and place as the Minister may appoint, and in the event of such stallion being declared unsound such certificate shall cease to operate and be cancelled by the Minister.

(6.) The fee for registration and for renewal shall be as prescribed by regulation under this Act, but shall not exceed twenty shillings in either case.

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(7.) Upon the death of or change of ownership in or leasing for a period exceeding six months of any stallion registered under this Act, full particulars must be notified by the owner to the Under Secretary, for alteration in the register, and unless the change of ownership or leasing is notified within one month, the certificate issued for the stallion concerned shall cease to operate and be cancelled by the Minister.

7. Once in each year, between the first and thirty-first days of July, the Board shall, by advertisement in some newspaper circulating in the district, and in such other manner (if any) as may be prescribed, notify that the Board will meet, at a time and place to be specified in such notice for the purpose of examining stallions, and the owners of such stallions shall present such stallions to the Board for examination at such time and place as may be advertised.

Annual
examination
and
adjudica-
tion.

8. (1.) The Board shall examine all stallions brought to the place for inspection, and shall judge by personal inspection whether the stallions inspected are sound, true to the type of the breed they represent, and are stallions which can be expected to improve the breed of horses in the State.

Board to
inspect
stallions.

(2.) An appeal shall lie from any decision of a Stallion Board to an appeal board consisting of the chief veterinary surgeon, and—

- (a) When the report shows that the stallion is not sound, such two other qualified veterinary surgeons; or
- (b) When the report shows that the stallion is not of approved standard, such two members of other Stallion Boards

as shall in either of such cases be selected by the Minister: Provided that during the period for which the decision is postponed, the owner shall not use or permit the stallion to be used for stud purposes other than for mares which are his own property. Such appeal shall be brought and conducted within the time and in the manner prescribed.

In the case of every appeal a payment of the sum of five pounds shall be made to the Minister, which sum, in the event of the decision of the Board being upheld, shall be forfeited to His Majesty.

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Only
registered
stallions
permitted to
stand.

9. After this Act has been in operation for two years no person shall offer for stud purposes any stallion without holding a subsisting certificate of registration for the same, and for any contravention of this provision he shall be liable to a penalty not exceeding fifty pounds; but the offer for stud purposes of a stallion in respect of which an application has been duly made and has not been rejected by the Board shall not be deemed a contravention of this provision.

Payments to
members of
Stallion
Board.

10. Fees to be fixed by the Minister shall be paid to each member of a Board, except officers of the Public Service of Queensland, for the annual examination and adjudication of stallions under this Act; such fees need not be of the same amount in each district or for each member.

Offences.

11. (1.) Any person who—

- (a) Procures or attempts to procure registration of a stallion or a certificate of registration of a stallion under this Act by making or producing or causing to be made or produced any false and fraudulent declaration certificate or representation either in writing or otherwise; or
- (b) Wilfully makes or causes to be made any falsification in or in any manner relating to the register of stallions;

shall be liable to a penalty not exceeding one hundred pounds, or to be imprisoned for any term not exceeding twelve months, or to both of these punishments.

(2.) Any person who—

- (a) Refuses to render any assistance reasonably necessary for carrying out the provisions of this Act or any regulations made thereunder; or
- (b) Gives a false answer to any question put to him by a member of a Board for the purposes of carrying out such provisions; or
- (c) Is guilty of any contravention of this Act or of such regulations for which a penalty is not provided;

shall be liable to a penalty not exceeding fifty pounds.

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12. All penalties imposed for any breach of this Act or the regulations thereunder may be recovered in a summary way, on complaint, under **"The Justices Acts, 1886 to 1909,"* and shall, when received, be placed to the credit of the Consolidated Revenue, and form part thereof.

Recovery
and
application
of penalties.

13. All expenses necessary for carrying this Act into effect shall be defrayed out of moneys from time to time appropriated by Parliament for the purpose.

Appropriation.

14. (1.) The Governor in Council may from time to time make regulations respecting all matters and things which he deems necessary or convenient to give effect to this Act.

Governor
in Council
may make
regulations.

All such regulations shall be published in the *Gazette*, and when so published shall have the same effect as if they were enacted in this Act, and shall be judicially noticed.

(2.) A copy of all such regulations shall be laid before Parliament within fourteen days after the publication thereof, if Parliament is then sitting, and if Parliament is not then sitting, then within fourteen days after the commencement of the next session.

Regulations
to be laid
before
Parliament.

SCHEDULE

(A.)



No.

Department of Agriculture and Stock, Queensland.

CERTIFICATE OF REGISTRATION.

"The Stallions Registration Act of 1923."

Subject to this Act, this certificate remains in force until
1st August, 19 .

Of the

Year-old [*breed of stallion*] Stallion

submitted for Examination by the

Owner

, of

Stallion having been found suitable for Stud Service has been registered after examination by the Board appointed under the abovenamed Act on this day of , 19 .

Issued by direction of the Secretary for Agriculture and Stock.

Chief Inspector of Stock.

Under Secretary.

This Certificate must be handed to the Chairman of the Board at next Annual Examination.

Stallion.

* 50 Vic. No. 17 and Amending Acts, *supra*, page 1132.

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[BACK]

The Minister retains the right at any time to have a certificated stallion submitted for re-examination, and to cancel the certificate in the event of the animal being shown, to his satisfaction, to be unsound.

DEATH OF STALLION or any change of ownership or lease for a period exceeding six months of a stallion in respect of which this certificate is issued must be immediately notified to the Under Secretary, Department of Agriculture and Stock, Brisbane.

(B.)



No

Department of Agriculture and Stock, Queensland.

CERTIFICATE OF REGISTRATION

“*The Stallions Registration Act of 1923.*”

Issued for Life.

GIVEN in respect of the	Year-old [<i>breed of stallion</i>] Stallion
	submitted for Examination by the
Owner	of . Such
stallion having been found suitable for Stud Service has been registered	
after examination by the Board appointed under the abovenamed	
Act on this	day of , 19 .

Issued by direction of the Secretary for Agriculture and Stock.

Chief Inspector of Stock.

Under Secretary.

[BACK]

TENURE OF CERTIFICATE.

The Minister retains the right at any time to have a stallion certificated for life submitted for re-examination, and to cancel the certificate in the event of the animal being shown, to his satisfaction, to be unsound.

DEATH OF STALLION or any change of ownership or lease for a period exceeding six months of a stallion in respect of which this certificate is issued must be immediately notified to the Under Secretary, Department of Agriculture and Stock, Brisbane.