

SOUTH AUSTRALIA

CATTLE COMPENSATION REGULATIONS, 1988

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SCHEDULE

Certificate to be furnished to Applicant for Compensation

APPENDIX

LEGISLATIVE HISTORY

REGULATIONS UNDER THE CATTLE COMPENSATION ACT, 1939

Cattle Compensation Regulations, 1988

being

No. 195 of 1988: *Gaz.* 15 September 1988, p. 1052¹

as varied by

No. 194 of 1989: *Gaz.* 26 October 1989, p. 1308

No. 4 of 1993: *Gaz.* 21 January 1993, p. 242²

¹ Came into operation 1 October 1988: reg 2.

² Came into operation 21 January 1993: reg 2.

2.

Citation

1. These regulations may be cited as the *Cattle Compensation Regulations, 1988*.

Commencement

2. These regulations will come into operation on 1 October, 1988.

Revocation

3. The *Cattle Compensation Act Regulations, 1940* (see *Gazette*, 15 February, 1940, p. 403) as varied, are revoked.

Interpretation

4. In these regulations, unless the context otherwise requires:

"the Act" means the *Cattle Compensation Act, 1939*:

"market value" of a carcass means the value of the carcass calculated as if—

(a) the carcass were free from disease;

and

(b) the carcass were sold and delivered to the purchaser at the place where the carcass was when condemned as unfit for human consumption.

Prescribed scale of compensation

5. For the purposes of section 6(2) of the Act, the amount of compensation payable in respect of a diseased carcass condemned as unfit for human consumption is the market value of the carcass.

Prescribed Amount

6. For the purposes of section 7(4) of the Act, the prescribed amount is \$2 000 for any head of cattle or the carcass of any head of cattle.

Application for compensation

7. For the purposes of section 8(1) of the Act, an application for compensation must be made by posting or delivering to the chief inspector an application in writing, in a form approved by the chief inspector, signed by the applicant and containing the following particulars:

(a) the full name and address of the applicant;

(b) in relation to each head of cattle destroyed, or each carcass condemned—

(i) a description of the head of cattle or carcass;

(ii) the date on which the authority for destruction of the head of cattle was given or on which the carcass was condemned;

(iii) the disease affecting the head of cattle or carcass;

3.

(iv) the market value of the head of cattle or carcass on the date referred to in subparagraph (ii) as determined by the inspector or other person under whose authority it was destroyed or condemned;

and

(v) the amount of compensation claimed;

and

(c) a statement to the effect that—

(i) the applicant is the owner of the head of cattle or carcass;

and

(ii) in relation to each head of cattle destroyed, or each carcass of a head of cattle condemned, that the head of cattle was not introduced into the State within three months of the date on which the head of cattle was destroyed, or the date on which the carcass was condemned, as the case may be.

False statement in application for compensation

8. A person who knowingly makes a false or misleading statement in an application for compensation is guilty of an offence.

Penalty: \$40.

Certificate to be furnished to applicant for compensation

9. For the purposes of section 8(2) of the Act, the certificate to be furnished to an applicant for compensation must be in the form of the schedule and contain the particulars required to complete that form.

Rate of stamp duty

10. For the purposes of section 13(1) of the Act, the rate of stamp duty payable for every head of cattle or carcass sold is—

(a) 5 cents for each \$20, or part of \$20, of the amount paid for the purchase of the head of cattle or carcass;

or

(b) 25 cents,

whichever is the lesser amount.

Refund of stamp duty

11. (1) For the purposes of section 15(2) of the Act, an application for a refund of stamp duty must be made by posting or delivering to the chief inspector a statement in writing containing the following:

4.

- (a) the name and address of the applicant;
- (b) the amount claimed;
- (c) the place to which the cattle were exported;
- (d) the number and a description of the cattle exported;
- (e) the place and date of the sale in respect of which the refund of stamp duty is sought;
- (f) the total sale price;
- (g) the date of export;
- (h) the name and address of the consignee;

and

- (i) a statement to the effect that the cattle, the subject of the application, are not likely to be returned to the State.

(2) The application must be verified by a statutory declaration.

SCHEDULE

Cattle Compensation Act, 1939:
Certificate to be furnished to Applicant for Compensation
(Regulation 9)

I certify that each * carcass
 * head of cattle

described in the accompanying application for compensation of
of and dated ,
19 , was * condemned by me as unfit for human consumption
 * destroyed by me or by my order
 * destroyed with my consent

at
and that I have determined the market value of each head of cattle or carcass to which the application relates at
the amount set out in the application.

Dated, 19. . . .

* delete as appropriate

.....
Inspector or other person certifying

6.

APPENDIX

LEGISLATIVE HISTORY

Regulation 6: substituted by 4, 1993, reg. 3
Regulation 10: varied by 194, 1989, reg. 2