

SOUTH AUSTRALIA

SWINE COMPENSATION REGULATIONS, 1988

SUMMARY OF PROVISIONS

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SCHEDULE

REGULATIONS UNDER THE SWINE COMPENSATION ACT, 1936

Swine Compensation Regulations, 1988

being

No. 194 of 1988: *Gaz.* 15 September 1988, p. 1049¹

¹ Came into operation 1 October 1988: reg. 2.

Citation

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

Commencement

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

Revocation

3. The following regulations are revoked:

(a) the *Swine Compensation Act Regulations, 1941* (see *Gazette*, 16 January, 1941, p. 35) as varied;

and

(b) The *Swine Compensation Act (Stamp Duty) Regulations, 1979* (see *Gazette*, 1 March, 1979, p. 563).

Interpretation

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

"the Act" means the *Swine Compensation Act, 1936*:

"carcass" includes portion of a carcass:

"market value" of a carcass means the value of the carcass calculated as upon a sale with delivery at the place where the carcass was when condemned as unfit for human consumption and as if the carcass were, at that time, free from disease.

Prescribed scale of compensation payable

5. (1) 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:

(a) for a whole carcass—the market value of the carcass;

(b) for a hindquarter—one-third of market value of the carcass;

(c) for a forequarter—one-sixth of market value of the carcass;

(d) for a head—

(i) if weighing 10 kilograms or less—8 cents per 0.5 kilogram;

or

(ii) if weighing over 10 kilograms—4 cents per 0.5 kilogram.

- (2) Notwithstanding paragraph (d) of subregulation (1), the maximum amount of compensation payable for a head is \$1.60.

Application for compensation

6. 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 pig that has been destroyed or died, or each carcass condemned—
 - (i) a description of the pig or carcass;
 - (ii) the date on which the authority for destruction of the pig was given, on which the death was certified as having been caused by disease, or on which the carcass was condemned;
 - (iii) the disease affecting the pig or carcass;
 - (iv) the market value and residual value of the pig or carcass on the date referred to in subparagraph (ii) as determined by agreement between the owner and the inspector on whose authority the pig was destroyed, the inspector or other person who condemned the carcass or the inspector who certified the cause of death of the pig;

and

- (v) the amount of compensation claimed;

and

- (c) a statement to the effect that—
 - (i) the applicant is the owner of the pig or carcass;
 - (ii) the applicant agrees with the values referred to in paragraph (b)(iv) set out in the application;
 - (iii) all swine stamp duty has (or has not) been paid in accordance with the Act in respect of all pigs and carcasses of pigs of the applicant;
- and
- (iv) all swine stamp duty payable on the sale to the applicant of the pigs or carcasses for which the applicant claims compensation has (or has not) been paid in accordance with the Act.

False statement in application for compensation

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

Penalty: \$40.00.

4.

Certificate to be furnished to applicant for compensation

8. 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.

Amounts of stamp duty

9. For the purposes of section 14(2) of the Act—

(a) the amount of stamp duty is one-quarter of a cent;

and

(b) the maximum amount of stamp duty is 21 cents.

SCHEDULE

Swine Compensation Act, 1936
Certificate to be furnished to Applicant for Compensation (Regulation 8)

I certify that each * pig
 * carcass

described in the accompanying application for compensation of

..... of

and dated, 19

* was destroyed by me or by my order

* was destroyed with my consent

* was certified by me as having died because of disease

* was condemned by me as unfit for human consumption

at

and that the owner and I have determined, by agreement, the market value and residual value of each pig or carcass to which the application relates at the amounts set out in the application.

Dated, 19

* delete as appropriate

.....
Inspector or other person certifying