

# AUSTRALIAN CAPITAL TERRITORY.

No. 5 of 1941.

## AN ORDINANCE

### To amend the Stock Ordinance 1934-1940.

**B**E it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909-1938* and the *Seat of Government (Administration) Act 1910-1940*, as follows:—

1.—(1.) This Ordinance may be cited as the *Stock Ordinance 1941*.<sup>\*</sup> Short title and citation.

(2.) The *Stock Ordinance 1934-1940* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Stock Ordinance 1934-1941*.

2. Section four of the Principal Ordinance is amended by inserting, after the definition of "Owner", the following definition:— Definitions.

" 'Partly stocked land' means land on which the number of stock depastured, as shown in the latest return furnished in pursuance of section eleven of this Ordinance, is less than the number of stock which, in the opinion of the Controller, the land can economically carry; "

3. Section eighteen of the Principal Ordinance is amended by inserting in sub-section (1.), after the word "shall", the words " , and any other person may, " Application and allotment of brands and marks.

4. Section twenty-nine of the Principal Ordinance is amended— Depasturing of travelling stock on roads and reserves.

(a) by inserting in sub-section (1.), before the word "travelling" (second occurring), the words "road or upon any"; and

(b) by inserting in sub-section (3.), before the word "travelling" (second occurring), the words "road or".

5. After section thirty-four of the Principal Ordinance the following section is inserted:—

"34A.—(1.) In any prosecution for an offence against this Ordinance, any of the following averments by the informant may be included in the information, and, if included therein, shall be *prima facie* evidence of the matter or matters averred, namely— Certain averments to be prima facie evidence.

(a) That, at the date of the alleged offence, the defendant was the owner of the land described in the information;

<sup>\*</sup> Notified in the *Commonwealth Gazette* on 12th June, 1941.  
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- (b) That, at the date of the alleged offence, the defendant was the occupier of the land described in the information;
- (c) That at the date of the alleged offence the defendant was the owner of the stock specified in the information.

“(2.) This section shall apply to any matter so averred although evidence in support or rebuttal of the matter averred or of any other matter is given.”

Amendment of  
the Second  
Schedule.

6. The Second Schedule to the Principal Ordinance is amended by omitting the words “For one sheep and not” and inserting in their stead the word “Not”.

Dated this eleventh day of June, 1941.

GOWRIE

Governor-General.

By His Excellency's Command,

H. S. FOLL

Minister of State for the Interior.

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By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.