ANNO TRICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1986

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No. 22 of 1986

An Act to amend the Dog Fence Act, 1946.

[Assented to 20 March 1986]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the “Dog Fence Act Amendment Act, 1986”.

(2) The Dog Fence Act, 1946, is in this Act referred to as “the principal Act”.

2. This Act shall come into operation on a day to be fixed by proclamation.

3. Section 6 of the principal Act is repealed and the following section is substituted:

6. (1) The board shall consist of five members as follows:

(a) one (who shall be the chairman of the board) shall be the person for the time being holding or acting in the office of Director of Lands, or the nominee, approved by the Minister, of that person;

(b) two (each of whom is an occupier of ratable land and at least one of whom is an occupier of ratable land adjoining the dog fence) shall be appointed by the Governor on the nomination of the United Farmers and Stockowners of S.A. Inc.;

(c) one (who is an occupier of ratable land but who is not a person appointed to the Public Service) shall be appointed by the Governor on the nomination of the Vertebrate Pests Control Authority;

and

(d) one shall be appointed by the Governor on the nomination of the Minister from a panel of persons to which each local board has nominated one person.
(2) Where any of the nominating bodies referred to in subsection (1) (b), (c) or (d) fail to make a nomination for the purposes of that subsection within 60 days of being requested by the Minister to make the nomination, the Minister may nominate for appointment to the vacant position on the board such person as the Minister thinks fit.

(3) A person nominated by the Minister pursuant to subsection (2) may be appointed to the board by the Governor and, upon appointment, shall be deemed to have been duly nominated and appointed in accordance with subsection (1).

(4) In this section—
“occupier of ratable land” includes a shareholder of a company which is an occupier of ratable land.

(5) On the commencement of the Dog Fence Act Amendment Act, 1986, all members of the board shall vacate their respective offices for the purpose of enabling new appointments to those offices to be made.

4. Section 9 of the principal Act is repealed. Repeal of s. 9.

5. Section 10 of the principal Act is amended by striking out the word “association” and substituting the word “body”. Amendment of s. 10—Method of filling vacancies.

6. Section 11 of the principal Act is amended—
(a) by striking out from subsection (1) the passage “a member” and substituting the passage “an appointed member”;

and

(b) by striking out from subsection (2) the word “association” and substituting the passage “body (not being a local board)”.

7. Section 12 of the principal Act is amended by striking out the passage “a member” first occurring and substituting the passage “an appointed member”. Amendment of s. 12—Dismissal of member.

8. Section 17 of the principal Act is amended by inserting in subsection (1) before the word “members” the word “appointed”. Amendment of s. 17—Members’ remuneration.

9. Section 32a of the principal Act is repealed and the following section is substituted:

32a. (1) The board may, for the purposes of this Act, borrow money from the Treasurer or, with the consent of the Treasurer, from any other person. Repeal of s. 32a and substitution of new section.

(2) Liabilities incurred by the board under subsection (1) with the consent of the Treasurer are guaranteed by the Treasurer.

(3) A liability of the Treasurer under a guarantee arising by virtue of subsection (2) shall be satisfied out of the Consolidated Account which is appropriated by this section to the necessary extent.

(4) Any money of the board that is not immediately required for the purposes of this Act may be invested in such manner as the Treasurer may approve.
10. The following section is inserted after section 35a of the principal Act:

35ab. (1) A local board may, for the purposes of this Act, with the consent of the board—

(a) borrow money from the Treasurer;

or

(b) borrow money, with the additional consent of the Treasurer, from any other person.

(2) Liabilities incurred by a local board under subsection (1) with the consent of the Treasurer are guaranteed by the Treasurer.

(3) A liability of the Treasurer under a guarantee arising by virtue of subsection (2) shall be satisfied out of the Consolidated Account which is appropriated by this section to the necessary extent.

(4) Any money of a local board that is not immediately required for the purposes of this Act may be invested in such manner as the Treasurer may approve.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor