WILD DOGS ACT AMENDMENT BILL 1961

House of Assembly, 18 October 1961, page 1392

Second reading

The Hon. G. G. Pearson for the Hon. D. N. BROOKMAN (Acting Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Wild Dogs Act, 1931-1954. Read a first time.

The Hon. G. G. Pearson for the Hon. D. N. BROOKMAN: I move:

That this Bill he now read a second time.

Its main object is to bring the rating provisions under the principal Act substantially into line with the rating provisions under the Dog Fence Act in order that the rating periods and the incidental machinery provisions under both Acts will be the same, thus rendering it possible to combine the accounts for rates under both Acts and to effect a saving in departmental administration expenses. The Bill also seeks to increase from £2,000 to £3,000 the maximum amount that may be expended each year, from moneys received on account of rates under the Act, on aerial baiting of wild dogs. Provision has also been made in the Bill to permit all rates collected to be paid to the credit of the Wild Dogs Fund from which will be paid the cost of aerial baiting and administration. This procedure will replace the existing procedure whereby the rates collected are paid to the credit of that fund after deducting the cost of aerial baiting and administration.

At present the rating period under the principal Act is the calendar year while the rating period under the Dog Fence Act is the financial year. It is proposed to bring the two rating periods into line by changing the rating period under the principal Act from the calendar year to the financial year. To give effect to this proposal the Bill makes provision for a transitional rating period of 18 months. With that object in view clause 3 defines the expressions “financial year”, “rating period” and “the transitional period".

Section 4 (3) of the principal Act lays down that the Wild Dogs Fund is to be applied in the payment of rewards for the killing of wild dogs and in the repayment of advances made under section 9 for carrying out the objects of the Act. Hitherto that fund consisted, in part, of moneys received on account of rates less the cost of aerial baiting and of administering the Act. As the effect of clause 8 will be that all moneys received on account of rates, without any deductions therefrom on account of aerial baiting, and administration, are to be paid into the fund, it will be necessary to provide that the fund is to be applied also in the payment of amounts expended on aerial baiting and in the administration of the principal Act. This provision is made in clause 4.

Section 5 (1) of the principal Act imposes an annual rate on all lands with certain exceptions. As the alteration of the rating period from the calendar year to the financial year necessitates provision being made for a transitional rating period of 18 months, the reference to an annual rate in that subsection would be inappropriate. Clause 5 (a) accordingly makes an appropriate amendment to that subsection. Paragraph (6) of that clause makes a consequential amendment to section 5 (2). Under the Dog Fence Act the amount of rates is declared in respect of each square mile of ratable land whereas under the principal Act it is declared in respect of each square mile, or portion of a square mile, of ratable land. Clause 5 (*c*) seeks to bring the rating provisions under the principal Act into line with those under the Dog Fence Act by striking out the words “or portion of a square mile” in paragraphs (a) and (*b*) of section 5 (2).

Under paragraph (i) of the second proviso to section 5 (2) the minimum rate in respect of a rating period of 12 months is fixed as 5s. On that basis the minimum rate in respect of the transitional rating period of 18 months should be fixed at 7s. 6d. Provision for this is accordingly made in paragraph (d) of clause 5. The minimum ratable area is three square miles under the principal Act and four square miles under the Dog Fence Act. Clause 5 (e) accordingly raises the minimum under the principal Act from three to four square miles.

Hitherto section 5 (2) of the principal Act has required a proclamation declaring the amount of rates for a calendar year to be made in the month of January of that year. In consequence of the alteration of the rating period, clause 5 (/) inserts a new subsection (2a) in section 5 enabling a proclamation in respect of the transitional period to be made in January, 1962, and one in respect of a financial year in the month of July. Section 5 (3) (*b*) contains an error in that it provides that the rates “shall be due and payable when declared as provided by subsection (1) hereof ”. Rates are not declared as provided by subsection (1) of that section, but the amount of rates is declared as provided by subsection (2) of that section. Clause 5 (g) re-enacts subsection 3 (*b*) in more appropriate language omitting also all reference to the calendar year. Clause 5 (*h*) amends section (4) so as to make it applicable to any rating period instead of to a period of 12 months only as it now applies.

Section 6 (1) of the principal Act provides that if a rate in respect of a calendar year is not paid by the 15th day of March next after it is declared a penalty is to be added to the rate. Clause 6 amends that subsection so that its provisions will in future apply to rates in respect of the transitional period and adds a new subsection (la) with corresponding provisions in respect of a financial year. The clause also makes the necessary consequential -amendments to that section.

Clause 7 is designed to increase the maximum annual expenditure on aerial baiting for wild dogs from £2,000 to £3,000. On that basis the clause also fixes the maximum expenditure on aerial baiting for the transitional period at £4,500. The clause amends section 6a of the principal Act accordingly.

As I explained earlier, the effect of clause 8 will be that all moneys received on account of rates, without any deductions therefrom for administration costs and costs of aerial baiting are to be paid into the Wild Dogs Fund. It will be remembered that section 4 of the principal Act as amended by clause 4 will provide for those costs to be met out of the fund. As a result of the amendments made by this Bill to sections 4 and 7 of the principal Act it has become necessary to repeal and re-enact section 8 so as to retain as far as possible the original basis under which subsidies to the Wild Dogs Fund were paid. This is done by clause 9.

In further support of the Bill I should like to add that the alteration of the rating period could effect a saving of approximately 50 per cent of the total expenses incurred and time spent in respect of the administration of the Wild Dogs Act and the Dog Fence Act and the consequent improvements that will be made in the administration of both Acts would be welcomed by ratepayers.

Mr. LOVEDAY secured the adjournment of the debate.