**VERMIN ACT AMENDMENT BILL 1959**

**House of Assembly, 11 November 1959, page 1559**

Second reading

**The Hon. 0. S. HINCKS (Minister of Lands)—I move—**

*That this Bill be now read a second time.*

The Vermin Act, 1931-1957, provides by section 22a that an owner or occupier of land must destroy rabbit warrens after notice given, within the time specified in the notice. It has been held by the Supreme Court that a notice to destroy rabbit warrens under this section must be reasonable in the light of all the circumstances of the particular case. While there can be no objection to a requirement that reasonable notice must be given it is appreciated that it is difficult for councils to be certain, in any case, whether a notice to destroy is necessarily valid. For this reason the present Bill will amend section 22a by prescribing a definite period of one month for the giving of a notice, at the same time allowing councils to give longer notice if they so desire.

Another difficulty which arises in the administration of the Act concerns the provision of section 23 (1) (*a*) that it is a defence to a charge for not destroying warrens after service of a notice if it can be shown that owing to the “physical features*”* of the land it was not practicable to comply with the notice. It has been argued that the expression “physical features*’’* can refer to merely the size of the particular land. What was contemplated by Parliament when this section was enacted was peculiar physical features such as watercourses, ravines, hills and the like. Clause 4 of the Bill accordingly makes this intention quite clear.

Mr. O'HALLORAN secured the adjournment of the debate.