

# STALLIONS LICENSING ORDINANCE, 1912.<sup>(1)</sup>

## No. 50 of 1912.

### An Ordinance for the Improvement of the Breed of Horses.

**B**E it enacted by the Lieutenant-Governor of the Territory of Papua with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited for all purposes as the *Stallions Licensing Ordinance, 1912.*<sup>(1)</sup> Short title.

2. For the purposes of this Ordinance—

“Inspector” means an inspector appointed under this Ordinance;

Interpretation.  
Fiji 21, 1909,  
s. 2.

“Proclaimed Area” means an area in the Territory in which this Ordinance has been brought into force by Proclamation<sup>(3)</sup> as hereinafter provided.

3. This Ordinance shall commence within such areas of the Territory and on such dates as the Lieutenant-Governor<sup>(2)</sup> by Proclamation to be published in the *Gazette* may from time to time direct.<sup>(3)</sup> Commencement and application of Ordinance.  
Fiji Ib. s. 3.

4. The Lieutenant-Governor<sup>(2)</sup> may appoint such inspectors sub-inspectors and other assistants as may be necessary for carrying out the provisions of this Ordinance. Appointment of inspector &c.  
Fiji Ib. s. 4.

(1) Particulars of this Ordinance are as follows:—

Date of assent by Lieut.-Gov.	Date notified in Papua Govt. Gaz. as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
16.7.1912	2.4.1913	Within Central Division— 1.1.1913 (Papua Govt. Gaz. of 23.12.1912) Within Eastern Division— 1.6.1924 (Papua Govt. Gaz. of 7.5.1924)

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

(3) By Proclamation dated 11.12.1912, published in Papua Govt. Gaz. of 23.12.1912, and printed on p. 98, this Ordinance was proclaimed to commence and come into operation within the Central Division (the boundaries of which were therein set out) on and from 1.1.1913; and by further Proclamation dated 24.4.1924, published in Papua Govt. Gaz. of 7.5.1924, and printed on p. 99, the Ordinance was proclaimed to commence within the Eastern Division (the boundaries of which were therein set out) as from 1.6.1924.

## ANIMALS AND BIRDS—

Licence to  
keep stallions.  
Fiji 21, 1909,  
s. 5.

5.—(1.) Every person within any proclaimed area keeping any stallion of the age of one year or upwards shall obtain a licence in the form set out in the schedule hereto or to the like effect authorizing him to keep the same.

(2.) The licence shall be issued by an inspector after the stallion in respect of which it is issued has been inspected by him.

(3.) If on inspection the stallion shall not appear to the inspector fit for breeding purposes he shall not issue a licence.

(4.) A fee of Five pounds shall be payable for each licence issued.

Penalty for  
keeping  
stallions  
without licence.  
Fiji *Ib.* s. 6.

6. After the expiration of three months from the commencement of this Ordinance in any proclaimed area no person shall keep upon his lands and premises or any lands and premises occupied by him within such area any stallion of the age of one year or upwards unless he shall have obtained a licence in the form set forth in the schedule hereto.

Penalty: Twenty pounds.

Inspection of  
animals.  
Fiji *Ib.* s. 7.

7. An inspector shall at least once in every twelve months inspect the stallions within a proclaimed area: Provided that if an inspector shall at any time observe in a proclaimed area any stallion of the age of one year or upwards and of which he knows the owner it shall be his duty and he is hereby empowered to deal with that animal and to provide for the castration thereof if deemed proper in the same manner as he is by this Ordinance empowered to deal with stallions when making an inspection directed by this section. If the inspector does not know the owner of the stallion he may take possession of and remove it to any convenient place and after giving one week's notice of his intention so to do in the *Gazette* or any newspaper published in the Territory may castrate the stallion. The owner when ascertained shall be liable to pay all fees costs and charges of taking possession of removing keeping and castrating such stallion and the cost of any such notice.

Collection of  
animals for  
inspection.  
Fiji *Ib.* s. 8.

8. An owner on requirement by an inspector whether notice of inspection has been given or not shall cause all stallions kept by him or permitted to remain upon the lands and premises occupied or used by him in a proclaimed area to be collected for inspection.

Penalty: Five pounds.

Stallions unfit  
for stud  
purposes.  
Fiji *Ib.* s. 9.

9. If upon inspection an inspector shall consider that any stallion is not a fit and proper animal to be kept for stud purposes and for the purpose of breeding stock he shall direct the stallion to be castrated on or before a day not earlier than one month after

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the day on which the direction is given: Provided that an owner may if he shall so elect cause the stallion to be slaughtered on or before the day named by the inspector instead of being castrated.

10. Any owner neglecting or omitting to castrate a stallion in pursuance of a direction given by an inspector under the powers conferred by the last preceding section or slaughter it shall be liable upon conviction in a summary manner before a magistrate to a penalty not exceeding Fifty pounds and in default of payment to a term of imprisonment not exceeding six months.

Penalty for neglect to comply with directions of inspector.  
Fiji 21, 1909, s. 10.

11. An inspector or sub-inspector and his servants and agents while engaged in the performance of any duties imposed upon him by this Ordinance may enter into or upon any lands premises or buildings within a proclaimed area upon which any stallion may then be or upon which he may have reasonable cause for believing that any stallion may then be and while upon or in those lands premises or buildings may do all reasonable acts and things for the purpose of enabling him to carry out and perform the duties imposed upon him by this Ordinance.

Powers to enter upon lands.  
Fiji 1b. s. 13.

12. No inspector or sub-inspector nor servant or agent employed by such inspector or sub-inspector shall be liable for any loss or damage sustained by any owner by reason of the death of or any injury to a stallion in consequence of its being castrated or by reason of any error in judgment as to the age of any stallion.

Indemnity.  
Fiji 1b. s. 14.

SCHEDULE. (4)

No.	No.
<u>STALLION LICENCE. (5)</u>	<u>LICENCE FOR A STALLION. (5)</u>
<i>Stock Improvement Ordinance, 1912. (6)</i>	<i>Stock Improvement Ordinance, 1912. (6)</i>
Name of owner.	Licence is hereby granted to _____ of _____ to keep the stallion described below.
Fee paid, £5.	Fee paid, £5.
Description—	Description— Inspector.
Name	Name
Breed or kind	Breed or kind
Age	Age
Colour	Colour
Distinctive marks	Distinctive marks

(4) The Schedule to this Ordinance has now been omitted, and a new Schedule inserted in its stead by the Second Schedule of the *Ordinances Reprint and Revision Ordinance 1947* of the Territory of Papua-New Guinea. The new Schedule omits the first form, and reproduces the second form as it appeared in the original Ordinance, with a correction to the reference to the Ordinance at the head of that form.

(5) These two forms both appeared in the original Ordinance.

(6) There is no *Stock Improvement Ordinance, 1912*. *Seemle*, this should read "*Stallions Licencing Ordinance, 1912.*"