**VERMIN ACT AMENDMENT BILL 1943**

**House of Assembly, 10 October 1942, pages 699-700.**

Second reading

**The Hon. R. J. RUDALL (Angas—Commissioner of Crown Lands)—**Section 9 of the Vermin Act provides that any vermin board may, for the purpose of the destruction of vermin, lay poison or set traps on any land within its district or on any Crown lands adjoining the district. Section 37 of the Act authorizes any occupier of land to lay poison on his land. In each case, notice of poison being laid must be conspicuously exhibited on the land on which it is laid, and no poison may be laid within 100 yards of any public road. It will be seen that a vermin board cannot lay poison or set traps on land adjoining its district unless the land is Crown lands and that the powers given by the legislation to occupiers of land are limited to the land occupied by them.

It has been suggested to the Government that both vermin boards and occupiers of land should be given further powers to bring about the destructions of vermin outside the vermin fences bounding the districts of the boards or, as the ease may be, the land of the occupiers and that for this purpose provision should be made to enable poison to be laid or traps set on occupied land situated outside the vermin fences in question. If proper safeguards are provided, it is obviously desirable that those concerned with the destruction of wild dogs should have power to carry out the work of destruction both inside and outside a vermin fenced area. The matter was referred for opinion to the Vermin Districts Association and the Stockowners’ Association and each of these organizations has recommended that extended powers of the nature proposed by the Bill should be given to vermin boards and landholders.

Clause 2 authorizes a vermin board to lay poison or set traps on any land outside but adjoining the vermin fenced district and which is separated from the district by a vermin fence. The vermin board must give notice in writing of its intention to the occupier of the land on which it is proposed to lay the poison or set the traps. If within seven days the occupier does not object to the proposed action, the vermin board may proceed to lay the poison or set the traps. If objection is made by the occupier, the board may apply to the Commissioner of Crown Lands for consent to lay poison or set the traps. If that consent is given, the board may proceed accordingly. Notice of poison being laid must be exhibited on the land and no poison may be laid or traps set at a greater distance than 100 yards from

the vermin fence. If there is a public road outside the vermin fence and separating the vermin fence from the land, no poison may be laid or traps set on the land. The powers of the vermin board to lay poison or set traps, without giving further notice as provided by the clause, may be exercised during a period of twelve months after the giving of notice to the occupier or, if it has been necessary to obtain the consent of the Commissioner of Crown Lands, during such less period as is fixed by the Commissioner.

Clause 3 deals with the powers of an occupier of land situated within a vermin-fenced district to lay poison or set traps on adjoining land situated outside the district where the two holdings are separated by a vermin fence. Similar notice must be given as provided by clause 2 and, if objection is made to the laying of the poison or the setting of the traps, the Commissioner of Crown Lands may give the necessary consent to the occupier seeking to lay the poison or set the traps. Provision similar to that in clause 2 is also made as to the exhibiting of notices and the distances within which and the places where the period during which poison may be laid or traps set.

Section 45 of the Vermin Act deals with the constitution and alteration of vermin-fenced districts. Subsection (2) provides that before a proclamation may be made for such a purpose, a plan of the proposed district or alteration must be laid before Parliament and approved by resolution of both Houses. Section 46 provides that the Governor may make a proclamation for the variation of the boundaries of a vermin-fenced district where the position of the boundary vermin fence does not coincide with the actual boundary of the district or where it is impracticable to erect the fence on the actual boundary of the district. Such a proclamation could be made only for the purpose of making a minor adjustment of the boundaries of the vermin-fenced district. There is some doubt as to whether subsection (2) of section 45 applies in such a case. In the circumstances where the powers given by section 46 would be exercised, it is clearly unnecessary that the pro cedure provided in section 45 (2) should be followed. Clause 4 therefore provides that subsection (2) of section 45 is not to apply to the making of a proclamation under section 46. I move the second reading.

The Hon. E. S. BICHABDS secured the adjournment of the debate.