

Impounding Regulations 1981
(SR 1981/49)

Note

These regulations are administered in the Department of Internal Affairs.

PURSUANT to sections 13, 15A, 46, and 57 of the Impounding Act 1955, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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1 Title and commencement

- (1) These regulations may be cited as the Impounding Regulations 1981.
- (2) These regulations shall come into force on the 1st day of April 1981.

2 Interpretation

- In these regulations, unless the context otherwise requires,—
The Act means the Impounding Act 1955
A reference to a numbered form is a reference to a form so numbered in Schedule 1 to these regulations.

3 Pound Book

- The Pound Book required to be kept by a local authority under section 13(1)(a) of the Act shall be in form 1.

4 Impounding Register

- The Impounding Register required to be kept by a local authority under section 13(1)(b) of the Act shall be in form 2.

5 Notice to owner of stock impounded

- Every notice required by section 46(1) of the Act to be delivered or posted to an owner whose stock has been impounded shall be in form 3.

6 Notice of impounding and proposed sale of impounded stock

- Every notice required by section 46(2) of the Act to be inserted in one or more newspapers advising that stock has been impounded and will be sold unless claimed shall be in form 4.

7 Trespass rates

- The trespass rates payable under the Act shall be the rates set out in Schedule 2 to this Act.

8 Revocation

- The Impounding Regulations 1955¹ are hereby revoked.

Schedule 1
Forms

Regs 3
to 6

Form 1
Pound Book
[To be entered in duplicate]

Consecutive No

Date: Time of Impounding:

Particulars of stock impounded:

.....

Brands or marks:

.....

Name and address of owner (if known):

.....

Name and address of person impounding stock:

.....

Place where stock seized:

Reason for impounding:

Amount of trespass rates claimed:

Amount of driving charges claimed:

.....

Pound Keeper.

[Copy to be forwarded as soon as possible to office of local authority for entry in Impounding Register.]

Form 2
Impounding Register

	Date	
	Time of Impounding	
	Particulars of Stock Impounded	
	Brands or Marks	
	Name and Address of Owner (if Known)	
	Name and Address of Person Impounding Stock	
	Place Where Stock Seized	
	Reason for Impounding	
	Date Notice Sent to Owner	
	Date Notice Inserted in Newspaper	
	Trespass Rates Claimed	Fees, Rates, and Charges Payable by Owner
	Driving Charges Claimed	
	Poundage and Sustenance Fees and Other Charges	
	Total	
	How Stock Disposed of	
	Date of Release or Sale	
	Amount Received from Owner (if Claimed)	
	Name and Address of Purchaser	Particulars of Sale (if Not Claimed)
	Amount Paid by Purchaser	
	Receipt Number	
	Costs and Charges incidental to Sale	Application of Amount Received from Owner or from Proceeds of Sale
	Poundage, Sustenance and Other Fees Due to Local Authority	
	Trespass Rates and Driving Charges Paid to Persons Entitled Thereto	
	Residue Paid to Owner	
	Amount Uncollected	
	Total	
	Remarks	

Form 3
Notice to owner of impounding stock

The Impounding Act 1955, Section 46(1)

To [Name and address of owner].

THE undermentioned stock, having been seized for impounding at [State place where stock seized for impounding] is impounded at [State place where stock impounded]:

Description of stock [State number and kind of stock, where and how branded, and the particular sex, colour, and other distinguishing marks].

Notice is hereby given that, unless the stock is claimed before [State time and date, being forty eight hours after time of delivery or posting of this notice] it will be sold by public auction, or otherwise disposed of in accordance with the Impounding Act 1955.

Dated this day of 19.....

By order of [Name of local authority]:

By [Personal signature],

Principal Administrative Officer (or Authorised Officer).

Form 4

Notice of impounding and of proposed sale of impounded stock

The Impounding Act 1955, Section 46(2)

THE undermentioned stock, having been seized for impounding at [State place where stock seized for impounding] is impounded at [State place where stock impounded]:

Description of stock: [State number and kind of stock, where and how branded, and the particular sex, colour, and other distinguishing marks].

Notice is hereby given that, unless claimed by the owner, the stock will be sold by public auction or otherwise disposed of in accordance with the Impounding Act 1955 at [State place, date, and time of sale, being not less than seven days after the date of the first publication of this notice].

Dated this day of 19.....

By order of [Name of local authority]:

By [Personal signature],

Principal Administrative Officer (or Authorised Officer).

Schedule 2 Trespass rates

Reg 5

	Trespass on any paddock of grass or stubble	Trespass on any land bearing any growing crop or from which the crop has not been removed, or in any reserve, cemetery, or burial ground
	\$	\$
For every horse, cattle beast, deer, ass, or mule	2.00	5.00
For every sheep	0.50	1.00
For every pig or goat	5.00	10.00

P G MILLEN,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act 1936.
Date of notification in Gazette: 12 March 1981.
