

CATTLE DEVELOPMENT AUTHORITY (AMENDMENT) BILL 1983

(NAME OF BILL)

CONTENTS

Bill
Objects and Reasons
Notice of Presentation
Covering letter from Minister to Clerk to Parliament
(Authorisation from Minister of Finance under s.60 of Constitution)

FROM Attorney General's Chambers 14/11/83

TO Minister 14/11/83
(for signing Objects & Reasons, Notice of Presentation and covering letter to Clerk)

TO ~~Minister of Finance~~
(for signing of letter to Clerk signifying Cabinet approval under s.60 of Constitution)

TO Clerk to National Parliament 14/11/83
(for certificate by Speaker)

TO Attorney General's Chambers
(for printing)

TO Clerk to National Parliament
(for reference during 1st, 2nd and 3rd Readings)
(Date passed 17/11/83 Act No. 8)

TO 14/11/83 Attorney General's Chambers
(for checking before Assent)

TO Governor-General 14/11/83
(for Assent)

TO Clerk to National Parliament
(for distribution: 1 copy Attorney General's Chambers
1 copy Ministry
1 copy Parliament Office
1 copy Registrar of the High Court)



**THE CATTLE DEVELOPMENT
AUTHORITY (AMENDMENT)**

ACT 1983

NO 8 OF 1983





THE CATTLE DEVELOPMENT AUTHORITY (AMENDMENT)

ACT 1983

NO 8 OF 1983

Passed by the National Parliament this seventeenth day of November 1983.

This printed impression has been carefully compared by me with the Bill passed by Parliament and found by me to be a true and correct copy of the said Bill.

J M Tuhaika

J M Tuhaika
Clerk to the National Parliament

Assented to in Her Majesty's name and on Her Majesty's behalf this
~~sixth~~ *seventh* *day of December 1983.*

seventh

B Devesi

B Devesi
Governor-General

Date of commencement: see section 1.

AN ACT further to amend the Cattle Development Act 1977.

ENACTED by the National Parliament of Solomon Islands.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement.
2. Renaming of the Cattle Development Authority as the Livestock Development Authority to widen its role.
3. Amendment of section 2.
4. Certain consequential amendments.
5. Amendment of section 4.
6. Amendment of section 5.
7. Amendment of section 6.
8. Amendment of section 7.
9. Amendment of section 9.
10. Amendment of section 11.
11. Amendment of section 12.
12. Amendment of section 13.
13. Amendment of section 25.
14. Savings.
15. Removal of difficulty.

The Cattle Development Authority (Amendment) Act 1983

5

1. This Act may be cited as the Cattle Development Authority (Amendment) Act 1983, and shall come into force on such date as the Minister may, by notice, published in the Gazette, appoint.

Short title, and commencement.

2. The Cattle Development Authority Act 1977 (hereinafter called the principal Act) is hereby amended -

Renaming of the Cattle Development Authority as the Livestock Development Authority to widen its role.

(a) by substituting, for its long title, the following long title -

"An Act providing for the establishment of a Public Authority to be known as the Livestock Development Authority with necessary regulatory and operational role for the improvement of the nutritional level and income of the people, more particularly in rural areas, by covering all aspects of livestock productivity and commercial development of its products, and for matters connected therewith or incidental thereto";

(b) by substituting, in the citation of its short title, in section 1, and in the marginal heading and subsection (1) of section 3, "Livestock Development Authority" for "Cattle Development Authority".

3. The principal Act is hereby amended, in section 2 -

Amendment of section 2.

(a) by substituting, in the definition of "Authority", "Livestock Development" for "Cattle Development";

(b) by substituting, in the definition of "carcass" -

(i) "livestock" for "cattle"; and

(ii) "bone, feather" for "bone";

(c) by deleting the definition of "cattle product";

(d) by inserting, immediately below the definition of "general manager", the following definitions -

"livestock" means cattle, poultry and animals of any other kind, kept or dealt in for use or profit;

"livestock product" includes a carcass and any thing derived or manufactured therefrom;";

(e) by inserting, immediately below the definition of "member", the following definition -

"poultry" includes domestic fowls;".

4. Consequent upon certain amendments made by section 3 -

Certain consequential amendments.

(a) the principal Act is hereby amended, in all other provisions, by substituting "livestock" and "livestock products" for "cattle" and "cattle products" respecti-

vely, wherever "cattle" and "cattle products" appear in those provisions; and

- (b) the Provincial Government Act 1981 is hereby amended, in Schedule 4, in paragraph 5(2), by substituting "Livestock Development Authority" for "Cattle Development Authority".

Amendment
of section 4.

5. The principal Act is hereby amended, in section 4 -

- (a) by re-lettering paragraphs (c), (d), and (e) as paragraphs (e), (f) and (g) respectively;

- (b) by inserting, immediately below paragraph (b), the following paragraphs -

"(c) to take, with the approval of the Minister, necessary regulatory or operational measures for the improvement of health and commercial productivity of livestock;

- (d)(i) to promote, foster and assist in the research programmes for, and the education and training of, the persons engaged in the rearing and development of livestock, or in carrying on, or the development of, livestock industry;

- (ii) to provide to such persons necessary services and credit facilities;"

- (c) by inserting, in paragraph (e), as so re-lettered, "in the performance of its functions and in the exercise of its powers" after "to be employed by the Authority".

Amendment
of section 5.

6. The principal Act is hereby amended in section 5 -

- (a) in subsection (1), by substituting, for paragraph (h), the following paragraph -

"(h) make schemes containing provisions for -

- (i) procuring of livestock;

- (ii) establishment of nucleus livestock centres and sires for breeding feeds;

- (iii) providing disease control and other veterinary services, and services for the inspection of livestock products and commercial livestock feed;

- (iv) pasture development and related facilities;

- (v) institutional and infrastructure support services for the development of livestock and its commercial productivity;

The Cattle Development Authority (Amendment) Act 1983

(vi) securing to persons engaged in the development of livestock or livestock industry, loans and other credit facilities from the Development Bank of Solomon Islands, in accordance with such arrangement as may be made by the Authority in consultation with that Bank and approved by the Minister;";

(b) by re-numbering subsection (2) as subsection (3), and by inserting before subsection (3), as so re-numbered, the following subsection -

"(2) In the performance of its functions, or in the exercise of its powers, the Authority shall -

(a) act, in consultation with such persons and authorities as may be functioning under law, if any, in force with respect to any matter relating to the disease control and other veterinary services, inspection, quality control, price control and marketing or distribution of livestock and its commercial availability and productivity; and

(b) co-operate with such persons, authorities and bodies as it thinks fit."

7. The principal Act is hereby amended, in section 6 -

(a) by substituting for subsection (1), the following subsection -

"(1) The Authority shall be composed of the following members, namely -

(a) a member appointed by the Minister to be Chairman of the Authority;

(b) four members to represent the interests of the livestock industry;

(c) two other members, one of whom shall be a public officer, if a public officer is not appointed to be the Chairman of the Authority;

(d) two ex-officio members, of whom one shall be the General Manager who shall preside over the meetings of the Authority in the absence of the Chairman and the other shall be the Permanent Secretary or the Under Secretary nominated by him in this behalf, of the Ministry responsible for the administration of this Act."

Amendment
of section 6.

Amendment
of section 7.

(b) by inserting, in subsection (2), “, who is not an ex-officio member,” after “A member of the Authority”.

8. The principal Act is hereby amended, in section 7, by substituting for subsection (2), the following subsection -

“(2) A majority of the members of whom the Chairman, if he is present, and one ex-officio member shall constitute the quorum at any meeting of the Authority:

Provided that where the Chairman is absent and the General Manager is to preside over any meeting of the Authority, the presence of the other ex-officio member shall be necessary to constitute such quorum.”.

Amendment
of section 9.

9. The principal Act is hereby amended, in section 9 by inserting the following proviso at the end -

“Provided that where a public officer is the Chairman or any other member, he shall be paid only such allowances for travelling and subsistence.”.

Amendment
of section
11.

10. The principal Act is hereby amended, in section 11, by substituting for subsection (1), the following subsection -

“(1) The Authority may, from time to time, on such terms and conditions of service as it may deem necessary for the efficient discharge of its functions, and -

(a) as may be approved by the Minister, appoint and employ a general manager and a secretary, or dismiss or otherwise terminate the service of any person so appointed; and

(b) as may be approved by it, appoint or employ other officers, employees, agents and advisers, or dismiss or otherwise terminate the service of any person so appointed.”.

Amendment
of section
12.

11. The principal Act is hereby amended in section 12(d) by inserting “,whether as financial assistance, or otherwise, from any foreign or international financial institution or organisation,” after “vested in it”.

Amendment
of section
13.

12. The principal Act is hereby amended in section 13(2), by substituting, “or Secretary and at least one other person authorised by the Authority in that behalf” for “of the Authority and at least one other person authorised by it in that behalf”.

The Cattle Development Authority (Amendment) Act 1983

9

13. The principal Act is hereby amended, -

Amendment
of section
25.

(a) by re-numbering section 25 as section 26, and by inserting, before section 25 as so re-numbered, the following section -

“Overriding 25. (1) Save as otherwise provided effect of the Act.

in this Act, the provisions of this Act shall have effect, notwithstanding any thing inconsistent or to the contrary contained in any other law.

(2) Save as aforesaid, the provisions of this Act shall have effect as supplementary to but not in derogation of any other law.”;

(b) by, inserting, in section 26, as so re-numbered, “and such regulation may provide that the contravention of any such regulation shall be an offence punishable with a fine not exceeding one hundred dollars or with imprisonment not exceeding three months, or both.”.

14. (1) For the removal of doubts, it is hereby declared that the renaming of the Cattle Development Authority as the Livestock Development Authority by this Act -

Savings.

(a) shall not affect the validity and operation of any thing done or action taken before the commencement of this Act by the Cattle Development Authority, in the performance of its functions and in the exercise of its powers under the principal Act; and

(b) every such thing or action, in so far as it is subsisting or in force upon the commencement of this Act, shall continue after such commencement, as if it was done or taken by the Livestock Development Authority and the Livestock Development Authority were established under the principal Act instead of the Cattle Development Authority before such commencement.

(2) Without prejudice to the generality of the foregoing provision -

(a) all funds and resources consisting of such moneys, sums and property of the Cattle Development Authority as is referred to in section 12 of the principal Act;

(b) all other assets and liabilities of the Cattle Development Authority, all banking and other accounts and financial transactions and records opened, maintained

or kept by the Cattle Development Authority;

- (c) all contracts, deeds and other documents executed by or on behalf of the Cattle Development Authority, including suits or actions instituted by or against that Authority in any court;

before the commencement of this Act, shall, upon such commencement become such funds, resources, assets and liabilities of the Livestock Development Authority, and all such banking and other accounts and financial transactions, records, contracts, deeds and other instruments, suits or actions, shall, in so far as they are subsisting immediately before such commencement, be deemed to be as validly and effectively maintainable or enforceable, as the case may be, by or against the Livestock Development Authority as if this Act had not come into force.

(3) The general manager, secretary and every officer, servant, agent and adviser serving the Cattle Development Authority, immediately before the commencement of this Act shall, upon such commencement, continue to serve the Livestock Development Authority, on the same terms on which he was serving the Cattle Development Authority before such commencement, until such terms are duly altered in accordance with the principal Act as amended by this Act.

Removal of
difficulty.

15. (1) If any doubt or difficulty arises in giving effect to the provisions of the principal Act as amended by this Act, the Minister may, by order published in the Gazette, and in consultation with the Livestock Development Authority, remove such doubt or difficulty:

Provided that -

- (a) nothing contained in this section shall empower the Minister to make an order which is inconsistent with the principal Act as amended by this Act; and
(b) no such order shall be made after the expiry of one year from the date of commencement of this Act.

(2) An order made under subsection (1) shall, as soon as it is made, be laid before Parliament and the provisions of subsection (2) of section 56 of the Interpretation and General Provisions Act 1978 shall apply to that order.