

THE TERRITORY OF CHRISTMAS ISLAND

No. 2 of 1974

AN ORDINANCE

To amend the *Importation of Dogs and Cats Ordinance 1973*.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Christmas Island Act 1958-1973*.

Dated this *twenty third*
day of *July*, 1974.

John R. Kerr
Governor-General.

By His Excellency's Command,

L. F. Bowen
Special Minister of State.

IMPORTATION OF DOGS AND CATS ORDINANCE 1974

1. (1) This Ordinance may be cited as the *Importation of Dogs and Cats Ordinance 1974*.*

Short title
and
citation.

(2) The *Importation of Dogs and Cats Ordinance 1973*† is in this Ordinance referred to as the Principal Ordinance.

(3) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Importation of Dogs and Cats Ordinance 1973-1974*.

2. Sections 8 and 9 of the Principal Ordinance are repealed and the following sections substituted:—

“ 8. (1) A police officer may, where he has reason to believe that an animal is a prohibited animal or that goods are prohibited goods, seize the animal or the goods.

Seizure of
prohibited
animals and
prohibited
goods.

“ (2) Where a police officer seizes an animal or goods pursuant to sub-section (1), he shall—

(a) give notice in writing forthwith to the importer of the seizure; and

(b) lodge a copy of the notice with the Chief Clerk of the Magistrate's Court.

* Notified in the *Australian Government Gazette* on
† Ordinance No. 5 of 1973.

“(3) The notice referred to in sub-section (2) shall specify the reasons for the belief by the police officer that the animal is a prohibited animal or that the goods are prohibited goods and shall require the importer to show cause before the Magistrate’s Court within a specified period, being a period of not less than 7 days after the seizure of the animal or the goods, why the Court should not—

- (a) declare that the animal is a prohibited animal or that the goods are prohibited goods;
- (b) order that the animal or the goods declared to be a prohibited animal or prohibited goods are forfeited; and
- (c) direct that the forfeited animal or the forfeited goods shall be destroyed or otherwise dealt with as the Court determines.

“(4) Where an importer does not, within the time specified in the notice referred to in sub-section (2), show cause before the Magistrate’s Court why an animal or goods should not be dealt with by the Court as provided by paragraphs (3)(a), (b) and (c), the police officer who seized the animal or the goods shall be entitled to apply to the Court to have the animal or the goods dealt with in accordance with paragraphs (3)(a), (b) and (c).

“9. For the purposes of section 8, the Magistrate’s Court shall have jurisdiction to—

Power of
Magistrate’s
Court.

- (a) declare that an animal is a prohibited animal or that goods are prohibited goods pursuant to this Ordinance;
- (b) order that a prohibited animal or prohibited goods shall be forfeited; and
- (c) direct that a forfeited animal or forfeited goods shall be destroyed or otherwise dealt with as the Court determines.”.

3. After section 10 of the Principal Ordinance the following section is added:—

“11. The provisions of this Ordinance are in addition to, and do not derogate from the operation of, any other law in force in the Territory.”.

Ordinance
does not
derogate
from any
other law.