An Act to amend in certain particulars the Impounding Act 29th Victoria No. 2. [16th December, 1881.]

WHEREAS it is expedient to amend the Impounding Act twenty-ninth Victoria number two to the intent that Municipal Councils may be empowered to exercise the powers of impounding with the liabilities and obligations thereto incident authorized and imposed by the statute law relating to Impounding. Be it therefore enacted by the Queen’s Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:

1. This Act may be cited for all purposes as the “Impounding Law Amendment Act of 1881.”

2. After the passing of this Act the Council of every Municipality and the Municipal Council of Sydney shall in respect of any street square road lane reserve park or land of whatever kind vested in or under the control and management of any such Council by virtue of any Act now or hereafter to be in force have power to impound any animals found straying wandering or at large in any such street square road or lane or when found trespassing in or on any such reserve park or land.
land enclosed by a sufficient fence as if such Council were the occupant thereof within the meaning of the Impounding Acts twenty-ninth Victoria number two and forty-second Victoria number twenty-three and the powers of sale and other powers exercisable under the said Impounding Acts shall apply to all animals impounded under this Act. Provided that every liability and obligation imposed upon an occupant by any Act relating to impounding shall in corresponding cases be applicable and attach to every such Council and to the revenues thereof.

3. The rates of damage for trespass specified in the second column of the First Schedule to the “Impounding Act of 1865” in respect of the animals described in the first column of that Schedule and the mileage rates for driving or taking animals to pound specified in the Second Schedule to the said Act shall subject to the same increased rates and charges as are provided by the said Act for repeated trespass be the damage and driving rates respectively chargeable in respect of animals impounded by any Council under this Act.

4. Nothing in this Act shall affect or prejudice any Municipal by-law duly made approved and published under which any penalty is or shall be imposed upon the owners or persons in charge of animals found at large straying or otherwise in contravention of any such by-law.

5. Every such Council as aforesaid shall have power to appoint under their corporate seal an officer of such Council to impound animals under this Act and to exercise all powers vested in occupants and to perform and be liable in respect of all duties imposed on impounders by the law in force relating to impounding.