

VOLUME: V

BRANDING OF CATTLE

Part ID: IV Miscellaneous (ss 27-29)

CHAPTER: 36:02

27. Presumption against mutilator

On the trial of any person for any offence referred to in section 6 of the Stock Theft Act in relation to any hide or cattle, the fact that the hide or cattle has been mutilated by that person in such a way that any registered brand or zonal symbol is removed or rendered illegible shall be prima facie evidence that that person is not the owner or person entitled to the possession of the hide or cattle.

28. Jurisdiction

Notwithstanding anything in the Magistrates' Courts Act, a magistrate's court presided over by a Magistrate Grade I or over shall have special jurisdiction to impose the maximum penalties provided for in this Act.

29. Regulations

(1) The President may by statutory instrument make such regulations as he may deem expedient to give force and effect to this Act or for its better management.

(2) Without prejudice to the generality of the provisions of subsection (1), regulations made under this section may provide for the following matters-

- (a) any matter which this Act specially provides may be prescribed;
- (b) the size, design and pattern of branding irons;
- (c) the persons by whom branding irons may be manufactured, imported or sold;
- (d) the persons who may possess branding irons.

(3) Regulations may provide that any person who contravenes any provision thereof or who fails to comply with any order, requirement or condition lawfully issued to or imposed on him by virtue of any regulation and with which it is his duty to comply shall be guilty of an offence.

(4) Regulations made under this section shall specify what penalty may be imposed for each offence thereby created and may also provide different penalties in the case of successive or continuous offences but no such penalty shall exceed a fine of P400 or imprisonment for 12 months.