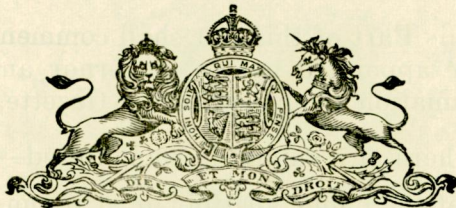


New South Wales.



ANNO PRIMO

ELIZABETHÆ II REGINÆ

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Act No. 14, 1952.

An Act to make certain provisions in relation to the grading, branding and sale of lamb and other meats; to transfer The Metropolitan Meat Industry Board's inspectors to the Public Service; for these and other purposes to amend the Meat Industry Act, 1915-1950; and for purposes connected therewith. [Assented to, 17th April, 1952.]

**B**E it 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.** (1) This Act may be cited as the "Meat Industry (Amendment) Act, 1952".

Short title and citation.

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*Meat Industry (Amendment).*

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(2) The Meat Industry Act, 1915, as amended by subsequent Acts and by this Act, may be cited as the Meat Industry Act, 1915-1952.

Amendment  
of Act No.  
69, 1915.  
New Part  
IIIA.

**2.** The Meat Industry Act, 1915-1950, is amended by inserting next after Part III the following new Part:—

**PART IIIA.**

**GRADING AND BRANDING OF MEAT.**

Commence-  
ment of  
this Part.

22A. This Part of this Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Branding  
of  
carcasses  
intended  
for  
consumption  
in  
Metro-  
politan  
Abattoir  
Area.

22B. Where any animal is slaughtered—

- (a) at the public abattoir or at premises within the Metropolitan Abattoir Area at which slaughtering is carried on with the consent of the Board, or at premises licensed by the Board under section 21A of this Act or deemed to be licensed for the purposes of subsection one of that section; and
- (b) the carcase or meat derived from such animal is intended for human consumption in the Metropolitan Abattoir Area; and
- (c) the meat of the carcase thereof is of a prescribed grade or class,

the Board shall, forthwith after the slaughter of such animal, cause such carcase to be branded with the brand prescribed for that grade or class of meat.

Sale of  
meat of  
prescribed  
grade or  
class in  
Metro-  
politan  
Abattoir  
Area.

22c. (1) No person shall within the Metropolitan Abattoir Area sell or offer for sale or expose for sale or cause or allow to be sold, offered for sale or exposed for sale as meat of a prescribed grade or class—

- (a) any carcase unless such carcase bears the prescribed brand for such prescribed grade or class;

(b)

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*Meat Industry (Amendment).*

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- (b) any portion of a carcass unless such portion bears the prescribed brand for such prescribed grade or class or portion of such brand.

(2) Where it appears to the Minister that the supplies of meat of a prescribed grade or class branded in accordance with the provisions of section 22B of this Act and available for human consumption in the Metropolitan Abattoir Area are insufficient to meet the needs of that area the Minister may by notice published in the Gazette exempt, during such period as may be specified therein, any carcass or portion of a carcass, the meat of which is of that grade or class, not branded in accordance with section 22B of this Act from the operation of subsection one of this section.

22D. (1) The Governor may, upon the application of a council of any area outside the Metropolitan Abattoir Area, by proclamation published in the Gazette, prohibit any person within the area of such council from selling or offering for sale or exposing for sale or causing or allowing to be sold, offered for sale or exposed for sale as meat of such prescribed grade or class as may be specified in such proclamation—

Sale of  
meat of  
prescribed  
grade or  
class in  
local  
government  
areas.

- (a) any carcass unless such carcass bears the prescribed brand for such prescribed grade or class;
- (b) any portion of a carcass unless such portion bears the prescribed brand for such prescribed grade or class or portion of such brand.

(2) In this section "council" includes council of a city, municipality or shire or a county council within the meaning of the Local Government Act, 1919, as amended by subsequent Acts.

(3) The Governor may, in like manner, suspend the operation of any such proclamation for such period as he may determine, or revoke any such proclamation.

22E.

*Meat Industry (Amendment).*

**Branding  
of  
carcasses  
intended  
for con-  
sumption  
in local  
government  
areas.**

22E. Where a proclamation which has been issued under section 22D of this Act is in force in respect of an area the Board or such other person as may be authorised by the Board in that behalf shall cause all animals slaughtered in that area or elsewhere for human consumption in that area to be branded, forthwith upon such slaughter, with the brand prescribed for the grade or class of meat to which the prohibition imposed by section 22D of this Act relates.

**Exemption  
of  
portions of  
carcasses.**

22F. Sections 22C and 22D of this Act shall not apply to such portions of a carcase as may be exempted from the operation of those sections by the regulations.

**Unlawful  
branding.**

22G. (1) No person other than the Board or a person authorised by the Board in that behalf shall brand any carcase or portion of a carcase with any prescribed brand and no person shall brand any carcase or portion of a carcase with any brand which resembles any prescribed brand or portion thereof or is likely to or intended to convey the impression that such brand is a prescribed brand or portion thereof.

(2) No person shall sell or offer for sale or expose for sale or cause or allow to be sold, offered or exposed for sale any carcase or portion of a carcase which has been branded with a prescribed brand by any person other than the Board or a person authorised by the Board pursuant to this Act or which has been branded with a brand which resembles any prescribed brand or portion thereof or is likely to or intended to convey the impression that such brand is a prescribed brand or portion thereof.

**Penalties.**

22H. Any person who contravenes any of the provisions of this Part of this Act or the terms of any prohibition in force under section 22D of this Act shall be guilty of an offence against this Act and shall be liable on summary conviction to a penalty not exceeding fifty pounds.

22I.

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*Meat Industry (Amendment).*

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22r. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Part of this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Part of this Act and in particular and without prejudice to the generality of the foregoing power regulations may be made for and with respect to—

**Regulations.**

- (a) prescribing grades or classes of meat for the purposes of this Part of this Act;
- (b) prescribing in respect of each such grade or class the brand with which a carcase, the meat of which is of such grade or class, shall be branded, the manner of branding and the position of the brand;
- (c) specifying the portions of a carcase which shall be excluded from the operation of sections 22c and 22d of this Act;
- (d) imposing a penalty not exceeding fifty pounds for any breach of the regulations.

(2) The regulations may be of general application or may vary according to time, place, circumstances or subject-matter.

(3) The regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is in session, and if not, within fourteen sitting days after the commencement of the next session.

If

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*Meat Industry (Amendment).*

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If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

Transfer of inspectors and veterinary officers to Public Service.

**3.** (1) This section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Further amendment of Act No. 69, 1915.

(2) The Meat Industry Act, 1915-1950, is further amended—

Sec. 7.  
(Definitions.)

(a) by omitting from section seven the definition of “Inspector” and by inserting in lieu thereof the following definition:—

“Inspector” means any inspector appointed under section 9A of this Act or any person who becomes an employee of the Public Service pursuant to the said section or any person authorised in writing by the Minister to exercise the powers of an inspector.

Sec. 9.  
(Appointment of officers.)

(b) (i) by omitting from section nine the word “inspectors”;  
(ii) by omitting from the same section the word “inspector”;

New sec. 9A.

(c) by inserting next after the same section the following new section:—

Appointment of inspectors

9A. (1) Such inspectors as may be necessary for the purposes of this Act shall be appointed or employed under and subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

(2) As upon and from the commencement of this section all inspectors and veterinary officers appointed under section nine of this Act

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*Meat Industry (Amendment).*

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as enacted immediately before such commencement and holding office immediately before such commencement shall become and be employees of the Public Service and except as otherwise provided by this section shall be subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

(3) The following provisions shall apply to any person referred to in subsection two of this section and shall so apply to him on and after the date of commencement of this section:—

- (a) such person shall be paid a salary or wages at a rate not less than the rate which was payable to him immediately before such commencement, subject to any adjustment necessary to give effect to any fluctuation in the basic wage for adult males as provided for under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, until such salary or wages is or are varied in pursuance of the Public Service Act, 1902, as amended by subsequent Acts, or by an award made by a competent tribunal or by an industrial agreement:
- (b) such person shall have and enjoy rights and privileges with regard to annual, sick and extended leave not less favourable than those which he would have had and enjoyed had he continued to be a servant of the Board. For the purpose of this paragraph service with the Board shall be deemed to be service in the Public Service;
- (c) where any condition of employment of such person is, immediately before the commencement of this section, regulated by an award or industrial agreement

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*Meat Industry (Amendment).*

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agreement, such condition shall continue to be so regulated until a determination in relation to such condition is made by the Public Service Board in pursuance of the Public Service Act, 1902, as amended by subsequent Acts, or until an award regulating such condition is made by a competent tribunal or such condition is regulated by an industrial agreement;

(d) such person may, by writing under his hand addressed to the State Superannuation Board constituted under the Superannuation Act, 1916, as amended by subsequent Acts, and delivered or forwarded by post so as to be received in the office of such Board not later than thirty days after the commencement of this section, elect to become a contributor to the State Superannuation Fund constituted under the said Act, as so amended. Any person so electing shall be deemed to be an employee within the meaning and for the purposes of the said Act, as so amended, and unless such Board refuses to accept him as a contributor pursuant to section 11A of the said Act, as so amended, such person shall as from the commencement of this section—

(i) become a contributor to the said Fund; and

(ii) if he was immediately before such commencement a contributor to the Metropolitan Meat Industry Board Officers' Endowment Fund cease to be such a contributor and shall be entitled to a refund of his contributions to such lastmentioned Fund upon the



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*Meat Industry (Amendment).*

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the happening of any contingency in relation to his employment in the Public Service which if it had happened in relation to his employment with the Board would under the constitution and rules of such last-mentioned Fund have qualified him for the payment of an endowment or a refund of his contributions.

If such person does not become a contributor to the State Superannuation Fund as aforesaid and was immediately before the commencement of this section a contributor to the Metropolitan Meat Industry Board Officers' Endowment Fund he shall continue to contribute to the Metropolitan Meat Industry Board Officers' Endowment Fund and shall be paid from such Fund any pension, gratuity, allowance or other benefit which he would have received from such Fund had he continued in the service of the Board. And for the purpose of this paragraph service in the Public Service after the commencement of this section shall be deemed to be service with the Board.

(4) Any person to whom the provisions of subsection three of this section apply shall not be entitled to claim benefits under this Act as well as under any other Act in respect of the same period of service.

(5) There shall be paid to the Metropolitan Meat Industry Board Officers' Endowment Fund out of the Consolidated Revenue Fund amounts equal to the contributions in respect of a person who continues to be a contributor  
to

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*Meat Industry (Amendment).*

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to such first-mentioned Fund pursuant to subsection three of this section which would have been payable by the Board to such first-mentioned Fund had the service of such person with the Public Service been service with the Board. The contributions of such person to such first-mentioned Fund shall be deducted from his salary or wages and paid into such first-mentioned Fund.

Sec. 15.  
(Charges by  
Board  
and Fund.)

- (d) (i) by inserting in paragraph (b) of subsection three of section fifteen after the words "other expenses" the words "of the Board";
- (ii) by inserting at the end of the same section the following new subsection:—

(4) Where fees are not prescribed for the inspection of cattle at the public sale-yards or for the inspection of carcasses at the public abattoir the Board shall, out of the fund established under subsection three of this section, in each year pay to the Colonial Treasurer an amount equal to the cost to the Crown for such year of employing inspectors under this Act at such sale-yards or abattoir, as the case may be.

Such cost shall include an amount equal to the payments made in that year in respect of such inspectors to the Metropolitan Meat Industry Board Officers' Endowment Fund by the Crown under subsection five of section 9A of this Act.

Sec. 21.  
(Inspection  
of cattle.)

- (e) by omitting from subsection one of section twenty-one the word "Board" and by inserting in lieu thereof the word "Minister";

Sec. 21A.  
(Bringing  
or sending  
meat into  
Metropoli-  
tan  
Abattoir  
Area.)

- (f) (i) by omitting from subsection one of section 21A the words "approved by the Board" and by inserting in lieu thereof the words "approved by the Minister";

(ii)

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*Meat Industry (Amendment).*

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- (ii) by omitting from the same subsection the words "The prescribed fees for such inspection shall be paid to the Board" and by inserting in lieu thereof the words "Such fees as may be prescribed shall be paid for such inspection";
- (g) by omitting from subsection one of section twenty-two the word "Board" and by inserting in lieu thereof the word "Minister"; Sec. 22.  
(Inspection of meat.)
- (h) (i) by omitting from section twenty-seven the words "by an officer"; Sec. 27.  
(False marks.)
- (ii) by omitting from the same section the words "or the by-laws thereunder" wherever occurring;
- (i) (i) by omitting from subsection one of section twenty-eight the words "or the by-laws hereunder"; Sec. 28.  
(Power of officers.)
- (ii) by omitting from the same subsection the words "or the by-laws thereunder";
- (iii) by inserting in subsection five of the same section after the word "Board" the words "or the Minister";
- (j) (i) by omitting from paragraph (2) of subsection one of section thirty the word "inspectors"; Sec. 30.  
(By-laws.)
- (ii) by omitting from paragraph (4) of the same subsection the words "for the inspection of cattle, and for the inspection and marking of meat, and for the fixing and collection of fees therefor, and";
- (k) by inserting next after the same section the following new section:— New sec. 31.

Regulations.

31. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Act relating to the inspection

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*Meat Industry (Amendment).*

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inspection of cattle, carcasses and meat, and in particular and without prejudice to the generality of the foregoing power regulations may be made for and with respect to—

- (a) defining the duties and powers of inspectors;
- (b) providing for the inspection of cattle, and for the inspection and marking of meat, and for the fixing and collection of fees therefor;
- (c) imposing a penalty not exceeding fifty pounds for any breach of the regulations.

(2) Such regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations;
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

4. The Meat Industry Act, 1915-1950, is further amended—

- (a) by omitting paragraph (c) of subsection one of section nineteen;

(b)

Further amendment of Act No. 69, 1915. Sec. 19. (Prohibition of slaughtering.)

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*Meat Industry (Amendment).*


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- (b) by inserting next after subsection four of section 25A the following new subsection:—
- Sec. 25A.  
(Fixation  
of capital  
indebted-  
ness.)
- (4A) Notwithstanding anything contained in this section the capital indebtedness to the State of the corporation sole or of the Board shall not include and shall be deemed never to have included any of the expenditure for the addition to the public abattoir of the cold store known as the "No. 2 Cold Store".
- (c) by inserting in subsection one of section twenty-eight after the word "constable" the words "or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts";
- Sec. 28.  
(Power of  
officers.)
- (d) by inserting next after the same section the following new section:—
- New sec.  
28A.
- 28A. Any officer or inspector or member of the police force or any special constable or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts, may, for the purpose of ascertaining whether this Act has been or is being contravened, at all reasonable times, enter and search any premises which are being or are suspected of being used for the slaughter of cattle for sale for human consumption or any premises on which any carcase or portion of the carcase of an animal is or is suspected to be offered, exposed, stored or kept for sale for human consumption and may inspect any carcase or portion of the carcase of any animal found thereon.
- Powers of  
entry and  
search.
- (e) (i) by omitting paragraph (b) of section twenty-nine and by inserting in lieu thereof the following paragraph:—
- Sec. 29.  
(Failure  
of duty.)
- (b) prevents, obstructs or hinders any inspector or officer of the Board or any member of the police force or any special constable or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts,
- in

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*Meat Industry (Amendment).*

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in the exercise of any power or duty conferred or imposed upon him by this Act;

(ii) by inserting in paragraphs (c) and (d) of the same section after the word "constable" wherever occurring the words "or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts";

Sec. 1.  
(Parts.)  
(Conse-  
quential.)

(f) by inserting in section one next after the matter relating to Part III the following new matter—

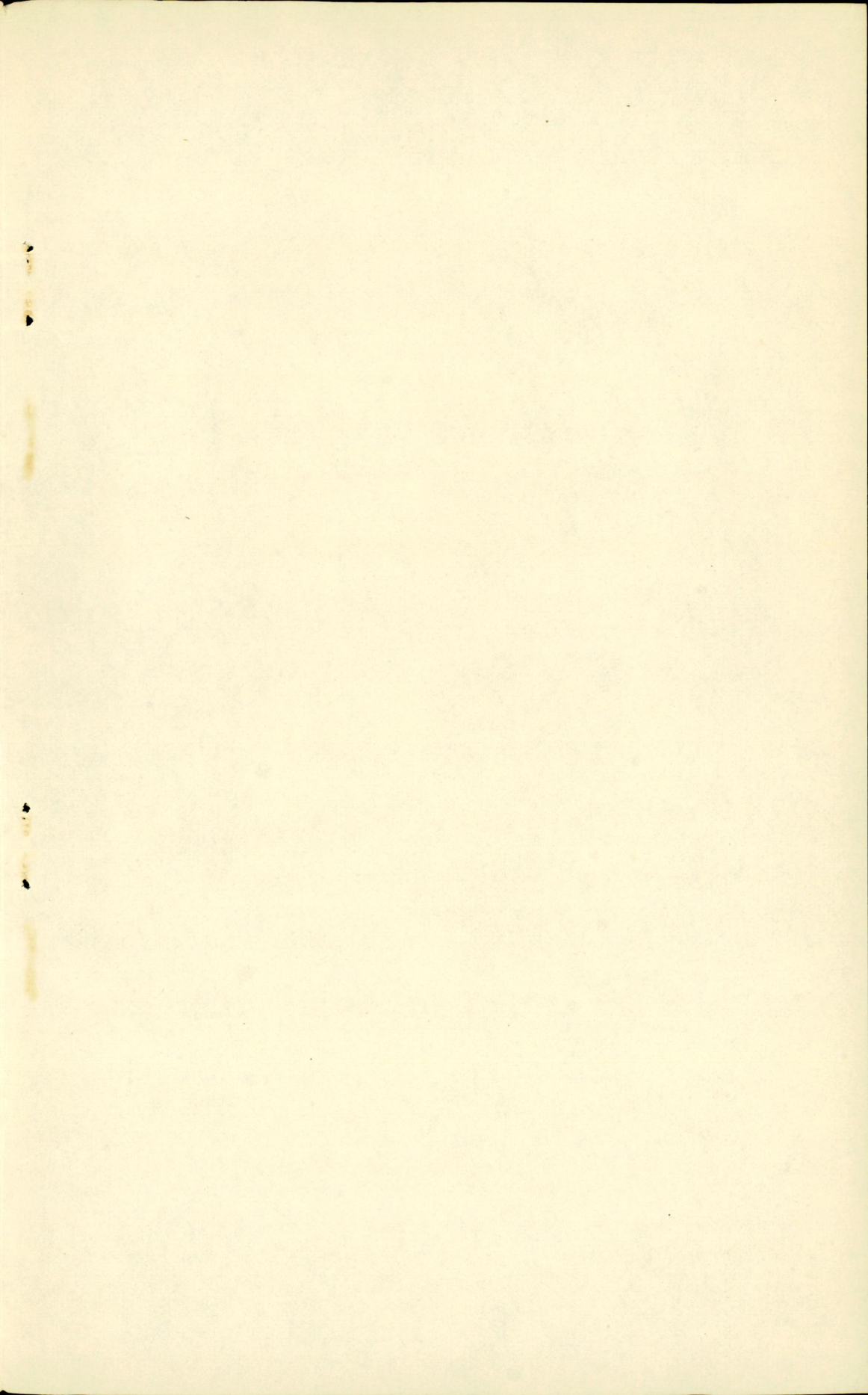
PART IIIA.—GRADING AND BRANDING OF MEAT  
—ss. 22A-22I.

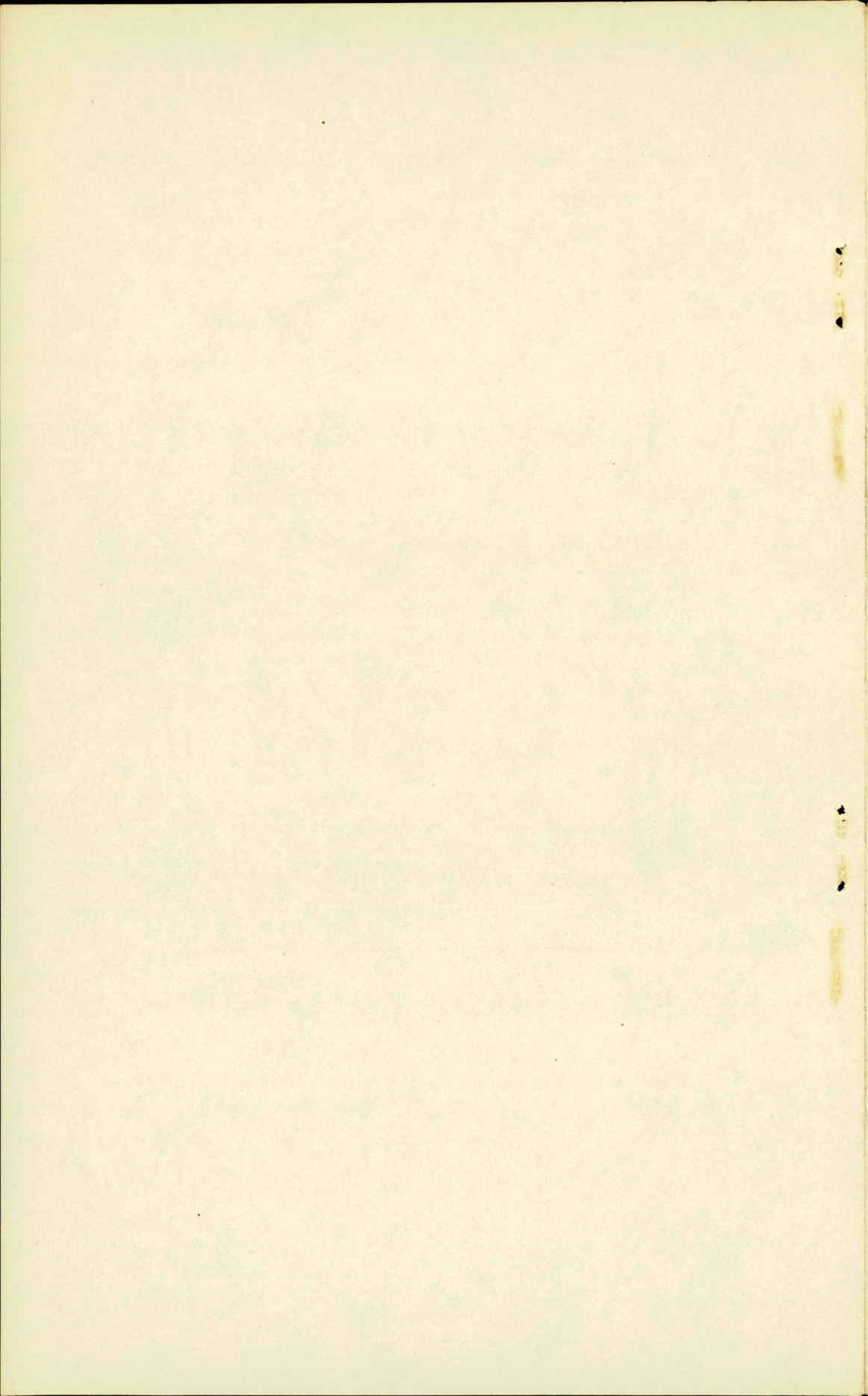
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By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1952.

[8d.]





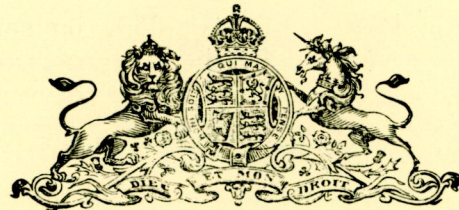


*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

H. ROBBINS,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 27 March, 1952, A.M.*

## New South Wales.



ANNO PRIMO

# ELIZABETHÆ II REGINÆ

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## Act No. 14, 1952.

An Act to make certain provisions in relation to the grading, branding and sale of lamb and other meats; to transfer The Metropolitan Meat Industry Board's inspectors to the Public Service; for these and other purposes to amend the Meat Industry Act, 1915-1950; and for purposes connected therewith. [Assented to, 17th April, 1952.]

**B**E it 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.** (1) This Act may be cited as the "Meat Industry (Amendment) Act, 1952".

Short title  
and  
citation.

(2)

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

G. BOOTH,  
*Chairman of Committees of the Legislative Assembly.*

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*Meat Industry (Amendment).*

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(2) The Meat Industry Act, 1915, as amended by subsequent Acts and by this Act, may be cited as the Meat Industry Act, 1915-1952.

Amendment  
of Act No.  
69, 1915.  
New Part  
III.A.

2. The Meat Industry Act, 1915-1950, is amended by inserting next after Part III the following new Part:—

PART IIIA.

GRADING AND BRANDING OF MEAT.

Commence-  
ment of  
this Part.

22A. This Part of this Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Branding  
of  
carcasses  
intended  
for  
consumption  
in  
Metro-  
politan  
Abattoir  
Area.

22B. Where any animal is slaughtered—

- (a) at the public abattoir or at premises within the Metropolitan Abattoir Area at which slaughtering is carried on with the consent of the Board, or at premises licensed by the Board under section 21A of this Act or deemed to be licensed for the purposes of subsection one of that section; and
- (b) the carcase or meat derived from such animal is intended for human consumption in the Metropolitan Abattoir Area; and
- (c) the meat of the carcase thereof is of a prescribed grade or class,

the Board shall, forthwith after the slaughter of such animal, cause such carcase to be branded with the brand prescribed for that grade or class of meat.

Sale of  
meat of  
prescribed  
grade or  
class in  
Metro-  
politan  
Abattoir  
Area.

22C. (1) No person shall within the Metropolitan Abattoir Area sell or offer for sale or expose for sale or cause or allow to be sold, offered for sale or exposed for sale as meat of a prescribed grade or class—

- (a) any carcase unless such carcase bears the prescribed brand for such prescribed grade or class;

(b)

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*Meat Industry (Amendment).*

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- (b) any portion of a carcass unless such portion bears the prescribed brand for such prescribed grade or class or portion of such brand.

(2) Where it appears to the Minister that the supplies of meat of a prescribed grade or class branded in accordance with the provisions of section 22B of this Act and available for human consumption in the Metropolitan Abattoir Area are insufficient to meet the needs of that area the Minister may by notice published in the Gazette exempt, during such period as may be specified therein, any carcass or portion of a carcass, the meat of which is of that grade or class, not branded in accordance with section 22B of this Act from the operation of subsection one of this section.

22D. (1) The Governor may, upon the application of a council of any area outside the Metropolitan Abattoir Area, by proclamation published in the Gazette, prohibit any person within the area of such council from selling or offering for sale or exposing for sale or causing or allowing to be sold, offered for sale or exposed for sale as meat of such prescribed grade or class as may be specified in such proclamation—

Sale of  
meat of  
prescribed  
grade or  
class in  
local  
government  
areas.

- (a) any carcass unless such carcass bears the prescribed brand for such prescribed grade or class;
- (b) any portion of a carcass unless such portion bears the prescribed brand for such prescribed grade or class or portion of such brand.

(2) In this section "council" includes council of a city, municipality or shire or a county council within the meaning of the Local Government Act, 1919, as amended by subsequent Acts.

(3) The Governor may, in like manner, suspend the operation of any such proclamation for such period as he may determine, or revoke any such proclamation.

22E.

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*Meat Industry (Amendment).*

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Branding  
of  
carcasses  
intended  
for con-  
sumption  
in local  
government  
areas.

22E. Where a proclamation which has been issued under section 22D of this Act is in force in respect of an area the Board or such other person as may be authorised by the Board in that behalf shall cause all animals slaughtered in that area or elsewhere for human consumption in that area to be branded, forthwith upon such slaughter, with the brand prescribed for the grade or class of meat to which the prohibition imposed by section 22D of this Act relates.

Exemption  
of  
portions of  
carcasses.

22F. Sections 22C and 22D of this Act shall not apply to such portions of a carcass as may be exempted from the operation of those sections by the regulations.

Unlawful  
branding.

22G. (1) No person other than the Board or a person authorised by the Board in that behalf shall brand any carcass or portion of a carcass with any prescribed brand and no person shall brand any carcass or portion of a carcass with any brand which resembles any prescribed brand or portion thereof or is likely to or intended to convey the impression that such brand is a prescribed brand or portion thereof.

(2) No person shall sell or offer for sale or expose for sale or cause or allow to be sold, offered or exposed for sale any carcass or portion of a carcass which has been branded with a prescribed brand by any person other than the Board or a person authorised by the Board pursuant to this Act or which has been branded with a brand which resembles any prescribed brand or portion thereof or is likely to or intended to convey the impression that such brand is a prescribed brand or portion thereof.

Penalties.

22H. Any person who contravenes any of the provisions of this Part of this Act or the terms of any prohibition in force under section 22D of this Act shall be guilty of an offence against this Act and shall be liable on summary conviction to a penalty not exceeding fifty pounds.

22I.

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*Meat Industry (Amendment).*

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22I. (1) The Governor may make regulations not <sup>Regulations.</sup> inconsistent with this Act prescribing all matters which by this Part of this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Part of this Act and in particular and without prejudice to the generality of the foregoing power regulations may be made for and with respect to—

- (a) prescribing grades or classes of meat for the purposes of this Part of this Act;
- (b) prescribing in respect of each such grade or class the brand with which a carcase, the meat of which is of such grade or class, shall be branded, the manner of branding and the position of the brand;
- (c) specifying the portions of a carcase which shall be excluded from the operation of sections 22c and 22d of this Act;
- (d) imposing a penalty not exceeding fifty pounds for any breach of the regulations.

(2) The regulations may be of general application or may vary according to time, place, circumstances or subject-matter.

(3) The regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is in session, and if not, within fourteen sitting days after the commencement of the next session.

If

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*Meat Industry (Amendment).*

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If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

Transfer of inspectors and veterinary officers to Public Service.

**3.** (1) This section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Further amendment of Act No. 69, 1915.

(2) The Meat Industry Act, 1915-1950, is further amended—

Sec. 7.  
(Definitions.)

(a) by omitting from section seven the definition of “Inspector” and by inserting in lieu thereof the following definition:—

“Inspector” means any inspector appointed under section 9A of this Act or any person who becomes an employee of the Public Service pursuant to the said section or any person authorised in writing by the Minister to exercise the powers of an inspector.

Sec. 9.  
(Appointment of officers.)

(b) (i) by omitting from section nine the word “inspectors”;

(ii) by omitting from the same section the word “inspector”;

New sec. 9A.

(c) by inserting next after the same section the following new section:—

Appointment of inspectors

9A. (1) Such inspectors as may be necessary for the purposes of this Act shall be appointed or employed under and subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

(2) As upon and from the commencement of this section all inspectors and veterinary officers appointed under section nine of this Act  
as

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*Meat Industry (Amendment).*

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as enacted immediately before such commencement and holding office immediately before such commencement shall become and be employees of the Public Service and except as otherwise provided by this section shall be subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

(3) The following provisions shall apply to any person referred to in subsection two of this section and shall so apply to him on and after the date of commencement of this section:—

- (a) such person shall be paid a salary or wages at a rate not less than the rate which was payable to him immediately before such commencement, subject to any adjustment necessary to give effect to any fluctuation in the basic wage for adult males as provided for under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, until such salary or wages is or are varied in pursuance of the Public Service Act, 1902, as amended by subsequent Acts, or by an award made by a competent tribunal or by an industrial agreement;
- (b) such person shall have and enjoy rights and privileges with regard to annual, sick and extended leave not less favourable than those which he would have had and enjoyed had he continued to be a servant of the Board. For the purpose of this paragraph service with the Board shall be deemed to be service in the Public Service;
- (c) where any condition of employment of such person is, immediately before the commencement of this section, regulated by an award or industrial agreement

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*Meat Industry (Amendment).*

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agreement, such condition shall continue to be so regulated until a determination in relation to such condition is made by the Public Service Board in pursuance of the Public Service Act, 1902, as amended by subsequent Acts, or until an award regulating such condition is made by a competent tribunal or such condition is regulated by an industrial agreement;

(d) such person may, by writing under his hand addressed to the State Superannuation Board constituted under the Superannuation Act, 1916, as amended by subsequent Acts, and delivered or forwarded by post so as to be received in the office of such Board not later than thirty days after the commencement of this section, elect to become a contributor to the State Superannuation Fund constituted under the said Act, as so amended. Any person so electing shall be deemed to be an employee within the meaning and for the purposes of the said Act, as so amended, and unless such Board refuses to accept him as a contributor pursuant to section 11A of the said Act, as so amended, such person shall as from the commencement of this section—

(i) become a contributor to the said Fund; and

(ii) if he was immediately before such commencement a contributor to the Metropolitan Meat Industry Board Officers' Endowment Fund cease to be such a contributor and shall be entitled to a refund of his contributions to such lastmentioned Fund upon the



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*Meat Industry (Amendment).*

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the happening of any contingency in relation to his employment in the Public Service which if it had happened in relation to his employment with the Board would under the constitution and rules of such last-mentioned Fund have qualified him for the payment of an endowment or a refund of his contributions.

If such person does not become a contributor to the State Superannuation Fund as aforesaid and was immediately before the commencement of this section a contributor to the Metropolitan Meat Industry Board Officers' Endowment Fund he shall continue to contribute to the Metropolitan Meat Industry Board Officers' Endowment Fund and shall be paid from such Fund any pension, gratuity, allowance or other benefit which he would have received from such Fund had he continued in the service of the Board. And for the purpose of this paragraph service in the Public Service after the commencement of this section shall be deemed to be service with the Board.

(4) Any person to whom the provisions of subsection three of this section apply shall not be entitled to claim benefits under this Act as well as under any other Act in respect of the same period of service.

(5) There shall be paid to the Metropolitan Meat Industry Board Officers' Endowment Fund out of the Consolidated Revenue Fund amounts equal to the contributions in respect of a person who continues to be a contributor  
to

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*Meat Industry (Amendment).*

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to such first-mentioned Fund pursuant to subsection three of this section which would have been payable by the Board to such first-mentioned Fund had the service of such person with the Public Service been service with the Board. The contributions of such person to such first-mentioned Fund shall be deducted from his salary or wages and paid into such first-mentioned Fund.

Sec. 15.  
(Charges by  
Board  
and Fund.)

(d) (i) by inserting in paragraph (b) of subsection three of section fifteen after the words "other expenses" the words "of the Board";

(ii) by inserting at the end of the same section the following new subsection:—

(4) Where fees are not prescribed for the inspection of cattle at the public sale-yards or for the inspection of carcasses at the public abattoir the Board shall, out of the fund established under subsection three of this section, in each year pay to the Colonial Treasurer an amount equal to the cost to the Crown for such year of employing inspectors under this Act at such sale-yards or abattoir, as the case may be.

Such cost shall include an amount equal to the payments made in that year in respect of such inspectors to the Metropolitan Meat Industry Board Officers' Endowment Fund by the Crown under subsection five of section 9A of this Act.

Sec. 21.  
(Inspection  
of cattle.)

(e) by omitting from subsection one of section twenty-one the word "Board" and by inserting in lieu thereof the word "Minister";

Sec. 21A.  
(Bringing  
or sending  
meat into  
Metropoli-  
tan  
Abattoir  
Area.)

(f) (i) by omitting from subsection one of section 21A the words "approved by the Board" and by inserting in lieu thereof the words "approved by the Minister";

(ii)

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*Meat Industry (Amendment).*

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- (ii) by omitting from the same subsection the words "The prescribed fees for such inspection shall be paid to the Board" and by inserting in lieu thereof the words "Such fees as may be prescribed shall be paid for such inspection";
- (g) by omitting from subsection one of section twenty-two the word "Board" and by inserting in lieu thereof the word "Minister"; Sec. 22.  
(Inspection of meat.)
- (h) (i) by omitting from section twenty-seven the words "by an officer"; Sec. 27.  
(False marks.)
- (ii) by omitting from the same section the words "or the by-laws thereunder" wherever occurring;
- (i) (i) by omitting from subsection one of section twenty-eight the words "or the by-laws hereunder"; Sec. 28.  
(Power of officers.)
- (ii) by omitting from the same subsection the words "or the by-laws thereunder";
- (iii) by inserting in subsection five of the same section after the word "Board" the words "or the Minister";
- (j) (i) by omitting from paragraph (2) of subsection one of section thirty the word "inspectors"; Sec. 30.  
(By-laws.)
- (ii) by omitting from paragraph (4) of the same subsection the words "for the inspection of cattle, and for the inspection and marking of meat, and for the fixing and collection of fees therefor, and";
- (k) by inserting next after the same section the following new section:— New sec. 31.
31. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Act relating to the inspection Regulations.

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*Meat Industry (Amendment).*

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inspection of cattle, carcasses and meat, and in particular and without prejudice to the generality of the foregoing power regulations may be made for and with respect to—

- (a) defining the duties and powers of inspectors;
- (b) providing for the inspection of cattle, and for the inspection and marking of meat, and for the fixing and collection of fees therefor;
- (c) imposing a penalty not exceeding fifty pounds for any breach of the regulations.

(2) Such regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations;
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

Further  
amendment  
of Act No.  
69, 1915.  
Sec. 19.  
(Prohibition  
of slaughter-  
ing.)

4. The Meat Industry Act, 1915-1950, is further amended—

- (a) by omitting paragraph (c) of subsection one of section nineteen;

(b)

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*Meat Industry (Amendment).*

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- (b) by inserting next after subsection four of section 25A the following new subsection:—
- Sec. 25A.  
(Fixation  
of capital  
indebted-  
ness.)
- (4A) Notwithstanding anything contained in this section the capital indebtedness to the State of the corporation sole or of the Board shall not include and shall be deemed never to have included any of the expenditure for the addition to the public abattoir of the cold store known as the "No. 2 Cold Store".
- (c) by inserting in subsection one of section twenty-eight after the word "constable" the words "or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts";
- Sec. 28.  
(Power of  
officers.)
- (d) by inserting next after the same section the following new section:—
- New sec.  
28A.
- 28A. Any officer or inspector or member of the police force or any special constable or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts, may, for the purpose of ascertaining whether this Act has been or is being contravened, at all reasonable times, enter and search any premises which are being or are suspected of being used for the slaughter of cattle for sale for human consumption or any premises on which any carcase or portion of the carcase of an animal is or is suspected to be offered, exposed, stored or kept for sale for human consumption and may inspect any carcase or portion of the carcase of any animal found thereon.
- Powers of  
entry and  
search.
- (e) (i) by omitting paragraph (b) of section twenty-nine and by inserting in lieu thereof the following paragraph:—
- Sec. 29.  
(Failure  
of duty.)
- (b) prevents, obstructs or hinders any inspector or officer of the Board or any member of the police force or any special constable or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts,  
in

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*Meat Industry (Amendment).*

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in the exercise of any power or duty  
conferred or imposed upon him by  
this Act;

(ii) by inserting in paragraphs (c) and (d) of  
the same section after the word "constable"  
wherever occurring the words "or any  
officer within the meaning of the Pure Food  
Act, 1908, as amended by subsequent Acts";

Sec. 1.  
(Parts.)  
(Conse-  
quential.)

(f) by inserting in section one next after the matter  
relating to Part III the following new matter—

PART IIIA.—GRADING AND BRANDING OF MEAT  
—ss. 22A-22I.

*In the name and on behalf of Her Majesty I assent to  
this Act.*

J. NORTHCOTT,  
*Governor.*

*Government House,  
Sydney, 17th April, 1952.*



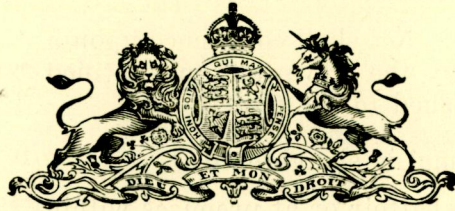




*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

H. ROBBINS,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 27 March, 1952, A.M.*

## New South Wales.



ANNO PRIMO

# ELIZABETHÆ II REGINÆ

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Act No. , 1952.

An Act to make certain provisions in relation to the grading, branding and sale of lamb and other meats; to transfer The Metropolitan Meat Industry Board's inspectors to the Public Service; for these and other purposes to amend the Meat Industry Act, 1915-1950; and for purposes connected therewith.

**B**E it 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  
5 the same, as follows:—

**1.** (1) This Act may be cited as the "Meat Industry (Amendment) Act, 1952".

Short title  
and  
citation.

6771 273—

(2)

*Meat Industry (Amendment).*

(2) The Meat Industry Act, 1915, as amended by subsequent Acts and by this Act, may be cited as the Meat Industry Act, 1915-1952.

2. The Meat Industry Act, 1915-1950, is amended by 5 inserting next after Part III the following new Part:—

Amendment of Act No. 69, 1915.

New Part IIIA.

PART IIIA.

GRADING AND BRANDING OF MEAT.

10 22A. This Part of this Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Commencement of this Part.

22B. Where any animal is slaughtered—

Branding of

15 (a) at the public abattoir or at premises within the Metropolitan Abattoir Area at which slaughtering is carried on with the consent of the Board, or at premises licensed by the Board under section 21A of this Act or deemed to be licensed for the purposes of subsection one of that section; and

carcasses intended for consumption in Metropolitan Abattoir Area.

20 (b) the carcase or meat derived from such animal is intended for human consumption in the Metropolitan Abattoir Area; and

(c) the meat of the carcase thereof is of a prescribed grade or class,

25 the Board shall, forthwith after the slaughter of such animal, cause such carcase to be branded with the brand prescribed for that grade or class of meat.

30 22c. (1) No person shall within the Metropolitan Abattoir Area sell or offer for sale or expose for sale or cause or allow to be sold, offered for sale or exposed for sale as meat of a prescribed grade or class—

Sale of meat of prescribed grade or class in Metropolitan Abattoir Area.

(a) any carcase unless such carcase bears the prescribed brand for such prescribed grade or class;

(b)

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*Meat Industry (Amendment).*

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(b) any portion of a carcass unless such portion bears the prescribed brand for such prescribed grade or class or portion of such brand.

5 (2) Where it appears to the Minister that the supplies of meat of a prescribed grade or class branded in accordance with the provisions of section 22B of this Act and available for human consumption in the Metropolitan Abattoir Area are insufficient to meet the needs of that area the Minister may by notice published in the Gazette exempt, during such period as may be specified therein, any carcass or portion of a carcass, the meat of which is of that grade or class, not branded in accordance with section 22B of this Act from the operation of subsection one of this section.

20 22D. (1) The Governor may, upon the application of a council of any area outside the Metropolitan Abattoir Area, by proclamation published in the Gazette, prohibit any person within the area of such council from selling or offering for sale or exposing for sale or causing or allowing to be sold, offered for sale or exposed for sale as meat of such prescribed grade or class as may be specified in such proclamation—

Sale of meat of prescribed grade or class in local government areas.

25 (a) any carcass unless such carcass bears the prescribed brand for such prescribed grade or class;

30 (b) any portion of a carcass unless such portion bears the prescribed brand for such prescribed grade or class or portion of such brand.

35 (2) In this section "council" includes council of a city, municipality or shire or a county council within the meaning of the Local Government Act, 1919, as amended by subsequent Acts.

40 (3) The Governor may, in like manner, suspend the operation of any such proclamation for such period as he may determine, or revoke any such proclamation.

22E.

*Meat Industry (Amendment).*

5 22E. Where a proclamation which has been issued under section 22D of this Act is in force in respect of an area the Board or such other person as may be authorised by the Board in that behalf shall cause all animals slaughtered in that area or elsewhere for human consumption in that area to be branded, forthwith upon such slaughter, with the brand prescribed for the grade or class of meat to which the prohibition imposed by section 22D of this Act relates.

Branding of carcasses intended for consumption in local government areas.

10 22F. Sections 22C and 22D of this Act shall not apply to such portions of a carcass as may be exempted from the operation of those sections by the regulations.

Exemption of portions of carcasses.

15 22G. (1) No person other than the Board or a person authorised by the Board in that behalf shall brand any carcass or portion of a carcass with any prescribed brand and no person shall brand any carcass or portion of a carcass with any brand which resembles any prescribed brand or portion thereof or is likely to or intended to convey the impression that such brand is a prescribed brand or portion thereof.

Unlawful branding.

20  
25 (2) No person shall sell or offer for sale or expose for sale or cause or allow to be sold, offered or exposed for sale any carcass or portion of a carcass which has been branded with a prescribed brand by any person other than the Board or a person authorised by the Board pursuant to this Act or which has been branded with a brand which resembles any prescribed brand or portion thereof or is likely to or intended to convey the impression that such brand is a prescribed brand or portion thereof.

30  
35 22H. Any person who contravenes any of the provisions of this Part of this Act or the terms of any prohibition in force under section 22D of this Act shall be guilty of an offence against this Act and shall be liable on summary conviction to a penalty not exceeding fifty pounds.

Penalties.

22I.

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*Meat Industry (Amendment).*

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22r. (1) The Governor may make regulations not Regulations.  
inconsistent with this Act prescribing all matters  
which by this Part of this Act are required or  
permitted to be prescribed or which are necessary or  
5 convenient to be prescribed for carrying out or  
giving effect to this Part of this Act and in particular  
and without prejudice to the generality of the  
foregoing power regulations may be made for and  
with respect to—

- 10 (a) prescribing grades or classes of meat for  
the purposes of this Part of this Act;
- (b) prescribing in respect of each such grade  
or class the brand with which a carcass,  
15 the meat of which is of such grade or class,  
shall be branded, the manner of branding  
and the position of the brand;
- (c) specifying the portions of a carcass which  
shall be excluded from the operation of  
sections 22c and 22d of this Act;
- 20 (d) imposing a penalty not exceeding fifty  
pounds for any breach of the regulations.

(2) The regulations may be of general  
application or may vary according to time, place,  
circumstances or subject-matter.

- 25 (3) The regulations shall—
- (a) be published in the Gazette;
- (b) take effect from the date of publication or  
from a later date to be specified in the  
regulations; and
- 30 (c) be laid before both Houses of Parliament  
within fourteen sitting days after the  
publication thereof if Parliament is in  
session, and if not, within fourteen sitting  
days after the commencement of the next  
35 session.

If

*Meat Industry (Amendment).*

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon  
 5 cease to have effect.

**3.** (1) This section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Transfer of inspectors and veterinary officers to Public Service.

10 (2) The Meat Industry Act, 1915-1950, is further amended—

Further amendment of Act No. 69, 1915.

(a) by omitting from section seven the definition of “Inspector” and by inserting in lieu thereof the following definition:—

Sec. 7. (Definitions.)

15 “Inspector” means any inspector appointed under section 9A of this Act or any person who becomes an employee of the Public Service pursuant to the said section or any person authorised in writing by the Minister to exercise the powers of an inspector.

(b) (i) by omitting from section nine the word “inspectors”;

Sec. 9. (Appointment of officers.)

25 (ii) by omitting from the same section the word “inspector”;

(c) by inserting next after the same section the following new section:—

New sec. 9A.

30 9A. (1) Such inspectors as may be necessary for the purposes of this Act shall be appointed or employed under and subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

Appointment of inspectors.

(2) As upon and from the commencement of this section all inspectors and veterinary officers appointed under section nine of this Act  
 35 as

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*Meat Industry (Amendment).*

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5 as enacted immediately before such commencement and holding office immediately before such commencement shall become and be employees of the Public Service and except as otherwise provided by this section shall be subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

10 (3) The following provisions shall apply to any person referred to in subsection two of this section and shall so apply to him on and after the date of commencement of this section:—

15 (a) such person shall be paid a salary or wages at a rate not less than the rate which was payable to him immediately before such commencement, subject to any adjustment necessary to give effect to any fluctuation in the basic wage for adult males as provided for under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, until such salary or wages is or are varied in pursuance of the Public Service Act, 1902, as amended by subsequent Acts, or by an award made by a competent tribunal or by an industrial agreement;

20  
25  
30 (b) such person shall have and enjoy rights and privileges with regard to annual, sick and extended leave not less favourable than those which he would have had and enjoyed had he continued to be a servant of the Board. For the purpose of this paragraph service with the Board shall be deemed to be service in the Public Service;

35 (c) where any condition of employment of such person is, immediately before the commencement of this section, regulated by an award or industrial agreement

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*Meat Industry (Amendment).*

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- 5 agreement, such condition shall continue to be so regulated until a determination in relation to such condition is made by the Public Service Board in pursuance of the Public Service Act, 1902, as amended by subsequent Acts, or until an award regulating such condition is made by a competent tribunal or such condition is regulated by an industrial agreement;
- 10
- 15 (d) such person may, by writing under his hand addressed to the State Superannuation Board constituted under the Superannuation Act, 1916, as amended by subsequent Acts, and delivered or forwarded by post so as to be received in the office of such Board not later than thirty days after the commencement of this section, elect to become a contributor to the State Superannuation Fund constituted under the said Act, as so amended. Any person so electing shall be deemed to be an employee within the meaning and for the purposes of the said Act, as so amended, and unless such Board refuses to accept him as a contributor pursuant to section 11A of the said Act, as so amended, such person shall as from the commencement of this section—
- 20
- 25
- 30 (i) become a contributor to the said Fund; and
- 35 (ii) if he was immediately before such commencement a contributor to the Metropolitan Meat Industry Board Officers' Endowment Fund cease to be such a contributor and shall be entitled to a refund of his contributions to such lastmentioned Fund upon the
- 40



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*Meat Industry (Amendment).*

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5 the happening of any con-  
tingency in relation to his em-  
ployment in the Public Service  
which if it had happened in  
relation to his employment with  
the Board would under the con-  
stitution and rules of such last-  
mentioned Fund have qualified  
10 him for the payment of an  
endowment or a refund of his  
contributions.

15 If such person does not become a  
contributor to the State Superannua-  
tion Fund as aforesaid and was  
immediately before the commencement  
of this section a contributor to the  
Metropolitan Meat Industry Board  
Officers' Endowment Fund he shall  
20 continue to contribute to the Metropoli-  
tan Meat Industry Board Officers'  
Endowment Fund and shall be paid  
from such Fund any pension, gratuity,  
allowance or other benefit which he  
would have received from such Fund  
25 had he continued in the service of the  
Board. And for the purpose of this  
paragraph service in the Public Service  
after the commencement of this section  
shall be deemed to be service with the  
30 Board.

(4) Any person to whom the provisions of  
subsection three of this section apply shall not  
be entitled to claim benefits under this Act as  
well as under any other Act in respect of the  
35 same period of service.

(5) There shall be paid to the Metropoli-  
tan Meat Industry Board Officers' Endowment  
Fund out of the Consolidated Revenue Fund  
amounts equal to the contributions in respect  
40 of a person who continues to be a contributor  
to

*Meat Industry (Amendment).*

- to such first-mentioned Fund pursuant to subsection three of this section which would have been payable by the Board to such first-mentioned Fund had the service of such person with the Public Service been service with the Board. The contributions of such person to such first-mentioned Fund shall be deducted from his salary or wages and paid into such first-mentioned Fund.
- 5
- 10 (d) (i) by inserting in paragraph (b) of subsection three of section fifteen after the words "other expenses" the words "of the Board"; Sec. 15. (Charges by Board and Fund.)
- 15 (ii) by inserting at the end of the same section the following new subsection:—
- (4) Where fees are not prescribed for the inspection of cattle at the public sale-yards or for the inspection of carcasses at the public abattoir the Board shall, out of the fund established under subsection three of this section, in each year pay to the Colonial Treasurer an amount equal to the cost to the Crown for such year of employing inspectors under this Act at such sale-yards or abattoir, as the case may be.
- 20
- 25
- Such cost shall include an amount equal to the payments made in that year in respect of such inspectors to the Metropolitan Meat Industry Board Officers' Endowment Fund by the Crown under subsection five of section 9A of this Act.
- 30
- (e) by omitting from subsection one of section twenty-one the word "Board" and by inserting in lieu thereof the word "Minister"; Sec. 21. (Inspection of cattle.)
- 35 (f) (i) by omitting from subsection one of section 21A the words "approved by the Board" and by inserting in lieu thereof the words "approved by the Minister"; Sec. 21A. (Bringing or sending meat into Metropolitan Abattoir Area.)
- (ii)

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*Meat Industry (Amendment).*


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- 5 (ii) by omitting from the same subsection the words "The prescribed fees for such inspection shall be paid to the Board" and by inserting in lieu thereof the words "Such fees as may be prescribed shall be paid for such inspection";
- (g) by omitting from subsection one of section twenty-two the word "Board" and by inserting in lieu thereof the word "Minister"; Sec. 22. (Inspection of meat.)
- 10 (h) (i) by omitting from section twenty-seven the words "by an officer"; Sec. 27. (False marks.)
- (ii) by omitting from the same section the words "or the by-laws thereunder" wherever occurring;
- 15 (i) (i) by omitting from subsection one of section twenty-eight the words "or the by-laws hereunder"; Sec. 28. (Power of officers.)
- (ii) by omitting from the same subsection the words "or the by-laws thereunder";
- 20 (iii) by inserting in subsection five of the same section after the word "Board" the words "or the Minister";
- (j) (i) by omitting from paragraph (2) of subsection one of section thirty the word "inspectors"; Sec. 30. (By-laws.)
- 25 (ii) by omitting from paragraph (4) of the same subsection the words "for the inspection of cattle, and for the inspection and marking of meat, and for the fixing and collection of fees therefor, and";
- 30 (k) by inserting next after the same section the following new section:— New sec. 31.
- 35 31. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Act relating to the inspection Regulations.

*Meat Industry (Amendment).*

inspection of cattle, carcasses and meat, and in particular and without prejudice to the generality of the foregoing power regulations may be made for and with respect to—

- 5 (a) defining the duties and powers of inspectors;
- (b) providing for the inspection of cattle, and for the inspection and marking of meat, and for the fixing and collection of fees therefor;
- 10 (c) imposing a penalty not exceeding fifty pounds for any breach of the regulations.
- (2) Such regulations shall—
- 15 (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations;
- 20 (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.
- 25 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.
- 30

4. The Meat Industry Act, 1915-1950, is further amended—

- (a) by omitting paragraph (c) of subsection one of section nineteen;

(b) -

Further amendment of Act No. 69, 1915. Sec. 19. (Prohibition of slaughtering.)

*Meat Industry (Amendment).*

- (b) by inserting next after subsection four of section 25A the following new subsection:—
- 5 (4A) Notwithstanding anything contained in this section the capital indebtedness to the State of the corporation sole or of the Board shall not include and shall be deemed never to have included any of the expenditure for the addition to the public abattoir of the cold store known as the "No. 2 Cold Store".
- 10 (c) by inserting in subsection one of section twenty-eight after the word "constable" the words "or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts";
- 15 (d) by inserting next after the same section the following new section:—
- 20 28A. Any officer or inspector or member of the police force or any special constable or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts, may, for the purpose of ascertaining whether this Act has been or is being contravened, at all reasonable times, enter and search any premises which are being or are suspected of being used for the slaughter of cattle for sale for human consumption or any premises on which any carcase or portion of the carcase of an animal is or is suspected to be offered, exposed, stored or kept for sale for human consumption and may inspect any carcase or portion of the carcase of any animal found thereon.
- 25 (e) (i) by omitting paragraph (b) of section twenty-nine and by inserting in lieu thereof the following paragraph:—
- 30 (b) prevents, obstructs or hinders any inspector or officer of the Board or any member of the police force or any special constable or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts,
- 35 in

Sec. 25A.  
(Fixation  
of capital  
indebted-  
ness.)

Sec. 28.  
(Power of  
officers.)

New sec.  
28A.

Powers of  
entry and  
search.

Sec. 29.  
(Failure  
of duty.)

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*Meat Industry (Amendment).*

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- in the exercise of any power or duty conferred or imposed upon him by this Act;
- 5 (ii) by inserting in paragraphs (c) and (d) of the same section after the word "constable" wherever occurring the words "or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts";
- 10 (f) by inserting in section one next after the matter relating to Part III the following new matter—
- Sec. 1.  
(Parts.)  
(Conse-  
quential.)
- PART IIIA.—GRADING AND BRANDING OF MEAT  
—ss. 22A-22I.







No. , 1952.

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## A BILL

To make certain provisions in relation to the grading, branding and sale of lamb and other meats; to transfer The Metropolitan Meat Industry Board's inspectors to the Public Service; for these and other purposes to amend the Meat Industry Act, 1915-1950; and for purposes connected therewith.

[MR. GRAHAM;—27 *March*, 1952, A.M.]

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**B**E it 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  
5 the same, as follows:—

1. (1) This Act may be cited as the "Meat Industry (Amendment) Act, 1952".

Short title  
and  
citation.

6771 273—

(2)

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(2) The Meat Industry Act, 1915, as amended by subsequent Acts and by this Act, may be cited as the Meat Industry Act, 1915-1952.

2. The Meat Industry Act, 1915-1950, is amended by inserting next after Part III the following new Part:—

Amendment of Act No. 69, 1915. New Part IIIA.

PART IIIA.

GRADING AND BRANDING OF MEAT.

10 22A. This Part of this Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Commencement of this Part.

22B. Where any animal is slaughtered—

Branding of carcasses intended for consumption in Metropolitan Abattoir Area.

15 (a) at the public abattoir or at premises within the Metropolitan Abattoir Area at which slaughtering is carried on with the consent of the Board, or at premises licensed by the Board under section 21A of this Act or deemed to be licensed for the purposes of subsection one of that section; and

20 (b) the carcase or meat derived from such animal is intended for human consumption in the Metropolitan Abattoir Area; and

(c) the meat of the carcase thereof is of a prescribed grade or class,

25 the Board shall, forthwith after the slaughter of such animal, cause such carcase to be branded with the brand prescribed for that grade or class of meat.

30 22C. (1) No person shall within the Metropolitan Abattoir Area sell or offer for sale or expose for sale or cause or allow to be sold, offered for sale or exposed for sale as meat of a prescribed grade or class—

Sale of meat of prescribed grade or class in Metropolitan Abattoir Area.

(a) any carcase unless such carcase bears the prescribed brand for such prescribed grade or class;

(b)

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(b) any portion of a carcass unless such portion bears the prescribed brand for such prescribed grade or class or portion of such brand.

5 (2) Where it appears to the Minister that the supplies of meat of a prescribed grade or class branded in accordance with the provisions of section 22B of this Act and available for human consumption in the Metropolitan Abattoir Area are insufficient to meet the needs of that area the Minister may by  
10 notice published in the Gazette exempt, during such period as may be specified therein, any carcass or portion of a carcass, the meat of which is of that grade or class, not branded in accordance with  
15 section 22B of this Act from the operation of subsection one of this section.

20 22d. (1) The Governor may, upon the application of a council of any area outside the Metropolitan Abattoir Area, by proclamation published in the Gazette, prohibit any person within the area of such council from selling or offering for sale or exposing for sale or causing or allowing to be sold, offered for sale or exposed for sale as meat of such prescribed grade or class as may be specified in such  
25 proclamation—

(a) any carcass unless such carcass bears the prescribed brand for such prescribed grade or class;

30 (b) any portion of a carcass unless such portion bears the prescribed brand for such prescribed grade or class or portion of such brand.

35 (2) In this section "council" includes council of a city, municipality or shire or a county council within the meaning of the Local Government Act, 1919, as amended by subsequent Acts.

40 (3) The Governor may, in like manner, suspend the operation of any such proclamation for such period as he may determine, or revoke any such proclamation.

22E.

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*Meat Industry (Amendment).*

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- 5 22E. Where a proclamation which has been issued under section 22D of this Act is in force in respect of an area the Board or such other person as may be authorised by the Board in that behalf shall cause all animals slaughtered in that area or elsewhere for human consumption in that area to be branded, forthwith upon such slaughter, with the brand prescribed for the grade or class of meat to which the prohibition imposed by section 22D of this Act relates.
- 10
- 22F. Sections 22C and 22D of this Act shall not apply to such portions of a carcase as may be exempted from the operation of those sections by the regulations.
- 15 22G. (1) No person other than the Board or a person authorised by the Board in that behalf shall brand any carcase or portion of a carcase with any prescribed brand and no person shall brand any carcase or portion of a carcase with any brand which resembles any prescribed brand or portion thereof or is likely to or intended to convey the impression that such brand is a prescribed brand or portion thereof.
- 20
- (2) No person shall sell or offer for sale or expose for sale or cause or allow to be sold, offered or exposed for sale any carcase or portion of a carcase which has been branded with a prescribed brand by any person other than the Board or a person authorised by the Board pursuant to this Act or which has been branded with a brand which resembles any prescribed brand or portion thereof or is likely to or intended to convey the impression that such brand is a prescribed brand or portion thereof.
- 25
- 30
- 35 22H. Any person who contravenes any of the provisions of this Part of this Act or the terms of any prohibition in force under section 22D of this Act shall be guilty of an offence against this Act and shall be liable on summary conviction to a penalty not exceeding fifty pounds.
- 40

Branding of carcases intended for consumption in local government areas.

Exemption of portions of carcases.

Unlawful branding.

Penalties.

22I.

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- 22r. (1) The Governor may make regulations not Regulations.  
inconsistent with this Act prescribing all matters  
which by this Part of this Act are required or  
permitted to be prescribed or which are necessary or  
convenient to be prescribed for carrying out or  
giving effect to this Part of this Act and in particular  
and without prejudice to the generality of the  
foregoing power regulations may be made for and  
with respect to—
- 5
- 10 (a) prescribing grades or classes of meat for  
the purposes of this Part of this Act;
- (b) prescribing in respect of each such grade  
or class the brand with which a carcase,  
the meat of which is of such grade or class,  
shall be branded, the manner of branding  
and the position of the brand;
- 15
- (c) specifying the portions of a carcase which  
shall be excluded from the operation of  
sections 22c and 22d of this Act;
- 20 (d) imposing a penalty not exceeding fifty  
pounds for any breach of the regulations.
- (2) The regulations may be of general  
application or may vary according to time, place,  
circumstances or subject-matter.
- 25 (3) The regulations shall—
- (a) be published in the Gazette;
- (b) take effect from the date of publication or  
from a later date to be specified in the  
regulations; and
- 30 (c) be laid before both Houses of Parliament  
within fourteen sitting days after the  
publication thereof if Parliament is in  
session, and if not, within fourteen sitting  
days after the commencement of the next  
session.
- 35

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*Meat Industry (Amendment).*

5 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

3. (1) This section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Transfer of inspectors and veterinary officers to Public Service.

10 (2) The Meat Industry Act, 1915-1950, is further amended—

Further amendment of Act No. 69, 1915.

(a) by omitting from section seven the definition of "Inspector" and by inserting in lieu thereof the following definition:—

Sec. 7. (Definitions.)

15 "Inspector" means any inspector appointed under section 9A of this Act or any person who becomes an employee of the Public Service pursuant to the said section or any person authorised in writing by the Minister to exercise the powers of an inspector.

(b) (i) by omitting from section nine the word "inspectors";

Sec. 9. (Appointment of officers.)

25 (ii) by omitting from the same section the word "inspector";

(c) by inserting next after the same section the following new section:—

New sec. 9A.

30 9A. (1) Such inspectors as may be necessary for the purposes of this Act shall be appointed or employed under and subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

Appointment of inspectors.

35 (2) As upon and from the commencement of this section all inspectors and veterinary officers appointed under section nine of this Act as

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*Meat Industry (Amendment).*

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5 as enacted immediately before such commencement and holding office immediately before such commencement shall become and be employees of the Public Service and except as otherwise provided by this section shall be subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

10 (3) The following provisions shall apply to any person referred to in subsection two of this section and shall so apply to him on and after the date of commencement of this section:—

15 (a) such person shall be paid a salary or wages at a rate not less than the rate which was payable to him immediately before such commencement, subject to any adjustment necessary to give effect to any fluctuation in the basic wage for adult males as provided for under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, until such salary or wages is or are varied in pursuance of the Public Service Act, 1902, as amended by subsequent Acts, or by an award made by a competent tribunal or by an industrial agreement;

20 (b) such person shall have and enjoy rights and privileges with regard to annual, sick and extended leave not less favourable than those which he would have had and enjoyed had he continued to be a servant of the Board. For the purpose of this paragraph service with the Board shall be deemed to be service in the Public Service;

35 (c) where any condition of employment of such person is, immediately before the commencement of this section, regulated by an award or industrial agreement

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*Meat Industry (Amendment).*

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5 agreement, such condition shall continue to be so regulated until a determination in relation to such condition is made by the Public Service Board in pursuance of the Public Service Act, 1902, as amended by subsequent Acts, or until an award regulating such condition is made by a competent tribunal or such condition is regulated by an industrial agreement;

10 (d) such person may, by writing under his hand addressed to the State Superannuation Board constituted under the Superannuation Act, 1916, as amended by subsequent Acts, and delivered or forwarded by post so as to be received in the office of such Board not later than thirty days after the commencement of this section, elect to become a contributor to the State Superannuation Fund constituted under the said Act, as so amended. Any person so electing shall be deemed to be an employee within the meaning and for the purposes of the said Act, as so amended, and unless such Board refuses to accept him as a contributor pursuant to section 11A of the said Act, as so amended, such person shall as from the commencement of this section—

30 (i) become a contributor to the said Fund; and

35 (ii) if he was immediately before such commencement a contributor to the Metropolitan Meat Industry Board Officers' Endowment Fund cease to be such a contributor and shall be entitled to a refund of his contributions to such lastmentioned Fund upon the

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*Meat Industry (Amendment).*

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5 the happening of any con-  
tingency in relation to his em-  
ployment in the Public Service  
which if it had happened in  
relation to his employment with  
the Board would under the con-  
stitution and rules of such last-  
mentioned Fund have qualified  
10 him for the payment of an  
endowment or a refund of his  
contributions.

15 If such person does not become a  
contributor to the State Superannua-  
tion Fund as aforesaid and was  
immediately before the commencement  
of this section a contributor to the  
Metropolitan Meat Industry Board  
20 Officers' Endowment Fund he shall  
continue to contribute to the Metropoli-  
tan Meat Industry Board Officers'  
Endowment Fund and shall be paid  
from such Fund any pension, gratuity,  
allowance or other benefit which he  
25 would have received from such Fund  
had he continued in the service of the  
Board. And for the purpose of this  
paragraph service in the Public Service  
after the commencement of this section  
30 shall be deemed to be service with the  
Board.

35 (4) Any person to whom the provisions of  
subsection three of this section apply shall not  
be entitled to claim benefits under this Act as  
well as under any other Act in respect of the  
same period of service.

40 (5) There shall be paid to the Metropoli-  
tan Meat Industry Board Officers' Endowment  
Fund out of the Consolidated Revenue Fund  
amounts equal to the contributions in respect  
of a person who continues to be a contributor  
to

*Meat Industry (Amendment).*

- 5 to such first-mentioned Fund pursuant to subsection three of this section which would have been payable by the Board to such first-mentioned Fund had the service of such person with the Public Service been service with the Board. The contributions of such person to such first-mentioned Fund shall be deducted from his salary or wages and paid into such first-mentioned Fund.
- 10 (d) (i) by inserting in paragraph (b) of subsection three of section fifteen after the words "other expenses" the words "of the Board"; Sec. 15. (Charges by Board and Fund.)
- 15 (ii) by inserting at the end of the same section the following new subsection:—
- 20 (4) Where fees are not prescribed for the inspection of cattle at the public sale-yards or for the inspection of carcasses at the public abattoir the Board shall, out of the fund established under subsection three of this section, in each year pay to the Colonial Treasurer an amount equal to the cost to the Crown for such year of employing inspectors under this Act at such sale-yards or abattoir, as the case may be.
- 25 Such cost shall include an amount equal to the payments made in that year in respect of such inspectors to the Metropolitan Meat Industry Board Officers' Endowment Fund by the Crown under subsection five of section 9A of this Act.
- 30 (e) by omitting from subsection one of section twenty-one the word "Board" and by inserting in lieu thereof the word "Minister"; Sec. 21. (Inspection of cattle.)
- 35 (f) (i) by omitting from subsection one of section 21A the words "approved by the Board" and by inserting in lieu thereof the words "approved by the Minister"; Sec. 21A. (Bringing or sending meat into Metropolitan Abattoir Area.)
- (ii)

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- 5 (ii) by omitting from the same subsection the words "The prescribed fees for such inspection shall be paid to the Board" and by inserting in lieu thereof the words "Such fees as may be prescribed shall be paid for such inspection";
- (g) by omitting from subsection one of section twenty-two the word "Board" and by inserting in lieu thereof the word "Minister"; Sec. 22. (Inspection of meat.)
- 10 (h) (i) by omitting from section twenty-seven the words "by an officer"; Sec. 27. (False marks.)
- (ii) by omitting from the same section the words "or the by-laws thereunder" wherever occurring;
- 15 (i) (i) by omitting from subsection one of section twenty-eight the words "or the by-laws hereunder"; Sec. 28. (Power of officers.)
- (ii) by omitting from the same subsection the words "or the by-laws thereunder";
- 20 (iii) by inserting in subsection five of the same section after the word "Board" the words "or the Minister";
- (j) (i) by omitting from paragraph (2) of subsection one of section thirty the word "inspectors"; Sec. 30. (By-laws.)
- 25 (ii) by omitting from paragraph (4) of the same subsection the words "for the inspection of cattle, and for the inspection and marking of meat, and for the fixing and collection of fees therefor, and";
- 30 (k) by inserting next after the same section the following new section:— New sec. 31. Regulations.
- 35 31. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Act relating to the inspection

*Meat Industry (Amendment).*

inspection of cattle, carcasses and meat, and in particular and without prejudice to the generality of the foregoing power regulations may be made for and with respect to—

- 5 (a) defining the duties and powers of inspectors;
- 10 (b) providing for the inspection of cattle, and for the inspection and marking of meat, and for the fixing and collection of fees therefor;
- (c) imposing a penalty not exceeding fifty pounds for any breach of the regulations.
- (2) Such regulations shall—
- 15 (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations;
- 20 (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.
- 25 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House
- 30 disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

4. The Meat Industry Act, 1915-1950, is further amended—

- 35 (a) by omitting paragraph (c) of subsection one of section nineteen;

Further amendment of Act No. 69, 1915. Sec. 19. (Prohibition of slaughtering.)

(b)

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- (b) by inserting next after subsection four of section 25A the following new subsection:—
- Sec. 25A.  
(Fixation  
of capital  
indebted-  
ness.)
- 5 (4A) Notwithstanding anything contained in this section the capital indebtedness to the State of the corporation sole or of the Board shall not include and shall be deemed never to have included any of the expenditure for the addition to the public abattoir of the cold store known as the "No. 2 Cold Store".
- 10 (c) by inserting in subsection one of section twenty-eight after the word "constable" the words "or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts";
- Sec. 28.  
(Power of  
officers.)
- 15 (d) by inserting next after the same section the following new section:—
- New sec.  
28A.
- 20 28A. Any officer or inspector or member of the police force or any special constable or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts, may, for the purpose of ascertaining whether this Act has been or is being contravened, at all reasonable times, enter and search any premises which are being or are suspected of being used for the slaughter of cattle for sale for human consumption or any premises on which any carcase or portion of the carcase of an animal is or is suspected to be offered, exposed, stored or kept for sale for human consumption and may inspect any carcase or portion of the carcase of any animal found thereon.
- Powers of  
entry and  
search.
- 25
- 30 (e) (i) by omitting paragraph (b) of section twenty-nine and by inserting in lieu thereof the following paragraph:—
- Sec. 29.  
(Failure  
of duty.)
- 35 (b) prevents, obstructs or hinders any inspector or officer of the Board or any member of the police force or any special constable or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts, in

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*Meat Industry (Amendment).*

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in the exercise of any power or duty conferred or imposed upon him by this Act;

5 (ii) by inserting in paragraphs (c) and (d) of the same section after the word "constable" wherever occurring the words "or any officer within the meaning of the Pure Food Act, 1908, as amended by subsequent Acts";

10 (f) by inserting in section one next after the matter relating to Part III the following new matter—

Sec. 1.  
(Parts.)  
(Conse-  
quential.)

PART IIIA.—GRADING AND BRANDING OF MEAT  
—SS. 22A-22I.



