

No. , 1956.

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## A BILL

To make provisions with respect to introduction of the carcasses of horses into districts constituted under the Noxious Trades Act, 1902-1944; to confer certain powers on councils with respect to meat not intended to be used for human food; for these and other purposes to amend that Act and the Local Government Act, 1919, as amended by subsequent Acts; and for purposes connected therewith.

[Mr. SHEAHAN;—25 *July*, 1956.]

*Noxious Trades (Amendment).*

**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 "Noxious Trades (Amendment) Act, 1956." Short title, citation and commencement.

(2) The Noxious Trades Act, 1902, as amended by subsequent Acts and by this Act, may be cited as the 10 Noxious Trades Act, 1902-1956.

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

**2.** The Noxious Trades Act, 1902, as amended by 15 subsequent Acts, is amended— Amendment of Act No. 82, 1902.

(a) by inserting at the end of section three the following new subsection:— Sec. 3. (Interpretation.)

20 (2) This Act shall be read and construed subject to the Commonwealth of Australia Constitution Act and so as not to exceed the legislative power of the State to the intent that where any provision of this Act or the applica-  
25 tion thereof to any person or circumstance is held invalid the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected.

(b) by inserting at the end of section eight the following new subsection:— Sec. 8. (Powers of local authorities.)

30 (2) The service of any notice under paragraph (b) of subsection one of this section may be—

(a) personal;

(b)

*Noxious Trades (Amendment):*

5 (b) by delivering the notice at the usual or last known place of abode or business of the person to be served and leaving it with some person apparently above the age of fourteen years resident or employed thereat; or

10 (c) by posting the notice by prepaid registered letter addressed to the usual or last known place of abode or business of the person to be served.

15 (c) (i) by omitting from paragraph (b) of sub-section (2A) of section sixteen the word "cattle" wherever occurring and by inserting in lieu thereof the word "animals";

Sec. 16.  
(Regulations.)

(ii) by inserting next after paragraph (c) of the same subsection the following new paragraphs:—

20 (d) regulating the bringing or importation into any district from within or without the State of New South Wales of the carcass or any part of the carcass of a horse, prescribing the manner in which  
25 any such carcass or part of a carcass shall be treated before it is brought or imported into any district, requiring any such carcass  
30 or part of a carcass so brought or imported into a district to be delivered within the prescribed time to an inspection point appointed by the Minister on the recommendation of the Board  
35 (which appointment and recommendation the Minister and the Board are hereby respectively authorised

*Noxious Trades (Amendment).*

authorised to make) and prohibiting its removal from the inspection point before it has been inspected by an officer of the Board or by some person appointed by the Board in that behalf;

5

(e) prescribing the fees to be paid for any inspection made in pursuance of any regulation made under paragraph (b) or (d) of this subsection and the persons by whom such fees shall be paid.

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(iii) by omitting from the same subsection the words "Such regulations may be made to apply to and in respect of any premises or class of premises, and may make different provisions with respect to premises upon which different classes of noxious trades are carried on."

15

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

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(2B) A regulation may be of general or specially limited application according to time, place or circumstances, and may be general or restricted to any specified class of subject matter.

25

3. The Local Government Act, 1919, as amended by subsequent Acts, is amended by inserting next after paragraph (c) of section three hundred and two the following new paragraphs:—

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(d) premises for the storage or sale of the flesh or other edible parts of any animal, where the flesh or other edible parts are not intended to be used for human food;

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(e) the storage, exhibition for sale, carriage and delivery of the flesh or other edible parts of any animal, where the flesh or other edible parts are not intended to be used for human food.

Amendment  
of Act  
No. 41, 1919.  
Sec. 302.  
(Boarding-  
houses,  
barbers'  
shops, &c.)

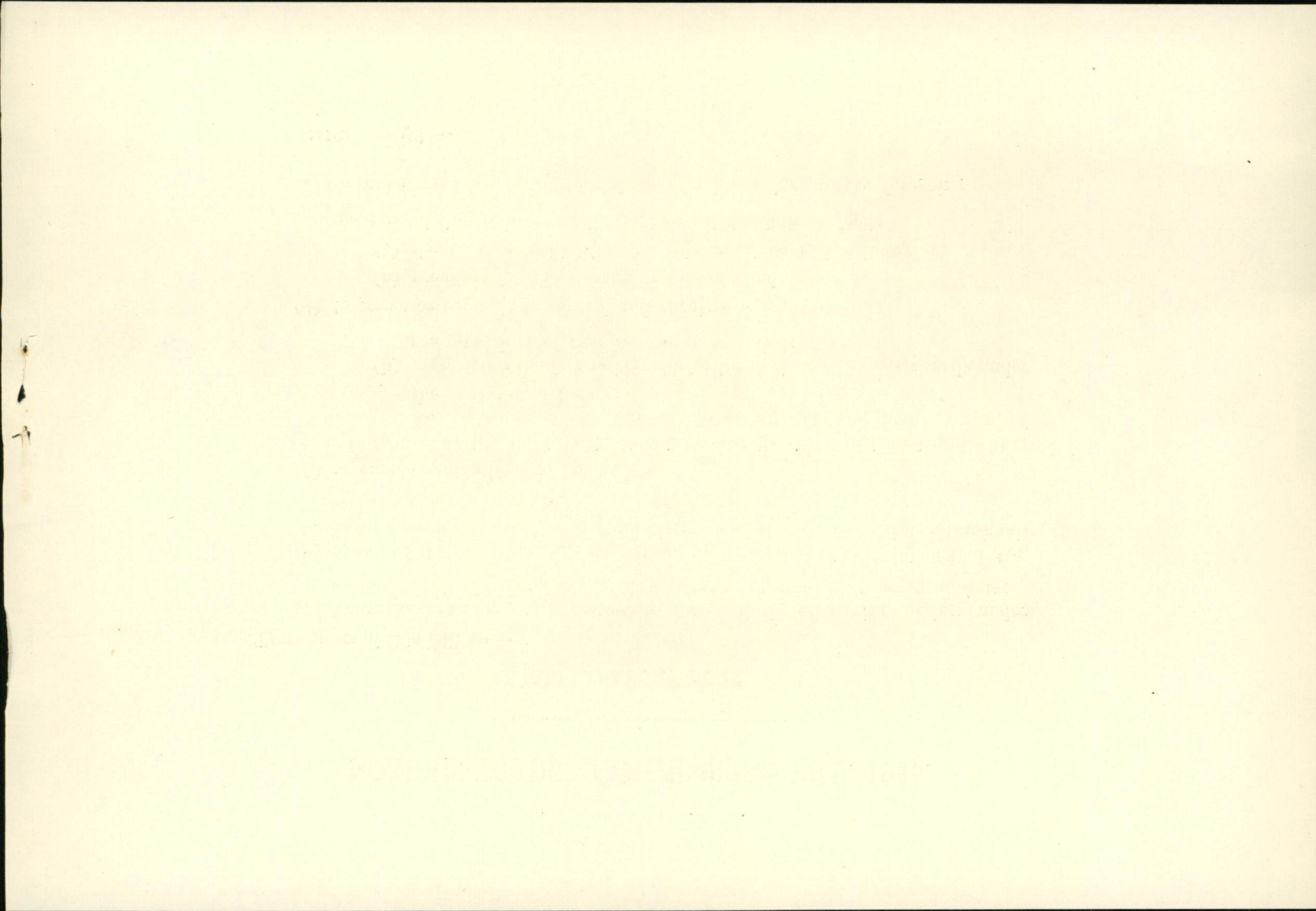
# NOXIOUS TRADES (AMENDMENT) BILL, 1956.

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## EXPLANATORY NOTE.

THE objects of this Bill are—

- (1) To make provision with respect to the methods of serving notices under section 8 of the Noxious Trades Act, 1902, as amended by subsequent Acts;
- (2) to extend the power to make regulations under section 16 (2A) (b) of that Act, as so amended, so that such regulations may be made respecting all animals and not only cattle;
- (3) to enable regulations to be made—
  - (a) respecting the introduction into any district constituted under that Act, as so amended, from within or without New South Wales, of the carcases of horses;
  - (b) prescribing the fees to be paid for inspections of carcases made under the provisions of that Act, as so amended;
- (4) to empower councils to control and regulate—
  - (a) premises for the storage or sale of; and
  - (b) the storage, exhibition for sale, carriage and delivery of, meat not being meat intended to be used for human food;
- (5) to make provision consequential upon and ancillary to the foregoing.



*PROOF*

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[MR. SHEAHAN;—25 *July*, 1956.]

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*Noxious Trades (Amendment).*

**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 "Noxious Trades (Amendment) Act, 1956." Short title, citation and commencement.

(2) The Noxious Trades Act, 1902, as amended by subsequent Acts and by this Act, may be cited as the Noxious Trades Act, 1902-1956.

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

**2.** The Noxious Trades Act, 1902, as amended by subsequent Acts, is amended— Amendment of Act No. 82, 1902.

(a) by inserting at the end of section three the following new subsection :— Sec. 3. (Interpretation.)

(2) This Act shall be read and construed subject to the Commonwealth of Australia Constitution Act and so as not to exceed the legislative power of the State to the intent that where any provision of this Act or the application thereof to any person or circumstance is held invalid the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected.

(b) by inserting at the end of section eight the following new subsection :— Sec. 8. (Powers of local authorities.)

(2) The service of any notice under paragraph (b) of subsection one of this section may be—

(a) personal;

(b)



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*Noxious Trades (Amendment).*

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- 5 (b) by delivering the notice at the usual or last known place of abode or business of the person to be served and leaving it with some person apparently above the age of fourteen years resident or employed thereat; or
- 10 (c) by posting the notice by prepaid registered letter addressed to the usual or last known place of abode or business of the person to be served.
- 15 (c) (i) by omitting from paragraph (b) of sub-<sup>Sec. 16.</sup> section (2A) of section sixteen the word <sup>(Regula-</sup> "cattle" wherever occurring and by <sup>tions.)</sup> inserting in lieu thereof the word "animals";
- (ii) by inserting next after paragraph (c) of the same subsection the following new paragraphs:—
- 20 (d) regulating the bringing or im-  
portation into any district from  
within or without the State of New  
South Wales of the carcass or any  
25 part of the carcass of a horse,  
prescribing the manner in which  
any such carcass or part of a  
carcass shall be treated before it  
is brought or imported into any  
30 district, requiring any such carcass  
or part of a carcass so brought  
or imported into a district to be  
delivered within the prescribed  
time to an inspection point  
35 appointed by the Minister on the  
recommendation of the Board  
(which appointment and recom-  
mendation the Minister and the  
Board are hereby respectively  
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*Noxious Trades (Amendment).*

5 authorised to make) and prohibiting its removal from the inspection point before it has been inspected by an officer of the Board or by some person appointed by the Board in that behalf;

10 (e) prescribing the fees to be paid for any inspection made in pursuance of any regulation made under paragraph (b) or (d) of this subsection and the persons by whom such fees shall be paid.

15 (iii) by omitting from the same subsection the words "Such regulations may be made to apply to and in respect of any premises or class of premises, and may make different provisions with respect to premises upon which different classes of noxious trades are carried on."

20 (iv) by inserting at the end of the same subsection the following new subsection:—

25 (2B) A regulation may be of general or specially limited application according to time, place or circumstances, and may be general or restricted to any specified class of subject matter.

30 **3.** The Local Government Act, 1919, as amended by subsequent Acts, is amended by inserting next after paragraph (c) of section three hundred and two the following new paragraphs:—

(d) premises for the storage or sale of the flesh or other edible parts of any animal, where the flesh or other edible parts are not intended to be used for human food;

35 (e) the storage, exhibition for sale, carriage and delivery of the flesh or other edible parts of any animal, where the flesh or other edible parts are not intended to be used for human food.

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