

FIRST PRINT

MEAT INDUSTRY (GAME MEAT) AMENDMENT BILL 1992

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Meat Industry Act 1978 to enable the processing and sale of game meat (including kangaroo meat) for human consumption. At present kangaroo meat may be sold only as animal food.

The Bill also amends the National Parks and Wildlife Act 1974 to provide that a fauna dealer's licence is not required for the retail sale of game meat.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the proposed Act to commence on a day or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to Schedule 1 which contains amendments to the Meat Industry Act 1978.

Clause 4 is a formal provision giving effect to Schedule 2 which contains an amendment to the National Parks and Wildlife Act 1974.

SCHEDULE 1—AMENDMENT OF MEAT INDUSTRY ACT 1978

Schedule 1 (1) inserts new definitions of "game animal" (being kangaroo or other animal declared to be a game animal by the Minister) and "game meat", and amends consequentially the definitions of "meat market", "meat processing plant", "meat van", "offal", "processed meat" and "retail butcher's shop" to include game meat in those expressions.

Schedule 1 (2) ensures that regulations may be made for different classes of licences relating to premises or vehicles, including different classes of licences in respect of game meat. In order to deal with game meat, a separate class of meat van licence is proposed to be prescribed for vehicles used to transport game animals after they are killed and a separate class of meat processing plant licence is proposed to be prescribed for dealing with game meat carcasses.

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Schedule 1 (3) makes an amendment consequent on the amendment made by Schedule 1 (2).

Schedule 1 (4) enables meat inspectors to condemn game animals as unfit for human consumption or for use as animal food, or both.

Schedule 1 (5) includes game meat that was processed at a licensed meat processing plant and passed as fit for human consumption in meat that may lawfully be sold for human consumption or used as an ingredient in processed meat.

Schedule 1 (6) includes game meat that was processed at a licensed meat processing plant and passed as fit for human consumption in meat that may lawfully be stored at a restaurant or retail butcher's shop.

Schedule 1 (7) extends to game meat provisions relating to the branding and grading of abattoir meat.

Schedule 1 (8) provides that the importation of game meat into the State is to be subject to similar standards as apply to the importation of other meat for human consumption.

Schedule 1 (9) enables the New South Wales Meat Industry Authority to undertake certain functions in relation to game meat, including a market intelligence service and the purchase and sale of game meat.

Schedule 1 (10) makes an amendment consequent on the amendment made by Schedule 1 (2).

**SCHEDULE 2—CONSEQUENTIAL AMENDMENT OF NATIONAL PARKS
AND WILDLIFE ACT 1974**

Schedule 2 removes the requirement of a fauna dealer's licence for the retail sale of meat from a game animal. The exclusion applies to game meat for both human consumption and for animal food, but does not apply unless a wholesale fauna dealer's licence is held by the processing plant or knackery from which the game meat was acquired.

FIRST PRINT

MEAT INDUSTRY (GAME MEAT) AMENDMENT BILL 1992

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Meat Industry Act 1978 No. 54
4. Consequential amendment of National Parks and Wildlife Act 1974 No. 80

SCHEDULE 1—AMENDMENT OF MEAT INDUSTRY ACT 1978

**SCHEDULE 2—CONSEQUENTIAL AMENDMENT OF NATIONAL PARKS
AND WILDLIFE ACT 1974**

MEAT INDUSTRY (GAME MEAT) AMENDMENT BILL 1992

NEW SOUTH WALES



No. , 1992

A BILL FOR

An Act to amend the Meat Industry Act 1978 to provide for the processing and sale of game meat for human consumption; and for other purposes.

Meat Industry (Game Meat) Amendment 1992

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Meat Industry (Game Meat) Amendment Act 1992.

5 Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Amendment of Meat Industry Act 1978 No. 54

3. The Meat Industry Act 1978 is amended as set out in Schedule 1.

10 Consequential amendment of National Parks and Wildlife Act 1974 No. 80

4. The National Parks and Wildlife Act 1974 is amended as set out in Schedule 2.

**SCHEDULE 1—AMENDMENT OF MEAT INDUSTRY
ACT 1978**

15

(Sec. 3)

(1) Section 4 (Definitions):

(a) After the definition of "functions", insert:

20 "game animal" means kangaroo and includes any other animal that the Minister, by order published in the Gazette, declares to be a game animal for the purposes of this Act;

"game meat" means meat that is from a game animal and that is intended for human consumption;

25 (b) In the definitions of "meat market", "meat processing plant", "meat van", "processed meat" and "retail butcher's shop", after "abattoir meat" wherever occurring, insert "or game meat".

30 (c) In the definition of "offal", after "abattoir animal", insert "or game animal".

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SCHEDULE 1—AMENDMENT OF MEAT INDUSTRY
ACT 1978—*continued*

(2) Section 9 (**Licences**):

At the end of the section, insert:

(2) The regulations may make provision for or with respect to the issue of different classes of such licences for different types of premises or vehicles. 5

(3) Without limiting the generality of subsection (2), different classes of meat processing licences and meat van licences may be prescribed in relation to game meat. 10

(3) Section 10 (**Unlicensed operations prohibited**):

After section 10 (1), insert:

(1A) If the regulations prescribe different classes of licences for different types of premises or vehicles, a reference in this section to the holder of a licence in respect of any premises or vehicle is a reference to the holder of the relevant class of licence. 15

(4) Section 26 (**Condemning of abattoir animals, game animals, meat, processed meat or processed animal food**):

In section 26 (1), after “any abattoir animal,”, insert “any game animal.”. 20

(5) Section 41 (**Offences as to sale of meat**):

(a) After section 41 (1) (a), insert:

(a1) in the case of meat from a game animal, the carcase from which it came was processed at a meat processing plant; or 25

(b) In section 41 (1) (b), after “section 43 (1)”, insert “or (1A)”.

(c) After section 41 (1A) (a), insert:

(a1) in the case of meat from a game animal, the carcase from which it came was processed at a meat processing plant; or 30

(6) Section 41A (**Offences as to storage of meat**):

(a) After section 41A (1) (a), insert:

(a1) in the case of meat from a game animal, the carcase from which it came was processed at a meat processing plant; or 35

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SCHEDULE 1—AMENDMENT OF MEAT INDUSTRY
ACT 1978—*continued*

- (b) In section 41A (1) (b), after “section 43 (1)”, insert “or (1A)”.
- 5 (c) After section 41A (2) (a), insert:
- (a1) in the case of meat from a game animal, the carcass from which it came was processed at a meat processing plant; or
- 10 (d) In section 41A (2) (b), after “section 43 (1)”, insert “, (1A)”.
- (7) Section 42 (**Branding of prescribed grades or classes of meat**):
- (a) In section 42 (1), after “abattoir meat”, insert “, or remove from a meat processing plant any game meat,”.
- 15 (b) In section 42 (1A), after “abattoir meat”, insert “or game meat”.
- (8) Section 43 (**Importation of meat**):
- After section 43 (1), insert:
- (1A) No person shall bring or cause or permit to be brought into the State any game meat for human consumption unless:
- 20 (a) the game animal from which it came was slaughtered in a manner, transported in a vehicle and processed at premises that have been approved by the Authority for the purposes of this subsection or in such other circumstances as may be prescribed; and
- 25 (b) the game meat has been inspected in the prescribed manner and is accompanied by any certificates that may be prescribed.
- (9) Section 46 (**Functions of the Authority**):
- 30 (a) In section 46 (1) (c), omit “and abattoir animals”, insert instead “, abattoir animals or game meat”.
- (b) Omit section 46 (2) (g) (ii) and (iii), insert instead:
- 35 (ii) purchase or sell, within or outside the State, or export abattoir animals, abattoir meat, game meat, offal or other products of abattoir animals or game animals; or

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**SCHEDULE 1—AMENDMENT OF MEAT INDUSTRY
ACT 1978—*continued***

(iii) enter into contracts for the treatment of or the application of a manufacturing process to any abattoir meat or game meat or offal or other products of abattoir animals or game animals and sell any resulting product; 5

(10) Section 77 (**Regulations**):

Omit section 77 (2) (g).

**SCHEDULE 2—CONSEQUENTIAL AMENDMENT OF
NATIONAL PARKS AND WILDLIFE ACT 1974** 10

(Sec. 4)

Section 104 (**Fauna dealers**):

After section 104 (1), insert:

(1A) A person is not to be convicted of an offence arising under subsection (1) in respect of the sale by retail of meat from a game animal (within the meaning of the Meat Industry Act 1978), but only if the meat was acquired from the holder of a fauna dealer's licence under section 124. 15

MR PRESIDENT

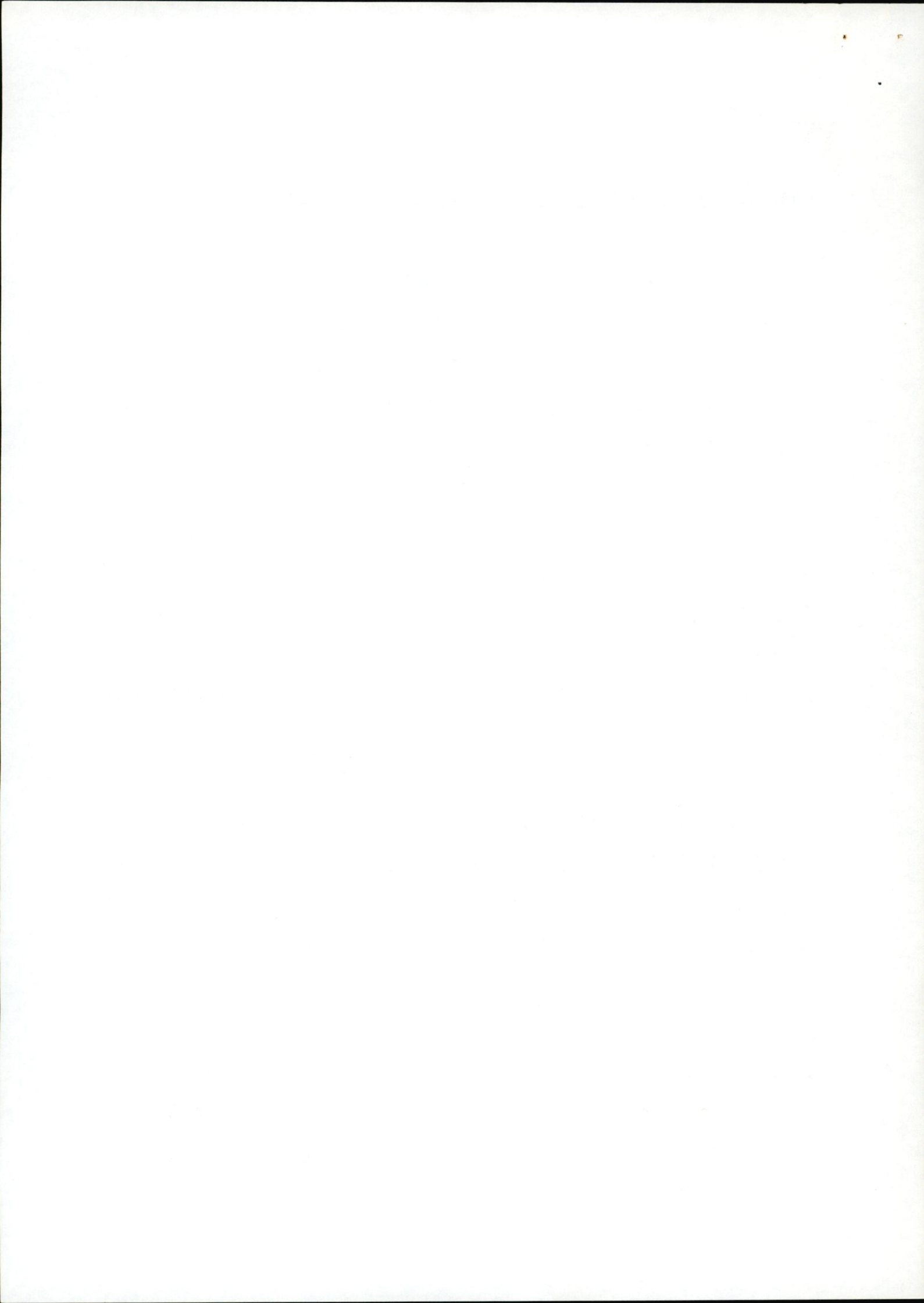
I MOVE THAT THIS BILL BE READ A SECOND TIME.

THIS BILL PROVIDES REGULATORY CONTROL OVER THE TRANSPORTATION AND PROCESSING OF KANGAROO MEAT FOR HUMAN CONSUMPTION AS GAME MEAT. SUBJECT TO THESE CONTROLS KANGAROO GAME MEAT WILL BE AVAILABLE FOR SALE THROUGH RETAIL MEAT OUTLETS.

THE BILL ESTABLISHED A SYSTEM OF LICENSING OF SHOOTER'S VEHICLES, GAME MEAT VANS AND GAME MEAT PROCESSING PLANTS, AND PREMISES. THE NSW MEAT INDUSTRY AUTHORITY WILL ISSUE THE LICENCES AND CARRY OUT INSPECTIONS TO ENSURE COMPLIANCE WITH HYGIENE AND CONSTRUCTION STANDARDS.

ON 6 JANUARY 1989 THE MINISTER FOR HEALTH AND THE MINISTER FOR AGRICULTURE AND RURAL AFFAIRS JOINTLY ANNOUNCED THAT KANGAROO MEAT WOULD BE AVAILABLE FOR HUMAN CONSUMPTION IN NEW SOUTH WALES.

THERE HAS BEEN EXTENSIVE CONSULTATION BETWEEN NSW AGRICULTURE, THE NSW MEAT INDUSTRY AUTHORITY, THE NATIONAL PARKS AND WILDLIFE SERVICE, AND THE DEPARTMENT OF HEALTH AND THE COMMONWEALTH DEPARTMENT OF PRIMARY INDUSTRIES & ENERGY.



KANGAROO MEAT PROVIDES A GOOD QUALITY LEAN, POLYUNSATURATED RED MEAT. IT IS CONSIDERED HIGHLY DESIRABLE BY MANY CONSUMERS AND NUTRITIONISTS AND ESPECIALLY FOR CHOLESTEROL-REDUCING DIETS. IT IS HIGH IN PROTEIN BUT EXTREMELY LOW IN FAT.

KANGAROO MEAT HAS BEEN LEGALLY AVAILABLE FOR YEARS FOR CONSUMPTION IN SOUTH AUSTRALIA AND TASMANIA IN RETAIL BUTCHER SHOPS, AND OVERSEAS.

THE COMMONWEALTH DEPARTMENT OF PRIMARY INDUSTRIES & ENERGY WILL CARRY OUT MEAT INSPECTION AT GAME MEAT PROCESSING PLANTS. GAME MEAT STANDARDS TO BE ADOPTED IN NEW SOUTH WALES WILL COMPLY WITH EXPORT REQUIREMENTS.

AT THE RETAIL MEAT LEVEL, KANGAROO MEAT WILL BE SUBJECT TO THE PROVISIONS OF THE FOOD ACT ADMINISTERED BY THE DEPARTMENT OF HEALTH. KANGAROO MEAT WILL BE HYGIENICALLY PACKED IN SEALED PLASTIC BAGS, AND CLEARLY LABELLED.

A T.A.F.E. COURSE ON MEAT HYGIENE FOR KANGAROO MEAT SHOOTERS AND PROCESSORS HAS BEEN PREPARED.

A CODE OF PRACTICE FOR GAME MEAT HARVESTING AND PROCESSING IS BEING DEVELOPED AND WILL APPLY TO ALL SHOOTERS AND PROCESSORS IN NEW SOUTH WALES.

THE NATIONAL PARKS AND WILDLIFE SERVICE KANGAROO MANAGEMENT PROGRAM WILL OVERSEE THE KANGAROO CULL.

LAST YEAR, THE COMMONWEALTH MINISTER FOR THE ENVIRONMENT, MS ROS KELLY, ANNOUNCED THE COMMERCIAL KANGAROO HARVESTING QUOTA FOR 1991, AN INCREASE OF 28.6 PER CENT ON THE 1990 HARVEST QUOTA FOR NEW SOUTH WALES. MS KELLY STATED THAT, "THE QUOTAS HAVE BEEN INCREASED TO PROVIDE SUFFICIENT CONTROL OF AGRICULTURAL AND PASTORAL DAMAGE IN THE FACE OF RISING KANGAROO POPULATIONS". IN NEW SOUTH WALES THIS INCREASE IN KANGAROO POPULATIONS WAS DUE TO THE SUSTAINED ABOVE-AVERAGE RAINFALL. THE NEED TO CULL HAS BEEN ACCEPTED ON A BI-PARTISAN BASIS BY ALL STATES AND THE COMMONWEALTH. QUOTAS ARE BASED PRIMARILY ON POPULATION ESTIMATES DERIVED FROM AERIAL AND GROUND SURVEYS, AND CONDUCTED BY WILDLIFE SCIENTISTS WORKING FOR, OR UNDER CONTRACT TO THE AUSTRALIAN NATIONAL PARKS AND WILDLIFE SERVICE AND STATE KANGAROO MANAGEMENT AUTHORITIES.

THE QUOTA IS SET WITH THE DUAL AIM OF MAINTAINING RED AND GREY KANGAROO POPULATIONS OVER THEIR KNOWN RANGE AND MINIMISING THEIR HARMFUL EFFECTS ON AGRICULTURAL PRODUCTION.

THE PRESENT BILL DOES NOT INCREASE THE QUOTA, BUT IT ENABLES EFFICIENT USE OF KANGAROOS AS A VALUABLE RENEWABLE RESOURCE. RECOGNITION OF KANGAROO MEAT AS A VALUABLE PRODUCT WILL ENSURE THE PROPER RETENTION OF KANGAROO POPULATIONS.

AT PRESENT IN NEW SOUTH WALES, PROCESSING CATERS FOR A SMALL EXPORT MARKET, AND FOR PET FOOD. A VALUABLE RESOURCE IS GENERALLY LEFT IN THE FIELD.

HONOURABLE MEMBERS, THIS BILL WILL ENSURE MORE ECONOMIC AND BENEFICIAL USE OF KANGAROO MEAT AS A RESOURCE AND AS A FOOD. NEW SOUTH WALES CONSUMERS WILL HAVE THE FREEDOM OF CHOICE OF KANGAROO MEAT AS AN ALTERNATIVE HEALTHY, NUTRITIOUS RED MEAT.

I COMMEND THIS BILL TO THE HOUSE.

MEAT INDUSTRY (GAME MEAT) AMENDMENT ACT 1992
No. 85

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Meat Industry Act 1978 No. 54
4. Consequential amendment of National Parks and Wildlife Act 1974 No. 80
5. Review of amendments made by this Act

SCHEDULE 1—AMENDMENT OF MEAT INDUSTRY ACT 1978

**SCHEDULE 2—CONSEQUENTIAL AMENDMENT OF NATIONAL PARKS
AND WILDLIFE ACT 1974**

MEAT INDUSTRY (GAME MEAT) AMENDMENT ACT 1992
No. 85

NEW SOUTH WALES



Act No. 85, 1992

An Act to amend the Meat Industry Act 1978 to provide for the processing and sale of game meat for human consumption; and for other purposes. [Assented to 27 November 1992]

Meat Industry (Game Meat) Amendment Act 1992 No. 85

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Meat Industry (Game Meat) Amendment Act 1992.

Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Amendment of Meat Industry Act 1978 No. 54

3. The Meat Industry Act 1978 is amended as set out in Schedule 1.

Consequential amendment of National Parks and Wildlife Act 1974 No. 80

4. The National Parks and Wildlife Act 1974 is amended as set out in Schedule 2.

Review of amendments made by this Act

5. (1) The Minister is to appoint an advisory committee before 1 January 1995 comprising the following persons:

- (a) 1 person who is an officer of the Department of Health, nominated by the Minister for Health;
- (b) 1 person who is an officer of the National Parks and Wildlife Service, nominated by the Minister for the Environment;
- (c) 1 person who is an officer of the New South Wales Meat Industry Authority, nominated by the Minister for Agriculture and Rural Affairs;
- (d) 1 person who is an officer of the Department of Agriculture, nominated by the Minister for Agriculture and Rural Affairs;
- (e) 1 person nominated by the Minister for Agriculture and Rural Affairs who the Minister considers represents the interests of consumers;
- (f) if the Minister for Agriculture and Rural Affairs considers it necessary, 1 other person nominated by the Minister who possesses relevant technical knowledge regarding the public health aspects of the human consumption of game meat.

Meat Industry (Game Meat) Amendment Act 1992 No. 85

(2) The person referred to in subsection (1) (c) is to be the Chairperson of the advisory committee.

(3) The function of the advisory committee is to review the amendments made by this Act with respect to their impact on public health and any other issue regarding human consumption of game meat which the Minister for Agriculture and Rural Affairs directs.

(4) The advisory committee is, in conducting its review, to seek submissions from the public on the matters referred to in subsection (3).

(5) The advisory committee is to make a written report of its findings to the Minister for Agriculture and Rural Affairs before 1 July 1995.

(6) The Minister for Agriculture and Rural Affairs is to report the findings of the advisory committee to Parliament by 1 December 1995.

(7) The procedure for the calling of meetings of the advisory committee and the conduct of business at those meetings is to be determined by the Minister for Agriculture and Rural Affairs.

**SCHEDULE 1—AMENDMENT OF MEAT INDUSTRY
ACT 1978**

(Sec. 3)

(1) Section 4 (**Definitions**):

(a) After the definition of “functions”, insert:

“game animal” means kangaroo;

“game meat” means meat that is from a game animal and that is intended for human consumption;

(b) In the definitions of “meat market”, “meat processing plant”, “meat van”, “processed meat” and “retail butcher’s shop”, after “abattoir meat” wherever occurring, insert “or game meat”.

(c) In the definition of “offal”, after “abattoir animal”, insert “or game animal”.

(2) Section 9 (**Licences**):

At the end of the section, insert:

(2) The regulations may make provision for or with respect to the issue of different classes of such licences for different types of premises or vehicles.

SCHEDULE 1—AMENDMENT OF MEAT INDUSTRY
ACT 1978—*continued*

(3) Without limiting the generality of subsection (2), different classes of meat processing licences and meat van licences may be prescribed in relation to game meat.

(3) Section 10 (**Unlicensed operations prohibited**):

After section 10 (1), insert:

(1A) If the regulations prescribe different classes of licences for different types of premises or vehicles, a reference in this section to the holder of a licence in respect of any premises or vehicle is a reference to the holder of the relevant class of licence.

(4) Section 26 (**Condemning of abattoir animals, game animals, meat, processed meat or processed animal food**):

In section 26 (1), after “any abattoir animal,”, insert “any game animal,”.

(5) Section 41 (**Offences as to sale of meat**):

(a) After section 41 (1) (a), insert:

(a1) in the case of meat from a game animal, the animal was taken and killed in accordance with a licence under Part 9 of the National Parks and Wildlife Act 1974 and the carcase was processed at a meat processing plant; or

(b) In section 41 (1) (b), after “section 43 (1)”, insert “or (1A)”.

(c) After section 41 (1A) (a), insert:

(a1) in the case of meat from a game animal, the animal was taken and killed in accordance with a licence under Part 9 of the National Parks and Wildlife Act 1974 and the carcase was processed at a meat processing plant; or

(6) Section 41A (**Offences as to storage of meat**):

(a) After section 41A (1) (a), insert:

(a1) in the case of meat from a game animal, the animal was taken and killed in accordance with a licence under Part 9 of the National Parks and Wildlife Act 1974 and the carcase was processed at a meat processing plant; or

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SCHEDULE 1—AMENDMENT OF MEAT INDUSTRY
ACT 1978—*continued*

- (b) In section 41A (1) (b), after “section 43 (1)”, insert “or (1A)”.
- (c) After section 41A (2) (a), insert:
- (a1) in the case of meat from a game animal, the animal was taken and killed in accordance with a licence under Part 9 of the National Parks and Wildlife Act 1974 and the carcase was processed at a meat processing plant; or
- (d) In section 41A (2) (b), after “section 43 (1)”, insert “, (1A)”.
- (7) Section 42 (**Branding of prescribed grades or classes of meat**):
- (a) In section 42 (1), after “abattoir meat”, insert “, or remove from a meat processing plant any game meat,”.
- (b) In section 42 (1A), after “abattoir meat”, insert “or game meat”.
- (8) Section 43 (**Importation of meat**):
- After section 43 (1), insert:
- (1A) No person shall bring or cause or permit to be brought into the State any game meat for human consumption unless:
- (a) the game animal from which it came was slaughtered in a manner, transported in a vehicle and processed at premises that have been approved by the Authority for the purposes of this subsection or in such other circumstances as may be prescribed; and
- (b) the game meat has been inspected in the prescribed manner and is accompanied by any certificates that may be prescribed.
- (9) Section 46 (**Functions of the Authority**):
- (a) In section 46 (1) (c), omit “and abattoir animals”, insert instead “, abattoir animals or game meat”.
- (b) Omit section 46 (2) (g) (ii) and (iii), insert instead:
- (ii) purchase or sell, within or outside the State, or export abattoir animals, abattoir meat, game meat, offal or other products of abattoir animals or game animals; or

Meat Industry (Game Meat) Amendment Act 1992 No. 85

**SCHEDULE 1—AMENDMENT OF MEAT INDUSTRY
ACT 1978—*continued***

(iii) enter into contracts for the treatment of or the application of a manufacturing process to any abattoir meat or game meat or offal or other products of abattoir animals or game animals and sell any resulting product;

(10) Section 77 (Regulations):

Omit section 77 (2) (g).

**SCHEDULE 2—CONSEQUENTIAL AMENDMENT OF
NATIONAL PARKS AND WILDLIFE ACT 1974**

(Sec. 4)

Section 104 (Fauna dealers):

After section 104 (1), insert:

(1A) A person is not to be convicted of an offence arising under subsection (1) in respect of the sale by retail of meat from a game animal (within the meaning of the Meat Industry Act 1978), but only if the meat was acquired from the holder of a fauna dealer's licence under section 124.

[*Minister's second reading speech made in—
Legislative Assembly on 3 September 1992
Legislative Council on 18 November 1992*]

