

ABATTOIRS AND SLAUGHTERING ORDINANCE 1955-1959.*

Amended 1/60
 ✓ 23/62
 ✓ 66/68
 ✓ 53/70

An Ordinance to provide for the Establishment of Government Abattoirs in Specified Districts, for the Licensing of Abattoirs in other Districts, and for the regulation and control of the Slaughtering of Stock.

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the *Abattoirs and Slaughtering Ordinance 1955-1959*.*

Short title.
 Short title amended:
 No. 17, 1938,
 s. 4.

2.—(1.) Subject to this section, the *Slaughtering Ordinance 1923*, the *Slaughtering Ordinance 1924*, the *Slaughtering Ordinance 1925*, the *Slaughtering Ordinance 1927*, the *Slaughtering Ordinance (No. 2) 1927*, the *Slaughtering Ordinance 1933* and the *Slaughtering Ordinance 1940* shall continue in operation until the date prescribed for the purposes of sections ten and twelve of this Ordinance or, if different dates are prescribed for those purposes, until the later of the dates so prescribed and no longer.

Repeal.
 Substituted by
 No. 1, 1960,
 s. 2.

(2.) When the Slaughtering Ordinances specified in the last preceding sub-section cease to be in operation they shall be deemed to have been repealed and the provisions of section eight of the *Acts Interpretation Act 1901-1957* shall have effect accordingly as if those Ordinances were Acts.

(3.) After the commencement of the *Abattoirs and Slaughtering Ordinance 1955*, no licence for a slaughter house shall be granted under the Slaughtering Ordinances specified in sub-section (1.) of this section.

* The *Abattoirs and Slaughtering Ordinance 1955-1959* comprises the *Abattoirs and Slaughtering Ordinance 1955* as amended. Particulars of the Principal Ordinance and of the amending Ordinances are set out in the following table:—

Ordinance.	Number and Year.	Date of Assent by Administrator.	Date of Notification of Governor-General's Assent in Northern Territory Government Gazette.	Date of Commencement.
<i>Abattoirs and Slaughtering Ordinance 1955</i>	No. 14, 1955	8th June, 1955	3rd March, 1960
<i>Abattoirs and Slaughtering Ordinance 1956</i>	No. 26, 1956	28th June, 1956	3rd March, 1960
<i>Abattoirs and Slaughtering Ordinance 1957</i>	No. 31, 1957	..	4th Sept., 1957 ..	3rd March, 1960
<i>Abattoirs and Slaughtering Ordinance 1959</i>	No. 1, 1960	3rd March, 1960	3rd March, 1960

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(4.) The granting of a licence under this Ordinance in respect of premises cancels a licence for a slaughter house in force in respect of those premises immediately before the granting of the first mentioned licence.

(5.) Where a licence under this Ordinance has been granted and is in force, the *Slaughtering Ordinance 1923-1940* and the *Slaughtering Regulations* do not apply to, or in relation to, the abattoir in respect of which the licence is granted or to slaughtering carried out or meat produced at that abattoir.

Restricted application of Parts IV. and V. and of the regulations.
Inserted by N. 1, 1960, s. 2.

2A. Where a licence for a slaughter house has been granted under the *Slaughtering Ordinances* specified in subsection (1.) of the last preceding section and is in force, Parts IV. and V. of this Ordinance and regulations made under this Ordinance do not apply to, or in relation to, the holder of the licence, the slaughter house in respect of which the licence is granted or meat produced at that slaughter house.

Commencement.

3. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.*

Parts.
Amended by No. 26, 1956, s. 3; and N. 1, 1960, s. 3.

4. This Ordinance is divided into Parts, as follows:—

Part I.—Preliminary (Sections 1-6).

Part II.—Government Abattoirs (Sections 7-10).

Part III.—Licensed Abattoirs (Sections 11-29).

Part IIIA.—Slaughtering for Owners of Stock (Sections 29A-29X).

Part IV.—The Control of Slaughtering (Sections 30-38).

Part V.—Miscellaneous (Sections 39-46).

5. In this Ordinance, unless the contrary intention appears—

Definitions.
Amended by No. 26, 1956, s. 4; and No. 1, 1960, s. 4.

“abattoir” means premises or a place used or intended to be used for the slaughtering of stock for human consumption and includes the land, surrounding the building or place, used in, or in connexion with, the slaughtering of stock for human consumption;

“disease” means—

(a) in relation to a human being—a disease specified in the regulations as a disease affecting human beings; and

(b) in relation to stock—a disease specified in the regulations as a disease affecting stock;

* The date fixed was 3rd March, 1960. See table on p. 1.

- “drover” means a person in charge of stock being travelled in accordance with the *Stock Routes Ordinance 1954* or the *Stock Diseases Ordinance 1954*;
- “Government abattoir” means an abattoir which is, or is deemed to be, a Government abattoir under Part II. of this Ordinance;
- “Inspector” means an Inspector of Abattoirs appointed under this Ordinance;
- “licence” means a licence issued under Part III. of this Ordinance which is in force;
- “licensee” means a person to whom a licence, which is in force, has been issued under Part III. of this Ordinance;
- “licensed abattoir” means an abattoir in respect of which a licence has been issued under Part III. of this Ordinance;
- “meat” means the product of stock that has been slaughtered, whether the product is fresh, frozen, chilled, preserved, salted or processed in any other way;
- “medical practitioner” means a registered medical practitioner within the meaning of the *Medical Practitioners Registration Ordinance 1935-1945*;
- “offal” means that part of the carcass of slaughtered stock which is not normally consumed by human beings;
- “officer” means an officer of the Public Service of the Commonwealth or an officer of the Public Service of the Northern Territory;
- “owner”, in relation to premises or a place, means the person having the management or control of the premises or place;
- “slaughtering” includes any processing to which meat or a carcass or part of a carcass is subjected in an abattoir and “to slaughter” has a corresponding meaning;
- “stock” means cattle, sheep, swine, goats and any animals which are prescribed to be stock for the purposes of this Ordinance;
- “the Chief Inspector” means the Chief Inspector of Abattoirs appointed under this Ordinance;
- “the Court” means the Local Court of Limited Jurisdiction having jurisdiction under Part III. of this Ordinance to grant, renew, transfer and cancel licences.

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Appointment
of officers,
Chief
Inspectors and
Inspectors.

6.—(1.) For the purposes of this Ordinance, the Administrator may appoint—

- (a) an officer to be Chief Inspector of Abattoirs; and
- (b) officers who are stock inspectors under the *Stock Diseases Ordinance 1954* or health inspectors under the *Health Ordinance 1915-1953* to be Inspectors of Abattoirs.

(2.) In the event of—

- (a) a vacancy in the office of Chief Inspector or an Inspector; or
- (b) the inability, through illness or otherwise, of the Chief Inspector or an Inspector to perform the duties or functions imposed by him under this Ordinance,

the Administrator may appoint an officer to act as Chief Inspector or Inspector, as the case may be, until the vacancy is filled or the Chief Inspector or Inspector, as the case may be, is able to perform those duties and functions.

(3.) The Chief Inspector may exercise the powers and functions conferred by this Ordinance or the regulations on an inspector.

PART II.—GOVERNMENT ABATTOIRS.

Government
Abattoirs
District.

7. The regulations may provide that a specified district shall be, for the purposes of this Ordinance, a Government Abattoirs District.

Government
abattoirs.

8.—(1.) The Administrator may, out of moneys appropriated by the Parliament of the Commonwealth and available for the purposes, erect, in a Government Abattoirs District, such abattoirs as he considers necessary.

(2.) An abattoir so erected is a Government abattoir.

Amended by
No. 26, 1956,
s. 5; and
No. 31, 1957,
s. 3.

(3.) Where an abattoir which is erected in a Government Abattoirs District is, at the date of commencement of this Ordinance, a Government Abattoir within the meaning of the Ordinances repealed by section two of this Ordinance, the abattoir shall be deemed to be a Government abattoir.

Added by
N. 31, 1957,
s. 3.

(4.) Where, by force of the next succeeding section, land which is comprised in a lease is deemed to have been resumed for the purposes of this Ordinance, the abattoir erected on the land shall be deemed to be a Government abattoir.

Resumption of, and compensation payable in respect of, licensed abattoirs in areas declared to be Government Abattoirs Districts.
Inserted by No. 31, 1957, s. 4.

8A.—(1.) Where—

- (a) regulations made for the purposes of section seven of this Ordinance provide that a specified district shall be, for the purposes of this Ordinance, a Government Abattoirs District;
- (b) a licence under Part III. of this Ordinance to conduct an abattoir in the district so specified was in force immediately before the date of commencement of those regulations; and
- (c) the land on which the abattoir is erected is held under a lease granted by or on behalf of the Crown,

the land comprised in the lease shall, by force of this section, be deemed to have been, as from the commencement of those regulations, resumed for the purposes of this Part.

(2.) Subject to this section, the interest of every person in a lease of land which is deemed to have been so resumed shall be converted into a right to compensation under this section.

(3.) The amount of compensation to be paid in respect of the interest of a person in a lease of land so resumed is the value, on the day immediately before the date as from which the land held is deemed to have been resumed, of the interests of the person in the lease (including the interest of the person in the improvements on the land held under the lease).

(4.) In determining the amount of compensation to be paid under this section, regard shall not be had to the fact that the district in which the land is situated was liable to be specified in the regulations as a Government Abattoirs District.

(5.) The amount of compensation to be paid under this section may be determined—

- (a) by agreement between the Minister and the person entitled to compensation;
- (b) if the Minister and the person entitled to compensation agree to submit the determination of the amount of compensation to arbitration, by arbitration in accordance with the law relating to arbitration of the Territory; or
- (c) if an agreement referred to in either of the preceding paragraphs is not made within three months after the date on which the land is deemed to have been resumed, by proceedings instituted against the Commonwealth by the person entitled to compensation in the Supreme Court of the Territory.

(6.) Where an agreement for the submission to arbitration of the determination of the amount of compensation is made, the law relating to arbitration in force in the Territory (other than the enforcement of awards made upon an arbitration) applies, subject to the agreement, to and in relation to the agreement and to and in relation to the arbitration under the agreement.

(7.) Subject to the modifications specified in the next succeeding sub-section, the provisions of section twenty-seven, sub-sections (2.), (3.), (4.), (5.), (7.) and (8.) of section twenty-eight, Division 6 of Part IV., Part V. and Part VI. of the *Lands Acquisition Act 1955* apply to, and in relation to, land which is deemed to have been resumed under this section and to claims for compensation under this section in the same manner as those provisions apply to, and in relation to, land acquired under that Act and claims for compensation under that Act.

(8.) In the application of the provisions of the *Lands Acquisition Act 1955* for the purposes of the last preceding sub-section—

- (a) a reference to an interest in land shall be read as a reference to an interest in a lease of land;
- (b) a reference to a court or the court shall be read as a reference to the Supreme Court of the Territory;
- (c) a reference to land acquired shall be read as a reference to land which is deemed to have been resumed by force of this section;
- (d) a reference to acquisition shall be read as a reference to resumption under this section;
- (e) a reference to an amount of compensation or to an amount of compensation to which a person is entitled under any of the provisions of that Act shall be read as a reference to the amount of compensation to which a person is entitled under this section;
- (f) the provisions of section forty-one of that Act shall be read as if the words “under Division 1 of Part IV. of this Act” were omitted; and
- (g) the provisions of section forty-five of that Act shall be read as if the words “, section twenty-nine” were omitted.

(9.) The provisions of sub-sections (2.) to (8.) (inclusive) of this section apply subject to the provisions of the lease of the land which is deemed by sub-section (1.) of this section to have been resumed for the purposes of this Part.

9. The Administrator may—

- (a) authorize the Chief Inspector of Stock to engage in the slaughtering of stock in a Government abattoir;
- (b) allow other persons to use, on such terms and conditions as the Administrator determines, a Government abattoir or part of a Government abattoir for the slaughtering of stock; or
- (c) lease, on such terms and conditions as the Administrator determines, a Government abattoir for use in the slaughtering of stock.

Slaughtering of
Stock in
Government
abattoirs.

10.—(1.) The regulations may prescribe a date for the purposes of this section.

(2.) Subject to section forty of this Ordinance, a person shall not, on or after the date so prescribed, slaughter in a Government Abattoirs District stock the meat of which is intended to be used for human consumption except at a Government abattoir.

Prohibition of
slaughtering
except at
Government
abattoirs.
Substituted by
No. 1, 1960,
s. 5.

Penalty: One hundred pounds.

PART III.—LICENSED ABATTOIRS.

11. The regulations may provide that a specified district or area shall be, for the purposes of this Ordinance, a Licensed Abattoirs Area.

Licensed
Abattoirs Area.

12.—(1.) The regulations may prescribe a date for the purposes of this section.

(2.) Subject to section forty of this Ordinance, a person shall not, on or after the date so prescribed, slaughter stock the meat of which is intended to be used for human consumption except at a Government abattoir or at a licensed abattoir.

Prohibition of
slaughtering
except at
Government
abattoirs or
licensed
abattoirs.
Substituted by
No. 1, 1960,
s. 6.

Penalty: One hundred pounds.

13. A Local Court of Limited Jurisdiction constituted under the *Local Courts Ordinance 1941-1954* has jurisdiction to grant, renew, transfer and cancel licences to conduct abattoirs in respect of premises or a place which are situated nearer to that local court than to any other local court of limited jurisdiction.

Jurisdiction of
Court in
relation to
licences.

Applications
for licences.
Sub-section (1.)
substituted by
N. 1, 1960,
s. 7.

14.—(1.) Where—

(a) a person—

(i) is the owner of premises used or intended to be used as an abattoir or of a place on which it is proposed to erect premises for use as an abattoir (not being premises or a place situated in a Government Abattoirs District or a Licensed Abattoirs Area); or

(ii) has applied under the *Special Purposes Leases Ordinance 1953-1956* for a lease of land for abattoir purposes (not being land situated in a Government Abattoirs District) on which it is proposed to erect premises for use as an abattoir; and

(b) the person has caused to be published in a newspaper circulating in the locality in which the premises are situated, or the place or land is situated, a notice indicating his intention to lodge, on or before a date specified in the notice, an application for a licence in respect of the premises or proposed premises,

he may make an application to the Court for a licence to conduct the premises or proposed premises as an abattoir.

(2.) An application shall—

(a) be in the prescribed form and lodged in duplicate on or before the date specified in the notice referred to in the last preceding sub-section;

(b) be accompanied by the prescribed fee and a copy of the newspaper in which the notice referred to in the last preceding sub-section was published;

(c) be accompanied by two copies of a plan and specification of the premises or proposed premises in respect of which the application is made; and

(d) where the applicant has applied under the *Special Purposes Leases Ordinance 1953-1956* for a lease of land for abattoir purposes, be accompanied by a statement signed by the Minister that—

(i) the applicant has applied under the *Special Purposes Leases Ordinance 1953-1956* for a lease of land for abattoir purposes; and

(ii) the Minister approves the granting of the lease so applied for.

Amended by
N. 1, 1960,
s. 7.

(3.) The Clerk of the Court to which the application is made shall forthwith forward a copy of the application and the plan and specification to the Chief Inspector.

(4.) An application shall not be heard by the Court until the expiration of two months after the date specified in the notice referred to in sub-section (1.) of this section.

15.—(1.) The Chief Inspector may, within forty-nine days after the date specified in the notice referred to in sub-section (1.) of the last preceding section, lodge with the Court a notice that he objects to the granting of the licence applied for on the ground—

Objections.
Sub-section (1.)
amended by
No. 1, 1960,
s. 8.

- (a) that the applicant is not a person of good standing in the community;
- (b) that the premises do not comply, or the proposed premises, if erected in accordance with the plan and specification, will not comply, with the prescribed standards of construction; or
- (c) where the licence applied for is in respect of premises proposed to be erected in a Licensed Abattoirs Area, that the proposed premises, if erected in accordance with the plan and specification, will not make reasonable provision for the slaughtering of animals, being stock, of a class of animals likely to be required to be slaughtered in the Licensed Abattoirs Area when the abattoir commences operation.

(2.) An objection under this section shall be in the prescribed form and lodged in duplicate.

Substituted by
No. 26, 1956,
s. 8.

(3.) The Clerk of the Court shall, forthwith after an objection is lodged, forward a copy of the objection to the applicant.

Substituted by
No. 26, 1956,
s. 8.

* * * * *

Sub-section (4.)
omitted by
No. 26, 1956,
s. 8.

16. The Court shall fix a time and place at which the application will be heard and shall cause notice of the time and place so fixed to be given to the applicant and the Chief Inspector.

Time and place
of hearing of
application.
Amended by
No. 26, 1956,
s. 9.

17.—(1.) The Court shall hear and determine an application made in accordance with section fourteen of this Ordinance.

Grant or
refusal of
licence.
Substituted by
No. 1, 1960,

(2.) Where the application is in respect of premises, if the Court is satisfied—

- (a) that the applicant is a person of good standing in the community;
 - (b) that the premises comply with the prescribed standards of construction; and
 - (c) where an objection has been lodged on a ground set forth in paragraph (c) of sub-section (1.) of section fifteen of this Ordinance, that the ground of objection has not been established,
- the Court shall, subject to this section, grant the application, but, if not so satisfied, the Court shall refuse the application.

(3.) Where the application is in respect of proposed premises, if the Court is satisfied—

- (a) that the applicant is a person of good standing in the community;
 - (b) that the proposed premises will, if erected in accordance with the plan and specification, comply with the prescribed standards of construction; and
 - (c) where an objection has been lodged on a ground set forth in paragraph (c) of sub-section (1.) of section fifteen of this Ordinance, that the ground of objection has not been established,
- the Court shall, subject to this section, fix a date for the further hearing of the application.

(4.) If at a further hearing fixed under this section the Court is satisfied that the premises are erected in accordance with the plan and specification, the Court shall grant the application; but, if not so satisfied, the Court shall fix a date for the further hearing of the application or refuse the application.

(5.) Where an application is in respect of premises or proposed premises situated within the boundaries of a town or municipality but not within the boundaries of a Licensed Abattoirs Area, the Court shall refuse the application if, not later than seven days before the date fixed for the hearing of the application, a certificate signed by the Administrator is filed with the Clerk of the Court stating that, in the Administrator's opinion, the granting of the application would be repugnant to the principles for the time being governing the use of land in the town or municipality or the town planning construction and development of the town or municipality.

(6.) In this section—

“town” means any town constituted and defined in accordance with the provisions of the *Crown Lands Ordinance* 1931-1959 or in accordance with the provisions of any law in force in the Northern Territory prior to the commencement of the *Crown Lands Ordinance* 1931;

“municipality” means a municipality constituted and in existence under the *Local Government Ordinance* 1954-1959.

18.—(1.) Where an application has been made for a licence in respect of premises or proposed premises, the Chief Inspector may, if satisfied that the premises comply, or the proposed premises if completed in accordance with the plan and specification will comply, with the prescribed standards of construction, certify accordingly by writing under his hand.

Certificate of Chief Inspector to be evidence as to compliance with prescribed standards of construction. Substituted by No. 1, 1960, s. 10.

(2.) If the Chief Inspector so certifies, the certificate is, on the hearing of the application, evidence of the facts stated in the certificate.

19. A licence shall be in the prescribed form.

Form of licence.

20. A licence takes effect as from the day on which the fee prescribed for the issue of a licence is paid and, subject to this Ordinance, remains in force—

Term of licence. Amended by No. 26, 1956, s. 11.

(a) if it is issued in a month other than the months of September and October in any year—until the next ensuing thirty-first day of October; or

(b) if it is issued in the months of September or October in any year—until the thirty-first day of October in the next ensuing year.

* * * * *

Section 20A inserted by No. 26, 1956, s. 12 and repealed by No. 1, 1960, s. 11.

21.—(1.) A Court which has granted or renewed a licence in any year shall fix a date in the month of September in the next ensuing year on which a sitting of the Court shall be held for the granting of renewals of licences.

Renewal of licences.

(2.) A licensee may, not less than twenty-eight days before the date so fixed, apply to the Court for a renewal of his licence.

(3.) An application for the renewal of a licence shall—

(a) be in the prescribed form and lodged in duplicate; and

(b) be accompanied by the prescribed fee.

(4.) The Clerk of the Court shall forthwith forward to the Chief Inspector a copy of the application.

Objections to renewals.
Sub-section (1.) amended by No. 26, 1956, s. 13; and No. 1, 1960, s. 12.

22.—(1.) The Chief Inspector may, not less than fourteen days before the date fixed by the Court for the hearing of applications for renewals of licences, lodge with the Court a notice that he objects to the granting of the renewal of a licence on the ground—

- (a) that the licensee has ceased to be a person of good standing in the community;
- (b) that the premises no longer comply with the prescribed standards of construction; or
- (c) that the licensee has failed to perform a duty that he is required to perform under section twenty-nine A of this Ordinance.

(2.) An objection under the last preceding sub-section shall be in the prescribed form and shall be lodged in duplicate.

(3.) The Clerk of the Court shall, forthwith after an objection is lodged, forward a copy to the licensee.

Hearing of application for renewal.

23.—(1.) If an objection has not been lodged under the last preceding section, the Court shall renew the licence.

(2.) If an objection has been lodged and the Court is satisfied that the grounds of objection have not been established, the Court shall grant the renewal of the licence, but, if satisfied that the grounds or a ground of objection has been established, the Court shall refuse the renewal of the licence.

Term of Renewal.

24. The renewal of a licence takes effect as from the first day of November next succeeding the date on which it is renewed and remains in force until the thirty-first day of October in the next succeeding year.

Transfer of licences.
Sub-section (1.) amended by N. 1, 1960, s. 13.

25.—(1.) The Court may transfer a licence from the licensee to another person—

(a) upon an application being made jointly in the prescribed form—

- (i) by the licensee and the other person;
- (ii) by the executor, administrator or other legal representative of a deceased licensee and the other person;
- (iii) in a case where the licensee has ceased to be entitled in law to possession of the premises—by the person entitled in law to possession of the premises and the other person; or

(iv) in the case of a person who is a mentally defective person within the meaning of the *Mental Defectives Ordinance 1940-1955*—by the committee, administrator or Public Trustee on behalf of the licensee and the other person; and

(b) upon being satisfied that the other person is a person of good standing in the community.

(2.) An application under the last preceding sub-section shall—

(a) be lodged in duplicate; and

(b) be accompanied by the prescribed fee.

(3.) The Clerk of the Court shall, forthwith after an application is lodged, forward a copy of the application to the Chief Inspector.

(4.) If the Chief Inspector does not, within fourteen days after the application is lodged, lodge a notice of objection under the next succeeding sub-section, the Court shall grant the transfer of the licence.

(5.) The Chief Inspector may, within fourteen days after the application is lodged, lodge with the Court a notice in the prescribed form that he objects to the transfer of the licence on the ground that the other person is not a person of good standing in the community.

(6.) The Clerk of the Court shall, forthwith after an objection is lodged, forward a copy of the objection to the licensee and the other person.

(7.) The Court shall fix a time and place for the hearing of the objection and shall give notice of the time and place so fixed to the Chief Inspector, the licensee and the other person.

(8.) If on the hearing the Court is satisfied that the ground of objection has not been established, the Court shall grant the transfer of the licence, but, if satisfied that the ground of objection has been established, it shall refuse the transfer.

(9.) The transfer of the licence shall be endorsed on the licence.

26.—(1.) Where a licensee has been convicted of two or more offences against this Ordinance or the regulations or the Chief Inspector is satisfied that a licensee has failed to perform a duty that he is required to perform under section twenty-nine

Cancellation of licence.
Sub-section (1.) amended by No. 26, 1956, s. 14; and No. 1, 1960, s. 14.

A of this Ordinance, the Chief Inspector may, by application in the prescribed form, apply to the Court for the cancellation of the licence.

(2.) An application under the last preceding sub-section shall be lodged in duplicate.

(3.) The Court shall fix a time and place for the hearing of the application and shall cause a copy of the application and a notice of the time and place fixed for the hearing of the application to be forwarded to the licensee.

(4.) The Court may, if satisfied that circumstances under which the offences were committed or the duty was not performed, justify the cancellation of the licence, cancel the licence, but, if not so satisfied, it shall dismiss the application.

Amended by No. 1, 1960, s. 14.

Practice and Procedure.

27. The practice and procedure in relation to applications to the Court under this Part and on the hearing of those applications and objections to those applications shall be as prescribed by the regulations or, to the extent that the regulations do not apply, as the Court, on the application of the person who has made an application or lodged an objection, directs.

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Section 28 repealed by No. 26, 1956, s. 15.

Decision of the Court to be final.

29. The decision of the Court on an application or objection under this Part is final and not subject to appeal.

PART IIIA.—SLAUGHTERING FOR OWNERS OF STOCK.

Part IIIA., inserted by No. 1, 1960, s. 15.

Certain licensees required to slaughter stock for other persons. Inserted by No. 1, 1960, s. 15.

29A. The holder of a licence in respect of an abattoir in a Licensed Abattoirs Area shall, subject to this Ordinance and the regulations—

(a) at the request of an owner, slaughter stock belonging to the owner for the purpose of producing meat for disposal by the owner in the Licensed Abattoirs Area; and

(b) hold, on behalf of the owner, in a chilling room or cold storage room, meat produced from stock so slaughtered for forty-eight hours after the meat is produced or until the owner takes delivery of the meat, whichever is the shorter period.

29B.—(1.) Where stock are so slaughtered the slaughtering shall be done at such rates and on such conditions as are in force in accordance with this section.

Rates and conditions. Inserted by No. 1, 1960, s. 15.

(2.) The rates and conditions that are in force are—

- (a) subject to the next succeeding sub-section, such rates and conditions as are determined by the licensee; or
- (b) where a determination made under this Part by the Court is in force, the rates and conditions specified in that determination.

(3.) Rates and conditions determined by the licensee cease to be in force when the Court makes a determination under this Part.

29C. The licensee shall publish the rates and conditions in force in accordance with the last preceding section by setting up and keeping set up, in a conspicuous place at the abattoir in respect of which the licence is held, a notice setting out—

Rates and conditions to be published.
Inserted by No. 1, 1960, s. 15.

- (a) the rates and conditions in force;
- (b) the date when those rates and conditions came into force; and
- (c) whether those rates and conditions were determined by the Court or the licensee.

29D. Subject to the next succeeding section, a person may make application to the Court for a determination as to the rates and conditions applicable where stock are slaughtered at the request of an owner in accordance with section twenty-nine A of this Ordinance.

Application to Court for order as to rates and conditions.
Inserted by No. 1, 1960, s. 15.

29E. A person other than the Chief Inspector may not make application for a determination under the last preceding section unless—

Application by person other than Chief Inspector.
Inserted by No. 1, 1960, s. 15.

- (a) not less than one month before the date on which he makes application, he has in writing requested the Chief Inspector to make application for such a determination and has served the licensee personally or by post with a copy of the written request;
- (b) the Chief Inspector has not, after the person has so requested, made application under the last preceding section; and
- (c) after, but not later than three months after, so requesting the Chief Inspector, he has requested the licensee to slaughter stock, of which he is the owner, for the purpose of producing meat for disposal by him in the Licensed Abattoirs Area.

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Application to be in writing, &c.
Inserted by No. 1, 1960, s. 15.

29F.—(1.) The application shall be in writing and shall contain such particulars as are prescribed.

(2.) The applicant shall supply such particulars or further particulars as the Court orders.

(3.) A copy of the application shall be served personally or by post on the licensee and, where the applicant is not the Chief Inspector, on the Chief Inspector.

Jurisdiction.
Inserted by No. 1, 1960, s. 15.

29G. The Court has jurisdiction to hear an application under section twenty-nine D or twenty-nine N of this Ordinance.

Court to hear application and determine rates and conditions.

29H. The Court shall hear the application and determine the rates and conditions which it considers fair and reasonable.

Inserted by No. 1, 1960, s. 15.

Court not bound by rules of evidence, &c.

29J. In the hearing the Court shall not be bound by any rule of evidence but may inform its mind on any matter in such manner as it thinks just.

Inserted by No. 1, 1960, s. 15.

Costs.

29K. The Court may award such costs in respect of an application under section twenty-nine D or twenty-nine N of this Ordinance as it thinks just.

Inserted by No. 1, 1960, s. 15.

No appeal against determination of Court.

29L. There shall be no appeal against a determination of the Court under this Part.

Inserted by No. 1, 1960, s. 15.

Commencement of operation of rates and conditions determined by Court.

29M. Rates and conditions determined by the Court under this Part are in force—

Inserted by No. 1, 1960, s. 15.

(a) where the application for the determination is made by the Chief Inspector, from and including the date on which the Chief Inspector makes the application; or

(b) where the application for the determination is made by a person other than the Chief Inspector, from and including the date on which that person first requests the licensee to slaughter stock, of which that person is the owner, for the purpose of producing meat for disposal by him in the Licensed Abattoirs Area, after the date on which that person has requested the Chief Inspector to make application for a determination under this Part.

Licensee may apply for variation of determination.
Inserted by No. 1, 1960, s. 15.

29N. Where the Court has determined rates and conditions under this Part, a licensee may make application to the Court for an order varying those rates or conditions or both.

29P. An application under the last preceding section shall be in writing and shall be accompanied by—

- (a) a copy of a notice stating the intention of the licensee to make an application for an order varying the existing rates or conditions, or both, as the case may be; and
- (b) a statement in writing signed by the licensee that the notice has been published for not less than fourteen days by being set up and kept set up in a conspicuous position at the abattoir of which the applicant is the licensee.

Application to be in writing, &c.
Inserted by No. 1, 1960, s. 15.

29Q. A copy of the application and of the notice and statement referred to in the last preceding section shall be served personally or by post on the Chief Inspector.

Copies to be served on Chief Inspector.
Inserted by No. 1, 1960, s. 15.

29R. The provisions of sections twenty-nine H and twenty-nine J of this Ordinance apply to and in relation to an application under section twenty-nine N of this Ordinance.

Application of sections 29H and 29J.
Inserted by No. 1, 1960, s. 15.

29S.—(1.) After a period of twelve months has expired since the date on which the Court last made a determination under this Part, a licensee may determine rates and conditions applicable to the slaughtering of stock for the purpose of producing meat for disposal by the owner in the Licensed Abattoirs Area.

Licensee may determine new rates and conditions in certain circumstances.
Inserted by No. 1, 1960, s. 15.

(2.) When such rates and conditions are published in accordance with section twenty-nine C of this Ordinance the rates and conditions last determined or ordered by the Court cease to be in force.

29T. Where a licensee, in breach of his duty under section twenty-nine A of this Ordinance, refuses or fails to slaughter stock, the owner may apply to a court of competent jurisdiction for an order directing the licensee—

- (a) to slaughter the stock;
- (b) to pay damages for refusing or failing to slaughter the stock; or
- (c) to slaughter the stock and pay damages for refusing or failing to slaughter the stock.

Owner may apply for damages, &c., where licensee refuses, &c., to slaughter stock.
Inserted by No. 1, 1960, s. 15.

29U. If the court hearing an application under the last preceding section is satisfied that the licensee has, in breach of his duty under section twenty-nine A of this Ordinance, refused or failed to slaughter stock of which the applicant is the owner, the court may order the licensee—

- (a) to slaughter stock of which the applicant is the owner and which the applicant delivers to the licensee's abattoir;

Court may order licensee to slaughter stock, &c.
Inserted by No. 1, 1960, s. 15.

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- (b) to pay to the applicant such damages as the court thinks fit; or
- (c) to slaughter the stock specified in paragraph (a) of this section and pay to the applicant such damages as the court thinks fit.

Court may specify terms relating to slaughtering. Inserted by No. 1, 1960, s. 15.

29v. In an order under the last preceding section the court making the order may specify such terms as it thinks fit with respect to—

- (a) the numbers and classes of stock to be slaughtered;
- (b) the times at which and the periods within which the slaughtering is to be done; and
- (c) any other matter necessary or convenient for ensuring that the applicant receives reasonable facilities for having his stock slaughtered at the licensee's abattoir.

Action for damages for not holding meat in chilling room, &c., as required. Inserted by No. 1, 1960, s. 15.

29w.—(1.) Where a licensee, in breach of his duty under section twenty-nine A of this Ordinance, does not hold meat on behalf of an owner, the owner may apply to a court of competent jurisdiction for an order directing the licensee to pay to the owner such damages as the court thinks fit.

(2.) If the court hearing the application is satisfied that the licensee has, in breach of his duty under section twenty-nine A of this Ordinance, refused or failed to hold meat produced from stock of which the applicant is the owner, the court may order the licensee to pay to the applicant such damages as the court thinks fit.

Definitions. Inserted by No. 1, 1960, s. 15.

29x. In this Part, unless the contrary intention appears—

“court of competent jurisdiction” means the Supreme Court of the Northern Territory or a Local Court of Full Jurisdiction constituted under the *Local Courts Ordinance 1941-1957*;

“owner” means an owner of stock or a person authorized in writing to be the agent of an owner of stock.

PART IV.—THE CONTROL OF SLAUGHTERING.

30. The regulations may make provision for and in relation to—

- (a) the standards to be complied with in relation to the capacity, equipment and construction of abattoirs;

Regulations may provide for control of slaughtering and of abattoirs generally. Amended by No. 26, 1956, s. 16; and No. 1, 1960, s. 16.

- (b) the manner in which the slaughtering of stock shall be carried out;
- (c) the cleansing and disinfecting of abattoirs and machinery and utensils used in abattoirs;
- (d) the removal or disposal of blood, offal or filth from abattoirs;
- (e) the treatment to which offal is to be subjected before it is fed to swine;
- (f) the preservation of skins and hides, or parts of skins and hides, of stock slaughtered in abattoirs until their removal or destruction is authorized by an Inspector;
- (g) the inspection of meat by an Inspector;
- (h) the destruction or disposal of stock, or meat obtained from stock, which is or was infected with disease;
- (i) the destruction or disposal of meat which, in the opinion of an Inspector, is unfit for human consumption;
- (j) the giving, in specified cases, of notices of intention to commence slaughtering;
- (k) the making or application of tests for the detection of disease in stock or meat;
- (l) the records to be kept, and the returns to be made, in respect of stock slaughtered at abattoirs;
- (m) the construction and situation of pigsties at or near abattoirs;
- (n) the keeping of swine and poultry at or near abattoirs;
- (o) the treatment and sustenance of stock held at abattoirs before they are slaughtered;
- (p) the treatment, sale and disposal of the by-products of slaughtering;
- (q) the manner in which meat obtained from stock slaughtered at an abattoir shall be stored at the abattoir until it is removed from the abattoir;
- (r) the destruction or disposal of meat which has been produced or dealt with in contravention of the regulations;
- (s) the prohibition of the slaughtering of stock included in a specified class of stock;
- (t) the prohibition of the treatment or dressing at an abattoir of the carcass or part of the carcass of an animal not slaughtered at the abattoir;

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- (u) the maintenance of hygienic conditions in abattoirs;
- (v) the exclusion from abattoirs of animals included in a specified class of animals;
- (w) the ordering and governing of persons engaged at, appointed to, coming to or resorting to abattoirs; and
- (x) such other matters relating to the control of abattoirs and slaughtering as are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance.

Application of regulations.
Substituted by No. 1, 1960, s. 17.

31. Regulations made for the purposes of the last preceding section shall, if expressed to do so, apply either in whole or in part to, or in relation to, any or all of the following:—

- (a) Government abattoirs;
- (b) licensed abattoirs;
- (c) Government Abattoirs Districts;
- (d) Licensed Abattoirs Areas;
- (e) such portion of the Territory as is not within—
 - (i) a Government Abattoirs District;
 - (ii) a Licensed Abattoirs Area; or
 - (iii) a Government Abattoirs District or a Licensed Abattoirs Area.

General powers of Inspectors.

32. An Inspector may—

- (a) at all reasonable times, enter upon, and inspect, an abattoir and the machinery and utensils used in the abattoir;
- (b) inspect any stock found at an abattoir;
- (c) take samples of any meat in an abattoir or the water or any other article used in, or in connexion with, the slaughtering of stock at an abattoir.

Powers of Inspector in relation to diseased stock.

33. If an Inspector finds any stock at an abattoir which, in his opinion is infected with a disease—

- (a) the Inspector may, by writing under his hand, order the owner of the abattoir to remove the diseased stock to a specified place, there to be destroyed in accordance with the *Stock Diseases Ordinance 1954*; or
- (b) if satisfied that the stock may be destroyed at the abattoir without danger to the public health or without affecting the wholesomeness of the meat

at the abattoir, direct that the owner of the abattoir destroy the diseased stock in accordance with the instructions specified in the notice.

34.—(1.) If an Inspector has reason to believe that a person who is at, or an employee of, an abattoir is suffering from a disease, the Inspector may, by order under his hand, direct the person or employee to remove himself from the abattoir and to submit himself for examination by a medical practitioner.

Powers of Inspector in relation to persons suffering from disease.

(2.) If, upon an examination of a person or employee, a medical practitioner is of opinion that it is in the interests of the public health that the person or employee absent himself from the abattoir, the medical practitioner may by order in writing under his hand direct the person or employee to absent himself from the abattoir until the medical practitioner certifies that the person or employee is in a fit state of health to be at, or employed at, the abattoir.

35. If an Inspector is of opinion that water being used in an abattoir in, or in connexion with, the slaughtering of stock is contaminated, the Inspector shall, by order in writing under his hand, direct the owner of the abattoir to cease the slaughtering and not to recommence slaughtering of stock until the Inspector certifies that the water at the abattoirs is no longer contaminated.

Use of contaminated water prohibited.

36. If an Inspector is of opinion that meat found at an abattoir is unfit for human consumption, the Inspector shall order the owner of the abattoir to destroy, or dispose of, the meat in the prescribed manner.

Condemnation of meat unfit for human consumption.

37. The owner of an abattoir shall not slaughter stock which the owner has reason to believe is infected with, or affected by, a disease except in accordance with the instructions of an Inspector.

Slaughtering of diseased stock prohibited.

Penalty: One hundred pounds.

38.—(1.) A person who has reason to believe that he is infected with, or affected by, a disease shall not enter, or be upon, an abattoir.

Persons suffering from disease not to enter, or be upon, abattoirs.

(2.) The owner of an abattoir who has reason to believe that a person is infected with, or affected by, a disease shall not permit that person to enter, or be upon, the abattoir.

Penalty: One hundred pounds.

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PART V.—MISCELLANEOUS.

Meat for
human
consumption to
be marked.
Substituted by
N. 1, 1960,
s. 18.

- 39.**—(1.) A person shall not—
- (a) sell or offer for sale;
 - (b) supply or offer to supply;
 - (c) buy or offer to buy;
 - (d) receive or offer to receive; or
 - (e) have, or suffer to remain, on premises of which he is the owner,

in a Government Abattoirs District or a Licensed Abattoirs Area, fresh, frozen or chilled meat intended to be used for human consumption, unless the meat has been marked as being fit for human consumption—

- (f) in the case of meat slaughtered in a State or Territory of the Commonwealth—as required by the law in force in that State or Territory; or
- (g) in any other case—as required by the regulations.

Penalty: One hundred pounds.

(2.) An Inspector may at all reasonable times enter upon and inspect premises on or in relation to which he has reasonable grounds for believing that an offence against this section is or may be committed.

(3.) In this section, “premises” means a building where meat is ordinarily sold or offered for sale or a cold storage room, chilling room or refrigerated space from which meat is ordinarily taken to such a building.

Ordinance not
to apply to
certain
slaughtering.

40. This Ordinance does not apply to the slaughtering of stock for the obtaining of meat for use and consumption—

- (a) by the owner of the stock, the members of his family, or his employees; or
- (b) by a drover or his employees.

Alteration or
extension of
licensed
abattoirs.
Substituted by
No. 1, 1960,
s. 19.

41.—(1.) The owner of a licensed abattoir shall not alter or extend the abattoir unless he has obtained permission to do so in accordance with this section and the alteration or extension is in accordance with the plan and specification of which a copy accompanies the application for such permission.

Penalty: One hundred pounds.

(2.) The owner of a licensed abattoir may apply to the Chief Inspector for permission to alter or extend the abattoir.

(3.) The application shall be in writing and shall be accompanied by a copy of a plan and specification of the abattoir as it would be if the proposed alteration or extension were carried out.

(4.) The Chief Inspector shall refuse the application if he is satisfied that if the abattoir were altered or extended in accordance with the plan and specification, it would not comply with the prescribed standards of capacity, equipment and construction; but if he is not so satisfied he shall grant the application.

(5.) If the Chief Inspector refuses the application the applicant may appeal to the Court against the refusal.

(6.) The Court has jurisdiction to hear an appeal under this section and shall hear and determine such an appeal.

(7.) The Court shall not allow the appeal if it is satisfied that, if the abattoir were altered or extended in accordance with the plan and specification, the abattoir would not comply with the prescribed standards of capacity, equipment and construction; but if the Court is not so satisfied the Court shall allow the appeal.

(8.) On the hearing of the appeal the Court may make such order as to costs as the Court thinks fit.

42. A person shall not—

Offences.

- (a) obstruct an Inspector in the performance of the powers, duties or functions conferred or imposed on him by this Ordinance or the regulations;
- (b) fail to comply with an order given by an Inspector or medical practitioner under this Ordinance or the regulations;
- (c) when required by an Inspector to do so, refuse or fail to produce to the Inspector a record which the person is required by the regulations to keep;
- (d) fail to make a return, or to give a notice, which he is required to make or give by the regulations; or
- (e) when required by an Inspector so to do, refuse or fail to produce a skin or hide, or the part of a skin or hide, which the person is required by the regulations to produce.

Penalty: One hundred pounds.

43. In a prosecution for an offence against this Ordinance or the regulations, meat shall, unless the contrary is proved, be deemed to be meat intended for use for human consumption.

Evidence that meat is intended for human consumption.

44.—(1.) A prosecution under this Ordinance shall be instituted only by the Chief Inspector or in the name of the Chief Inspector by a person authorized in writing by the Chief Inspector for the purposes of the particular prosecution.

Prosecutions. Substituted by No. 31, 1957, s. 5.

(2.) Where a prosecution under this Ordinance has been instituted by a person in the name of the Chief Inspector, the person shall, in the absence of evidence to the contrary, be deemed to have been authorized in writing by the Chief Inspector for the purposes of the particular prosecution.

(3.) The production of a telegram or letter purporting to be signed by the Chief Inspector and purporting to authorize a person to institute a particular prosecution under this Ordinance shall be admissible in evidence in the prosecution and shall be accepted as evidence that the person is authorized in writing by the Chief Inspector for the purposes of the particular prosecution.

Prescribed
diseases.

45. The regulations may provide that, for the purposes of this Ordinance—

- (a) a specified disease is a disease affecting animals; and
- (b) a specified disease is a disease affecting human beings.

Regulations.

46. The Administrator may make regulations, not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance, and in particular for prescribing—

- (a) the fees payable under this Ordinance or the regulations; and
- (b) penalties not exceeding One hundred pounds for breaches of the regulations.