

# Meat Inspection Bill

## EXPLANATORY MEMORANDUM PART 1—PRELIMINARY

*Clause 1* sets out the purpose of the Bill which is to make provision for the reference of meat inspection powers to the Commonwealth, and to amend certain Acts in connection with the inspection of meat and related matters.

*Clause 2* contains the commencement provisions. The Act will come into operation on Royal Assent, with the exception of sections 4, 10 and 13 which come into operation on a day or days to be proclaimed.

## PART 2—REFERENCE TO COMMONWEALTH

*Clause 3* defines the terms “appointed day” and “meat”.

*Clause 4* contains provisions relating to the reference of meat inspection powers to the Commonwealth.

*Sub-clause (1)* provides that powers in respect of the inspection of meat are referred to the Commonwealth commencing on the appointed day and ending on the date fixed under sub-clause (2).

*Sub-clause (2)* enables the Governor in Council to fix by proclamation published in the *Government Gazette*, a date on which the reference of meat inspection powers to the Commonwealth is terminated.

*Clause 5* contains provisions relating to an arrangement between Victoria and the Commonwealth with regard to meat inspection.

*Sub-clause (1)* empowers Victoria to enter into an arrangement with the Commonwealth with respect to meat inspection.

*Sub-clause (2)* contains provisions enabling an arrangement to be varied or revoked.

*Sub-clause (3)* provides that provisions of the *Abattoir and Meat Inspection Act 1973* and any Regulations thereunder, and provisions of any other legislation relating to meat inspection which are inconsistent with the arrangement, are deemed to have no effect.

*Clause 6* provides that a person who immediately before the appointed day remains a meat inspector and who has not before the appointed day elected to transfer to the Commonwealth, is deemed to have resigned from the Victorian Public Service on the appointed day.

*Clause 7* contains provisions relating to the superannuation arrangements to apply to persons who transfer to the Commonwealth in accordance with the arrangements.

*Sub-clause (1)* provides that a person who immediately before the appointed day was an officer under the *Superannuation Act 1958* or a contributor under the *State Employees Retirement Benefits Act 1979* and who transfers to the Commonwealth, may within three months of transferring, elect to continue to contribute to the relevant State fund.

*Sub-clause (2)* preserves the superannuation entitlements and liabilities of a transferred officer until the period of election expires, or if the officer makes an election, until that person ceases to be a Commonwealth officer.

**PART 3—AMENDMENTS TO *ABATTOIR AND MEAT INSPECTION ACT 1973*  
AND RELATED ACTS**

*Clause 8* provides that a reference in Part 3 to the “Principal Act” is a reference to the *Abattoir and Meat Inspection Act 1973*.

*Clause 9* contains provisions relating to the preparation and implementation of codes of practice for the purposes of the *Abattoir and Meat Inspection Act 1973*.

*Sub-clause (1)* amends section 9 (1) of the Act by extending the functions of the Victorian Abattoir and Meat Inspection Authority to include the preparation, promulgation and implementation of codes of practice, and the publication of information relating to licensees who hold authorizations in connection with the description of carcasses or meat.

*Sub-clause (2)* inserts a new section 47A into the Act. The new section provides that the Governor in Council on the recommendation of the Minister may approve codes of practice prepared by the Authority with respect to procedures undertaken in abattoirs and knackeries, standards applying to licensed premises, and description and grading systems for carcasses and meat. Codes of practice must be published in the *Government Gazette*. Codes may be revoked or amended, and any revocation or amendment must be notified in the *Gazette*.

*Clause 10* contains substantive provisions dealing with the transport of carcasses and meat.

*Sub-clause (1)* inserts a new Part VA dealing with licences for meat transport vehicles into the *Abattoir and Meat Inspection Act*.

*Proposed section 40A* defines terms used in the new Part.

*Proposed section 40B* provides that a person must not use a vehicle for the transport of carcasses or meat prior to retail sale unless the vehicle is licensed.

*Proposed section 40C* contains provisions relating to the issue and renewal of licences. Applications are to be made to the Director-General of Agriculture and Rural Affairs in a prescribed form and accompanied by a prescribed fee. Licences may be renewed for periods of 12 months and are subject to such terms and conditions as may be prescribed.

*Proposed section 40D* provides that the Director-General shall refuse to issue or renew a licence, or shall cancel a licence if there has been a failure to comply with the legislation or the terms and conditions of a licence, or if the vehicle is unfit to be licensed.

*Sub-clause (2)* inserts new regulation-making powers in respect to meat transport vehicles.

*Clause 11* inserts into the *Abattoir and Meat Inspection Act* two new sub-sections which have the combined effect of providing for the automatic cancellation of licences relating to meat establishments, knackeries, pet food establishments or retail pet meat shops which have not operated continuously for periods of six months.

*Clause 12* inserts into the *Abattoir and Meat Inspection Act* a new section 44A which empowers the Director-General of Agriculture and Rural Affairs to delegate any of his functions, powers or duties under the Act to any officer or employee of the Department of Agriculture and Rural Affairs.

*Clause 13* makes a series of amendments to the *Abattoir and Meat Inspection Act*. The amendments—

- (a) make machinery changes to several definitions.
- (b) abolish the office of Chief Inspector and transfer the present powers and functions of the Chief Inspector to the Director-General of Agriculture and Rural Affairs.

- (c) transfer from the Minister to the Director-General responsibility for issuing certificates of identification for inspectors, and for authorizing persons to lay informations.

*Clause 14* makes a series of amendments to the Abattoir and Meat Inspection Act for the purpose of converting monetary penalties to penalty units.

*Clause 15* makes several consequential amendments to other Acts.

*Sub-clause (1)* amends the *Cattle Compensation Act 1967* so as to provide that a reference in that Act or in the Regulations thereunder to a meat inspector, includes a reference to a Commonwealth officer who undertakes meat inspection functions in accordance with the arrangement.

*Sub-clause (2)* amends the *Swine Compensation Act 1967* so as to provide that a reference in that Act or in the Regulations thereunder to a meat inspector, includes a reference to a Commonwealth officer who undertakes meat inspection functions in accordance with the arrangement.

*Sub-clause (3)* amends the *Stock Diseases Act 1968* so as to provide that a reference to a meat inspector in section 12 of that Act includes a reference to a Commonwealth officer who undertakes meat inspection functions in accordance with the arrangement.