



ANALYSIS

Title	
PART I	
PRELIMINARY	
1. Short Title	
2. Interpretation	
3. Appointment of officers	
4. Qualifications of Inspectors	
5. General powers of Inspectors	
PART II	
SLAUGHTERHOUSES	
<i>Abattoirs</i>	
6. Establishment of abattoirs	
7. Inspected meat areas	
8. Establishment of abattoirs by certain local authorities	
9. Subsidiary undertakings in connection with abattoir	
10. Site and plans of abattoir to be approved by Minister	
11. Power to borrow in respect of abattoir	
12. Location of abattoir	
13. Two or more local authorities may combine to establish abattoir	
14. Delegation	
15. Abattoir districts	
16. Registration of abattoirs	
17. Cancellation of registration	
18. Renewal of registration	
19. Notification of registration	
20. Manager of abattoir	
21. Slaughter of stock elsewhere than in abattoir	
22. Sale of meat for human consumption in abattoir district or inspected meat area	
23. Bylaws by controlling authority	
24. Local authorities may prescribe abattoir charges and fees by resolution	
25. Refunds of charges or fees	
	<i>Export Slaughterhouses</i>
	26. Export slaughterhouses to be licensed
	27. Licences to be issued by local authorities
	28. Provisions as to new premises proposed as export slaughterhouse
	29. Application for licence
	30. Grant and renewal of export slaughterhouse licence
	31. Minimum requirements in respect of export of meat
	32. Discretionary power of Minister in respect of licences
	33. Effect of export slaughterhouse licence
	34. Obligations of licensee to accept certain stock for slaughter
	35. Pooling of hides, wool, or pelts
	36. Minister may impose conditions
	37. Structural alterations to export slaughterhouse
	<i>Rural Slaughterhouses</i>
	38. Rural slaughterhouses
	39. Application for rural slaughterhouse licence
	40. Grant and renewal of rural slaughterhouse licence
	41. Effect of rural slaughterhouse licence
	<i>General Provisions as to Slaughterhouses</i>
	42. Notice of intention to apply for slaughterhouse licence
	43. Sanitary condition of slaughterhouses
	44. Keeping of records
	45. Branding of carcasses
	<i>Prohibition as to Slaughter of Stock</i>
	46. Prohibition as to slaughter of stock
	47. Exemptions from requirements as to slaughter of stock in slaughterhouse

PART III

PACKING HOUSES AND CANNERIES

48. Packing houses and canneries to be licensed
49. Licences to be issued by local authorities
50. Provisions as to new premises
51. Notice of intention to apply for licence
52. Application for licence
53. Grant and renewal of licences
54. Minister may withhold consent
55. Alteration of certain premises
56. Sanitary conditions of certain premises
57. Conditions with respect to packing houses
58. Slaughter of stock on behalf of licensees of export packing houses

PART IV

GAME PACKING HOUSES

59. Game packing houses to be licensed
60. Export of game
61. Issue of licences

PART V

EXPORT OF MEAT

62. Conditions in respect of export of meat
63. Meat export stores
64. Offence to carry on business of meat exporter without licence

65. Provisions as to issue of meat exporters' licences
66. Duration of meat exporter's licence
67. Revocation of meat exporter's licence
68. Penalty in respect of export of meat

PART VI

MISCELLANEOUS PROVISIONS

69. Offence to sell diseased or defective meat
70. Insurance against loss
71. Minister may investigate certain businesses
72. Sale or disposition of export slaughterhouse or export packing house
73. Acquisition of interest in export slaughterhouse
74. Inspector may prohibit use of insanitary premises
75. Regulation of processing and export of casings
76. Special provisions as to pigs
77. Inspection of fish for export
78. Rights of appeal
79. Obstruction of officers
80. Offences and penalties
81. Proceedings against licensees
82. Liability for nuisance not affected
83. Regulations
84. Disposition of fees derived from inspection of pigs
85. Other Acts not affected
86. Repeals
Schedules

1964, No. 71

An Act to consolidate and amend certain enactments of the General Assembly of New Zealand relating to the slaughtering, inspection, and export of meat

[18 November 1964]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

PART I

PRELIMINARY

1. Short Title—This Act may be cited as the Meat Act 1964.

2. Interpretation—(1) In this Act, unless the context otherwise requires,—

“Abattoir” means a slaughterhouse that is registered as an abattoir under this Act:

- “Brand” includes any mark or stamp, and also includes any tag or label bearing any mark or stamp:
- “Cannery” means any premises that are for the time being licensed under this Act as a cannery:
- “Canning” includes the canning of meat for sale in cans or glass containers:
- “Cannery licence” means a licence granted under this Act in respect of a cannery:
- “Carcass” means the dressed body of any slaughtered stock; and includes any part that has been severed therefrom:
- “Controlling authority”, in relation to an abattoir, means the local authority for the time being having control of the abattoir; and includes any person to whom a local authority has delegated its power to establish or to maintain the abattoir:
- “Defect”, in relation to stock or meat, means any defect, inferiority, or other condition which in the opinion of an Inspector renders any stock or meat unfit to be used for human consumption:
- “Director-General” means the Director-General of Agriculture:
- “Disease” includes any of the diseases specified in the First Schedule to this Act and any other disease affecting stock which the Governor-General may declare to be a disease within the meaning of this Act:
- “Domestic packing house” means a packing house that is for the time being licensed under this Act as a domestic packing house:
- “Domestic packing house licence” means a licence granted in respect of a domestic packing house:
- “Edible offal”, in relation to slaughtered stock, includes the brain, the thymus gland, the pancreas gland, the liver, the spleen, the kidney, the heart, the lung, and the stomach:
- “Export packing house” means a packing house that is for the time being licensed under this Act as an export packing house:
- “Export packing house licence” means a licence granted in respect of an export packing house:
- “Export slaughterhouse” means a slaughterhouse that is for the time being licensed under this Act as an export slaughterhouse:

“Export slaughterhouse licence” means a licence granted in respect of an export slaughterhouse:

“Game” means deer; and includes hares, pigs, and goats living in a wild state and any other animals or birds living in a wild state which the Governor-General may declare to be game for the purposes of this Act; and also includes the carcass and every edible part of any slaughtered game:

“Inspected meat” means meat derived from stock slaughtered in an abattoir or in an export slaughterhouse:

“Inspector” means an Inspector appointed for the purposes of this Act:

“Local authority” means, as the case may require, a Borough Council, a County Council, a Town Council, or a Road Board:

“Manager”, in relation to an abattoir, includes any person acting as the deputy of the manager of the abattoir:

“Meat” means—

(a) The edible part of the muscle of any slaughtered stock which muscle is skeletal or found in the tongue or diaphragm, with or without the accompanying and overlying fat and the portions of bone, skin, sinew, nerve, and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing; but does not include the muscle found in the lips, snout, or ears; and

(b) Any edible offal taken from slaughtered stock:

“Meat Producers Board” means the New Zealand Meat Producers Board established under the Meat Export Control Act 1921–22:

“Minister” means the Minister of Agriculture:

“Packaging”, in relation to meat or meat products intended for sale for consumption in New Zealand, means the packing or enclosing, before the meat or meat products are offered for sale, of the meat or meat products in the manner in which they are intended to be offered for sale by retail; but does not include the canning of meat or the packaging of cooked meat or meat products, or of dripping or lard, or of meat intended to be sold by retail on the premises in which it is packaged:

“Packing house” means, as the case may require, a domestic packing house or an export packing house; and includes all appurtenances thereto:

“Premises” means any land or buildings; and includes any ship or aircraft or any vehicle or conveyance of any kind whatsoever:

“Rural slaughterhouse” means a slaughterhouse that is for the time being licensed under section 40 of this Act as a rural slaughterhouse:

“Rural slaughterhouse licence” means a licence granted in respect of a rural slaughterhouse:

“Sale” includes barter:

“Slaughterhouse” means, as the case may require, an abattoir, an export slaughterhouse, or a rural slaughterhouse; and includes all appurtenances thereto:

“Slaughtering place” includes a slaughterhouse or any other place where stock are slaughtered:

“Stock” includes cattle, sheep, horses, pigs, and goats (other than pigs or goats living in a wild state) and any other animals which the Governor-General may declare to be stock within the meaning of this Act:

“To dress”,—

(a) In relation to slaughtered cattle, calves (other than bobby calves), sheep, lambs, horses, and goats (other than goats which lived in a wild state), means to remove the head, the hide or skin, the viscera (other than the kidneys), the genital organs, the urinary bladder, and the feet; and

(b) In relation to slaughtered pigs (other than pigs which lived in a wild state), means to remove the viscera (other than the kidneys), the genital organs, and the urinary bladder; and

(c) In relation to slaughtered bobby calves, means to remove the skin, the head, the viscera (including the kidneys), the genital organs, the urinary bladder, and the feet,—

and “dressed” has a corresponding meaning:

“Town district” means an independent town district within the meaning of the Municipal Corporations Act 1954.

(2) The Governor-General may from time to time, by Order in Council, extend the definition of the term “disease” by declaring any disease that is not specified in the

First Schedule to this Act to be a disease within the meaning of this Act, and may in like manner extend the definition of the terms "stock" or "game" by declaring animals of any species not specified in either of those definitions to be stock or, as the case may be, game within the meaning of this Act. Any Order in Council under this section may be at any time in like manner amended or revoked.

Cf. 1939, No. 19, s. 2; 1953, No. 75, s. 2; 1957, No. 14, s. 2; 1960, No. 103, s. 2; 1963, No. 131, s. 2

3. Appointment of officers—(1) There shall from time to time be appointed under the State Services Act 1962 an officer of the Department of Agriculture to be known as the Director of the Meat Division of the Department of Agriculture who shall be registered as a veterinary surgeon under the Veterinary Surgeons Act 1956.

(2) The Director of the Meat Division, under the control of the Director-General, shall be responsible for the general control and supervision of Inspectors and shall perform such general official duties as he is called upon to perform by the Director-General.

(3) The person holding office at the commencement of this Act as Director of the Meat Division of the Department of Agriculture shall be deemed to have been appointed as aforesaid under this section.

(4) There may from time to time be appointed under the State Services Act 1962 such Inspectors and other officers as may be required for the purposes of this Act.

(5) The Minister may from time to time appoint any person, not being employed in the State services, as an Inspector in a part-time capacity for the purposes of this Act, and may also prescribe the powers and functions of any person so appointed. No person, by reason only of his appointment under this subsection, shall be deemed to be employed in the State services for the purposes of the State Services Act 1962 or in the Government service for the purposes of the Superannuation Act 1956.

Cf. 1939, No. 19, s. 4; 1953, No. 75, s. 16 (1)

4. Qualifications of Inspectors—No person shall be appointed as an Inspector under this Act unless he is registered as a veterinary surgeon under the Veterinary Surgeons Act 1956, or has passed the prescribed examination and has obtained a certificate from the prescribed authority that he is competent to perform the duties of an Inspector.

Cf. 1939, No. 19, s. 5

5. General powers of Inspectors—In addition to any other powers or functions that may be conferred on Inspectors by or under this Act, every Inspector shall, for the purposes of his duties, have power to enter at any time, on any day of the week, and whether within the hours of his official duties or not, on any land or other premises used for the holding of stock or used or intended for use in connection with the slaughter of stock or the canning or processing of meat or game or the packaging of meat or game for sale, or used, or intended for use for the storage of meat, game, or carcasses or for the carriage of stock, meat, game, or carcasses, and may there inspect any such land or premises and any stock, meat, game, or carcasses found thereon or therein.

Cf. 1939, No. 19, s. 6; 1953, No. 75, s. 16; 1957, No. 14, s. 14

PART II

SLAUGHTERHOUSES

Abattoirs

6. Establishment of abattoirs—(1) Subject to the provisions of this Act, the Council of every borough and the Council of every town district shall establish and maintain an abattoir for the purposes of its district unless—

- (a) The Council is exempted, under subsection (3) of this section, from the provisions of this subsection; or
- (b) The borough or town district is situated wholly within an inspected meat area; or
- (c) The Council is a local authority which, under section 13 of this Act, has combined with another local authority for the purposes of establishing or maintaining an abattoir; or
- (d) The Council has delegated, under section 14 of this Act, its power to establish or maintain an abattoir.

(2) If, at the commencement of this Act, any local authority that is required by subsection (1) of this section to establish an abattoir has not established an abattoir, it shall establish an abattoir within such time as the Minister may allow unless it has been exempted or excused in accordance with this Act from doing so.

(3) The Minister may by notice in writing exempt, subject to such terms and conditions as may be prescribed in the notice, the Council of any borough or of any town district

from the provisions of this section requiring the Council to establish or to maintain an abattoir.

Cf. 1939, No. 19, ss. 7, 8; 1961, No. 134, s. 2

7. Inspected meat areas—(1) On the request of the local authorities whose districts or any part of whose districts are within the area, the Minister, in his discretion, after having regard to any representations by the licensees of any rural slaughterhouses situated within the area and to the availability of supplies of inspected meat in the area, and after making such inquiries and investigations as he thinks fit, may from time to time, by notice in the *Gazette*, declare any area not situated within an abattoir district to be an inspected meat area.

(2) If a local authority fails to comply with subsection (2) of section 6 of this Act within the time allowed by the Minister, the Minister may, by notice in the *Gazette*, declare the district of the local authority to be an inspected meat area, whether or not the local authority consents thereto.

(3) Any notice given by the Minister under this section may be at any time in like manner amended or revoked.

Cf. 1939, No. 19, s. 7A; 1962, No. 30, s. 2

8. Establishment of abattoirs by certain local authorities—(1) Any local authority other than a Borough Council or a Town Council may, by special order but not otherwise, resolve to establish and maintain an abattoir for its district or, with the approval of the Minister but not otherwise, for any defined part of its district, and may establish and maintain an abattoir in accordance with any such special order accordingly.

(2) Any County Council that has not established an abattoir under this section shall, if required to do so by notice in writing by the Minister, establish an abattoir for its district within such time as may be limited in that behalf by the notice:

Provided that nothing in this subsection shall apply to any County Council that, whether before or after the delivery of the notice, combines with another local authority under section 13 of this Act for the purpose of establishing or maintaining a common abattoir or delegates under section 14 of this Act its power to establish an abattoir.

Cf. 1939, No. 19, s. 9; 1962, No. 30, s. 3

9. Subsidiary undertakings in connection with abattoir—

(1) A local authority that has established an abattoir may, with the approval of the Minister, establish and carry on boiling down works in connection therewith, and may, with the like approval, carry on any other subsidiary undertaking which in the opinion of the Minister is ancillary to the carrying on of the abattoir or of the boiling down works.

(2) The accounts of the local authority in respect of any such boiling down works or other subsidiary undertaking shall not form part of its accounts in relation to the abattoir.

Cf. 1939, No. 19, s. 10

10. Site and plans of abattoir to be approved by Minister—

(1) No person authorised under this Act to establish an abattoir shall proceed to establish the abattoir until the following conditions have been complied with, namely:

(a) The site of the proposed abattoir has been approved by the Minister:

(b) Plans, in a form approved by the Minister, of the abattoir (including its equipment) have been submitted to and approved by the Minister.

(2) The approval of the Minister shall in like manner be obtained by any such person before he extends or alters the site of the abattoir or proceeds to establish a new abattoir in replacement of a former abattoir, or proceeds to reconstruct or extend or make any substantial structural alterations of an abattoir.

Cf. 1939, No. 19, s. 11

11. Power to borrow in respect of abattoir—(1) Any local authority that is required or empowered by this Act to establish an abattoir may from time to time borrow money for the purpose of establishing, reconstructing, or extending the abattoir by way of special loan under the Local Authorities Loans Act 1956, by special order, and, notwithstanding anything in section 34 of that Act, without the prior consent of the ratepayers.

(2) For the purposes of this section the terms “reconstruction” and “extending”, in relation to an abattoir, include the replacing of an abattoir that has been destroyed or become obsolete, the acquisition of any land or the erection of any building for the purposes of the abattoir, and the equipment or re-equipment of the abattoir.

12. Location of abattoir—(1) Subject to the provisions of this Act, a local authority shall not establish an abattoir elsewhere than within its own district.

(2) An abattoir may be established by a local authority in the district of another local authority with the consent of that other local authority. If any local authority refuses to consent to the establishment within its district of an abattoir by any other local authority, a Stipendiary Magistrate, on application by the local authority proposing to establish the abattoir, may, in his discretion, refuse to authorise the establishment of the abattoir, or authorise the establishment of the abattoir subject to such conditions (if any) as he thinks fit, after considering any representations that may be made to him by the local authorities concerned.

Cf. 1939, No. 19, s. 13

13. Two or more local authorities may combine to establish abattoir—(1) Notwithstanding the foregoing provisions of this Act, any two or more local authorities (whether required by this Act to establish an abattoir or not) may, with the approval of the Minister, combine, subject to such terms and conditions as may be mutually agreed upon, to establish a common abattoir for their respective districts or defined parts thereof, or any local authority that has established an abattoir may, with the approval of the Minister, enter into an agreement with any other local authority to make the abattoir available as a common abattoir for their respective districts or defined parts thereof. Any local authorities which have entered into an agreement under this subsection shall, for the purposes of this Act, be deemed to have combined for the purposes of establishing or maintaining a common abattoir.

(2) In any case to which subsection (1) of this section applies, such one of the local authorities as is agreed upon in that behalf by the local authorities concerned shall in respect of the abattoir be deemed to be the controlling authority.

(3) Notwithstanding the provisions of this section, in any case where local authorities have combined under this section for the purpose of establishing or maintaining a common abattoir, the local authorities may appoint a committee consisting of such number of their members as the local authorities determine by agreement, and the committee shall, for the purposes of making any delegation under section 14 of this

Act, but for no other purpose, be deemed to be the controlling authority of the abattoir.

(4) Any arrangement or agreement entered into under this section shall be by instrument under the seals of the local authorities concerned.

Cf. 1939, No. 19, s. 14; 1961, No. 134, s. 3

14. Delegation—(1) Subject to the provisions of this section, any local authority that by this Act is required or empowered to establish an abattoir or the controlling authority of any abattoir that is required to be or has been established may, with the approval of the Minister, from time to time delegate to any fit person (including a company) its power to establish or to maintain the abattoir:

Provided that nothing in this subsection shall authorise any delegatee (other than a committee or company referred to in subsection (4) of this section) to delegate its power to establish or to maintain an abattoir.

(2) Any local authority or controlling authority authorised under subsection (1) of this section to delegate its powers to establish or to maintain an abattoir may, with the approval of the Minister, make two or more separate and concurrent delegations of any such power, and the provisions of this section shall apply to every such delegation.

(3) Any local authority that has delegated its powers under this section may, with the approval of the Minister, establish or maintain an abattoir in all respects as if its power to do so had not been delegated.

(4) Where any committee appointed under subsection (3) of section 13 of this Act has made a delegation under this section to a company in which all the shares are held or of which all the liabilities are guaranteed by the local authorities appointing the committee, the company may itself delegate all the powers and authorities delegated to it in all respects as if the company were the committee making the original delegation.

(5) Notwithstanding anything to the contrary in any enactment, any local authority that is a party to the appointment of a committee under subsection (3) of section 13 of this Act may subscribe for, acquire, and hold shares in or guarantee the liabilities of a company referred to in subsection (4) of this section and to which the committee intends to make or to which it has made a delegation under this section. Any local authority may borrow money for the pur-

poses of providing funds required for the exercise of its powers under this subsection and the provisions of section 11 of this Act shall apply to any such borrowing.

(6) Any company referred to in subsection (4) of this section shall keep such accounts and keep them in such manner as may be approved by the Minister of Finance and, where all the shares in the company are held by local authorities, the accounts shall be audited by the Audit Office, which for that purpose shall have and may exercise all such powers as it has under the Public Revenues Act 1953 in respect of public money and public stores and the audit of local authorities' accounts.

(7) Every instrument of delegation under this section shall be by deed under the seal of the corporation or signed by or on behalf of the committee, as the case may require, and shall be signed by or on behalf of the person to whom the delegation is made.

(8) Every such instrument of delegation shall contain only such terms, conditions, and provisions as the Minister may approve, and shall operate as an agreement between the authority or committee making the delegation and the person to whom the delegation is made.

(9) Where an abattoir is operated pursuant to an instrument of delegation, the controlling authority of the abattoir shall, while the instrument of delegation continues in force, be the person or company operating the abattoir under the instrument of delegation and the district of the abattoir shall be the district of the local authority by which the delegation was made or, in the case of a delegation by a committee or a company delegating under subsection (4) of this section, the districts of the local authorities appointing the committee:

Provided that where the abattoir is established or maintained for a defined part of any district or districts, the district of the abattoir shall be that defined part.

(10) Every instrument of delegation under this section shall contain provisions for the termination of the delegation if the person to whom the delegation is made fails to establish the abattoir, or to maintain its efficiency (having regard to the requirements of the district), or for any other sufficient reason. In the event of the termination of a delegation, any obligation of any local authority to establish an abattoir, or to maintain an abattoir, which would have been in force if the delegation had not been made, shall be immediately revived.

Cf. 1939, No. 19, s. 16; 1961, No. 134, s. 4

15. Abattoir districts—(1) For every abattoir there shall be an abattoir district, constituted in accordance with this section.

(2) Except as otherwise provided by this section, the district of the local authority by which the abattoir has been established shall be the abattoir district.

(3) Where a local authority has established an abattoir under section 8 of this Act for a defined part of its district, the part so defined shall be the abattoir district. Any such defined part may from time to time, with the approval of the Minister but not otherwise, be altered by resolution of the local authority.

(4) Where two or more local authorities have combined under section 13 of this Act to establish or maintain a common abattoir, the whole of the area for which the abattoir is established or maintained shall be the abattoir district. Subject to the provisions of any instrument of delegation under section 14 of this Act, any such area may from time to time, with the approval of the Minister but not otherwise, be altered by resolutions of the controlling authority of the abattoir and all local authorities the districts of which will be wholly or partly included in or excluded from the abattoir district by the proposed alteration.

(5) Where an abattoir district comprises part only of the district of any local authority or comprises the districts or part of the districts of two or more local authorities, the Minister shall cause to be published in the *Gazette* a notice specifying the controlling authority of the abattoir and a description of the abattoir district. On any alteration pursuant to this section of the boundaries of the abattoir district a like notice shall be published in the *Gazette*.

Cf. 1939, No. 19, s. 15

16. Registration of abattoirs—(1) Forthwith after the establishment of an abattoir in accordance with the provisions of this Act, the controlling authority shall, on a form provided for the purpose by the Director-General, make application to the Director-General for the registration of the abattoir. Every such application shall be accompanied by a prescribed fee, not exceeding five pounds.

(2) On receipt of any such application and on being satisfied that the requirements of this Act and of the regulations thereunder have been complied with, the Director-General shall issue to the controlling authority a certificate of registration in the prescribed form.

Cf. 1939, No. 19, s. 17 (1), (2)

17. Cancellation of registration—(1) The Minister on the application of the controlling authority of an abattoir may, in his discretion and after consultation with any local authority concerned, cancel the registration of the abattoir if he is satisfied that the abattoir has become unnecessary for the requirements of the district of the abattoir or that satisfactory arrangements for the supply of inspected meat in the district have been made:

Provided that, except as provided by subsection (2) of this section, cancellation of the registration of an abattoir under this subsection shall not revive any obligation to establish or to maintain an abattoir:

Provided also that where a local authority has delegated its power to establish or maintain an abattoir, the Minister shall not cancel the registration of the abattoir under this section except with the consent of the local authority.

(2) Any cancellation under subsection (1) of this section may be made subject to such terms and conditions as the Minister thinks fit, including a condition that the obligation of any local authority concerned to establish or maintain an abattoir shall be revived if any terms or conditions on which the cancellation is made are not complied with.

Cf. 1939, No. 19, s. 17 (5), (6); 1961, No. 134, s. 5

18. Renewal of registration—(1) Registration of an abattoir shall, unless sooner cancelled, continue in force until the thirtieth day of June next after the date of the certificate of registration.

(2) Registration of an abattoir may, with the consent of the Minister but not otherwise, be from time to time renewed on payment of the prescribed fee.

(3) The Minister may, after having regard to any representations made by the controlling authority of an abattoir, refuse his consent to the renewal of the registration of the abattoir if he is satisfied that the abattoir or its equipment have been allowed to fall into disrepair or to become insanitary or if he is satisfied that the abattoir is no longer suitable or adequate for the requirements of the district.

(4) Every renewal of registration shall be for the period ending with the thirtieth day of June next after the date on which the renewal takes effect.

(5) On the refusal of the Minister to consent to the renewal of registration of an abattoir, any local authority that, in the absence of the abattoir, is required by this Act

to maintain an abattoir shall comply with the provisions of this Act as to the provision of an abattoir within such time as the Minister may allow in that behalf.

(6) If the local authority fails to comply with the provisions of this Act as aforesaid within the time allowed by the Minister, the Minister may, by notice in the *Gazette*, declare the district of the local authority to be an inspected meat area, whether or not the local authority consents thereto.

Cf. 1939, No. 19, s. 17A; 1962, No. 30, s. 4

19. Notification of registration—(1) Forthwith after receipt of the certificate of registration the controlling authority shall, by advertisement published in one or more newspapers circulating in the abattoir district, give public notice of the registration of the abattoir, and of the fact that it will be available for the slaughter of stock on and after a date to be specified in the advertisement, being not earlier than fourteen days and not later than twenty-eight days after the date of the first publication of the notice.

(2) It shall be the duty of the controlling authority to make the abattoir available for the slaughter of stock on the date specified in the notice in that behalf, and thereafter, while the certificate of registration continues in force, to keep the abattoir available for the slaughter of stock:

Provided that the controlling authority of the abattoir, or the manager acting with the authority or under the direction of the controlling authority, may refuse to accept any stock for slaughter if the controlling authority or manager has reason to believe that any of the meat to be derived from the stock is intended for human consumption elsewhere than in the abattoir district.

Cf. 1939, No. 19, s. 18

20. Manager of abattoir—(1) For every registered abattoir there shall at all times be a manager, to be appointed as such by the controlling authority.

(2) The manager shall, under the direction of the controlling authority, be charged with the general management of the abattoir, and, in addition, shall have in relation to the abattoir such special powers, duties, and functions (if any) as may from time to time be conferred or imposed on him by regulations under this Act or by bylaws or rules made by the controlling authority in accordance with this Act.

Cf. 1939, No. 19, s. 19

21. Slaughter of stock elsewhere than in abattoir—After an abattoir has become available for the slaughter of stock and so long as it continues to be so available, no stock intended for human consumption shall, except as otherwise provided by this Act, be slaughtered within the abattoir district elsewhere than—

- (a) In an abattoir; or
- (b) In an export slaughterhouse.

Cf. 1939, No. 19, s. 20

22. Sale of meat for human consumption in abattoir district or inspected meat area—(1) Subject to the provisions of this Act, no person in an abattoir district or inspected meat area shall sell, expose for sale, or have in his possession for the purposes of sale, any meat derived from stock slaughtered elsewhere than in an abattoir or in an export slaughterhouse if the meat is intended for human consumption.

(2) Where any meat is found on premises used by any person for the sale of meat or for the storage of meat intended for sale it shall, for the purposes of this section, be deemed to be in the possession of that person for sale for human consumption unless and until the contrary is proved.

(3) Where any person is charged with an offence against this section, the burden of proving that the meat to which the proceedings relate was derived from stock slaughtered in an abattoir or in an export slaughterhouse, or, as the case may require, that the meat was not intended for human consumption, shall be on the defendant.

(4) For the purposes of this section meat shall be deemed to be sold if it forms part of a meal for which payment is made or which is supplied to any person (whether in accordance with the terms of a contract of service or otherwise) who is employed by the person by whom the meal is supplied.

Cf. 1939, No. 19, s. 21

23. Bylaws by controlling authority—(1) The controlling authority of an abattoir may from time to time make bylaws (where the controlling authority is a local authority) or rules (in any other case) not inconsistent with this Act or regulations thereunder—

- (a) Regulating the working and management of the abattoir:

- (b) Prescribing rates of charges to be paid to the controlling authority in accordance with subsection (2) of this section by persons on whose account any stock is slaughtered in the abattoir:
- (c) Prescribing rates of fees to be paid to the controlling authority in accordance with subsection (3) of this section in respect of meat sold for consumption within the abattoir district and derived from stock slaughtered in another abattoir or in any export slaughterhouse:

Provided that no fees shall be prescribed under this paragraph in respect of canned meat or of cured bacon or ham or in respect of meat intended for canning or of pork intended for curing as bacon or ham or in respect of sausage meat or meat contained in sausages:

- (d) Prescribing particulars of returns to be furnished to the controlling authority in respect of meat sold for consumption in the abattoir district and derived from stock slaughtered elsewhere than in the abattoir, and prescribing the persons required to furnish any such return.
- (2) With respect to bylaws or rules made under paragraph (b) of subsection (1) of this section, the following provisions shall apply:
- (a) The bylaws or rules shall specify the several services for which charges shall be payable, and shall fix separately for each class of stock and for each specified service in relation thereto the charge payable in respect thereof. The charge fixed for any specified service as aforesaid shall be a bona fide and reasonable charge, having regard to the cost involved in rendering that service:
 - (b) In addition to the charges for specified services, there may be fixed a charge for inspection and a charge for the use of the abattoir:
 - (c) The charge for inspection shall not exceed the prescribed fees payable by the controlling authority for the inspection of stock slaughtered in the abattoir or of the meat derived therefrom:
 - (d) The charge for the use of the abattoir shall be fixed, having regard to the cost of establishing and maintaining the abattoir (exclusive of inspection fees and of the cost of rendering any service for which

specific charges are made), and shall be fixed separately in respect of each class of stock slaughtered in the abattoir. In fixing a charge for the use of the abattoir, the several items by reference to which the charge is fixed shall be specified in the bylaws or rules, and the bylaws or rules shall not be approved by the Minister under subsection (7) of this section if in his opinion any such item should be the subject-matter, in whole or in part, of a charge for a specified service.

(3) The fees to be paid to the controlling authority pursuant to bylaws or rules made under paragraph (c) of subsection (1) of this section shall, in the case of meat derived from stock slaughtered in an abattoir, be payable by the person by whom the meat was sold or deemed to have been sold for consumption in the abattoir district, or, in the case of any such meat in respect of which there has been more than one sale, the fees shall be payable by the person by whom the meat was first sold or deemed to have been sold for consumption in the abattoir district. In the case of meat derived from stock slaughtered in an export slaughterhouse, the fees shall be payable by the licensee of that slaughterhouse. Any such fees shall be fixed separately for different classes of stock, and shall be fixed at a rate per head of each such class. The rate shall be the same as the rate of the charge made for the use of the abattoir in respect of stock of the same class slaughtered therein.

(4) Where part only of the meat derived from any stock slaughtered elsewhere than in the abattoir is sold for consumption in the abattoir district, the number of stock in respect of which fees shall be payable under subsection (3) of this section shall be ascertained in accordance with the following rules.

(a) The controlling authority shall in its bylaws or rules fix, in respect of each class of stock, a fair average dressed weight of stock of that class:

(b) The number of stock of any class in respect of which fees shall be payable as aforesaid shall be ascertained by dividing the actual weight of meat derived from stock of that class and sold for consumption in the abattoir district by the fair average dressed weight of stock of that class.

(5) Where any meat derived from stock that has been slaughtered in an abattoir or an export slaughterhouse is sold

to a purveyor of meat carrying on business in an abattoir district or is sold to any person resident in an abattoir district, it shall, for the purposes of this section, be deemed to be sold for consumption in that district unless and until the contrary is proved.

(6) All charges and fees payable to the controlling authority pursuant to any bylaws or rules made under this section shall be recoverable by the controlling authority by action in any Court of competent jurisdiction or by distress and sale of any stock, meat, carcasses, or hides for the time being in the abattoir on account of any person by whom the charges or fees are payable.

(7) Notwithstanding anything in the foregoing provisions of this section, no bylaws or rules made thereunder shall come into force unless and until they have been approved by the Minister. The Minister may at any time disallow, in whole or in part, any bylaw or rule theretofore approved by him, by giving to the controlling authority not less than three months' notice in writing of his intention to do so.

(8) Every person who fails to furnish any return required to be furnished pursuant to bylaws or rules made under this section or who furnishes any return which to his knowledge is false or misleading in any material particular, or who commits any other breach of any such bylaw or rule, commits an offence against this Act.

(9) Bylaws made by any local authority for the purposes of this section shall be made in the same manner as other bylaws are made by that local authority.

Cf. 1939, No. 19, s. 22; 1962, No. 30, s. 5

24. Local authorities may prescribe abattoir charges and fees by resolution—(1) Notwithstanding the provisions of section 23 of this Act, any local authority that is the controlling authority of an abattoir may from time to time, by resolution, prescribe rates of charges for the purpose of paragraph (b) of subsection (1) of that section or rates of fees for the purpose of paragraph (c) of that subsection.

(2) Not less than fourteen days before the date of any meeting of the local authority at which any resolution under this section is intended to be passed the local authority shall give public notice of the place and date fixed for that meeting and of the purport of the resolution. For the purposes of this subsection the expression "public notice" means a notice published in some newspaper circulating in the abattoir district.

(3) The provisions of this Act relating to abattoir charges and fees and to bylaws prescribing any such charges and fees, except the provisions of subsection (9) of the said section 23, shall, as far as they are applicable and with the necessary modifications, apply to all charges and fees prescribed under this section, and with respect to every resolution prescribing any such charges or fees, as if the charges or fees had been prescribed by bylaws made under the said section 23.

(4) All charges or fees prescribed under this section shall, as from the date on which the resolution is approved by the Minister or the date on which the resolution is expressed to come into force, whichever is the later, be deemed to supersede any charges or fees theretofore prescribed in respect of the same matters by bylaws or by resolution under this Act.

Cf. 1947, No. 4, s. 2

25. Refunds of charges or fees—(1) Every local authority that is the controlling authority of an abattoir shall, not later than the thirtieth day of June in each year, prepare a statement showing its income and expenditure and a balance sheet in respect of the abattoir for the year ending on the preceding thirty-first day of March, and shall forthwith furnish a copy of the statement and balance sheet to every person by whom any fees or charges have been paid to the local authority in respect of the abattoir in that year, or shall forthwith publish a copy of the statement and balance sheet in a newspaper circulating in the abattoir district. If in respect of the year to which any such statement relates the local authority is required to make any refund of fees or charges in accordance with this section, it shall give public notice of the period within which claims for refunds will be received by the local authority and shall give to every person who is entitled to receive the refund of any amount not less than five pounds notice of the fact that he is entitled to receive that refund.

(2) If the fees and charges paid or payable to the local authority pursuant to this Act (together with all money received or receivable from any other source in connection with the abattoir but not including revenues derived by the local authority from any boiling down works or other separate undertaking that is carried on as ancillary to the abattoir) exceed the cost of the abattoir for that year, the local authority shall, as soon as practicable, distribute the amount of the surplus by way of refund among the several persons who have paid charges in respect of stock slaughtered in the abattoir in that year or have paid fees in respect of meat

derived in that year from stock slaughtered elsewhere than in the abattoir, in proportion to the total amount of the charges or fees paid by them as aforesaid:

Provided that the local authority, with the approval of the Minister, may accumulate the surpluses for distribution of the total amount at the end of two or more years if it is of opinion that the cost involved in distributing the surplus for any year would, having regard to the amount available for distribution, be disproportionately high, or, with the like approval, may deal with any surplus as provided by subsection (5) of this section:

Provided also that in any distribution no refund shall be made to any person if the amount payable to him would be less than five shillings. Any money to which this proviso applies shall be paid by the local authority into a renewal or depreciation fund established by it in respect of the abattoir or into a sinking fund established by it in respect of money borrowed or advanced by the local authority for the purposes of the abattoir.

(3) Notwithstanding anything in subsection (2) of this section, any money payable thereunder by way of refund may be paid by the local authority to any person who in its opinion is entitled to receive payment thereof, instead of to the person who actually paid the charges or fees in respect of which the refund is made. Any payment made under this subsection shall to the extent thereof discharge the local authority from its liability to make the refund in respect of which the payment is made.

(4) If any money payable by way of refund under the foregoing provisions of this section is not claimed within six months after the date on which it has been made available for payment it shall, pending the making of a proper claim in respect thereof, be paid by the local authority into any renewal or depreciation fund that has been established by it in respect of the abattoir or into any sinking fund that has been established by it in connection with any money borrowed or advanced by the local authority for the purposes of the abattoir. No claim in respect of any such money shall be received or entertained by the local authority unless it is made within twelve months after the date on which the money has been made available for payment.

(5) If the charges and fees paid or payable to the local authority in any year in respect of the abattoir, together with any former undistributed surplus that with the approval of the Minister is taken into account for the purposes of this subsection, are less in the aggregate than the cost of the

abattoir for that year, the deficiency shall be carried forward and deemed to form part of the cost of the abattoir for the next succeeding year.

(6) For the purposes of the foregoing provisions of this section the cost of the abattoir for any year shall be deemed to include, in addition to the expenditure actually incurred in maintaining the abattoir, the following items, namely:

- (a) Interest on money borrowed for the purposes of the abattoir (whether by way of bank overdraft or otherwise) and not repaid:
- (b) Interest (to be computed at a rate not exceeding the rate for the time being charged to local authorities on bank overdrafts) on any money advanced by the local authority from its general fund or account for the purposes of the abattoir:
- (c) Any money paid or payable by way of sinking fund or instalments of principal in connection with any money borrowed or advanced by the local authority as aforesaid:
- (d) The amount (if any) that has been actually appropriated by the local authority and paid to a renewal or depreciation fund established in respect of the abattoir for the purpose of making provision for renewing or replacing the abattoir premises or the equipment or any part of the equipment that may become worn out, obsolete, or otherwise unfit for use in connection with the abattoir (which amount shall, in any year, not exceed such proportion of the value of the buildings, plant, and equipment as the Minister approves in that behalf):
- (e) The amount (if any) that has been actually appropriated by the local authority in that year and paid to a fund established under subsection (8) of this section in accordance with that subsection, reduced by any amount expended pursuant to a direction of the Minister under the proviso to that subsection:
- (f) Reasonable provision for bad debts and discounts:
- (g) The costs of and incidental to the raising of any loan for abattoir purposes (including such amounts, if any, as may in the opinion of the Audit Office be reasonable for the writing off from year to year of the preliminary expenses and costs incurred by the local authority before the commencement of this Act in connection with the raising of any loan for the purposes of the abattoir):

- (h) Actual payments made by the local authority to provide for the payment of pensions or retiring allowances (with or without other benefits) for persons employed by the local authority in connection with the abattoir:
- (i) Any amount appropriated by the local authority for the purpose of establishing or maintaining a fund to provide for the payment of compensation or damages to or in respect of workers employed by the local authority in connection with the abattoir:
- (j) Premiums paid by the local authority in respect of insurance against any loss or risk in connection with the abattoir or in respect of workers employed by the local authority in connection with the abattoir:
- (k) Any legal expenses reasonably incurred by the local authority in connection with the abattoir:
- (l) Such other items (if any) as the Minister, on the application of the local authority, may allow.

(7) Every local authority to which this section applies shall establish a renewal or depreciation fund in respect of the abattoir. In the case of a Borough Council all the provisions of Part XI of the Municipal Corporations Act 1954 with respect to depreciation funds shall apply as if the establishment and maintenance of the abattoir were a trading undertaking within the meaning of that Part. In the case of any other local authority those provisions shall, with any necessary modifications, apply as if the controlling authority were a Borough Council. Any renewal or depreciation fund established by any local authority in respect of an abattoir before the commencement of this Act shall be deemed to be established in accordance with this section.

(8) Any such local authority may, with the prior approval of the Minister and on such terms and conditions as the Minister thinks fit to impose, from time to time set aside in a separate account any money to form a fund for the repair and maintenance of the abattoir, and may from time to time apply the money in the fund for any such purpose, and may invest any money in the fund and pay the proceeds of the investment into the fund:

Provided that the local authority shall, if the Minister so directs, apply all or any of the money in the fund to any purpose connected with the operation or conduct of the abattoir.

(9) The provisions of this section shall, with the necessary modifications, apply with respect to any abattoir of which the

controlling authority is a company referred to in subsection (4) of section 14 of this Act operating the abattoir pursuant to an instrument of delegation under that section in all respects as if that company were a local authority.

(10) Except as otherwise provided by subsection (9) of this section, nothing in this section shall apply in any case where the powers of a local authority in respect of an abattoir have been delegated in accordance with section 14 of this Act.

Cf. 1939, No. 19, s. 23; 1961, No. 134, s. 6; 1962, No. 30, s. 6; 1963, No. 131, s. 4

Export Slaughterhouses

26. Export slaughterhouses to be licensed—No premises shall be used as an export slaughterhouse unless the premises are licensed as an export slaughterhouse in accordance with the provisions of this Act in that behalf.

Cf. 1939, No. 19, s. 24

27. Licences to be issued by local authorities—(1) Every licence in respect of an export slaughterhouse shall be issued by the local authority of the district in which the premises used or intended to be used as an export slaughterhouse are situated.

(2) No export slaughterhouse licence shall be issued without the consent of the Minister.

Cf. 1939, No. 19, s. 25

28. Provisions as to new premises proposed as export slaughterhouse—(1) Where any person proposes to erect any premises or to reconstruct or adapt any existing premises with intention that they shall be used as an export slaughterhouse, he shall, before the work is commenced, submit to the Minister, in a form approved by him, the plans and specifications thereof, and shall at the same time give to the local authority concerned notice that the plans and specifications have been submitted to the Minister in accordance with this section.

(2) On receipt of the plans and specifications the Minister shall take into consideration the following matters, namely:

- (a) Whether or not there is any economic necessity or justification for the proposed work:
- (b) The probable or possible effect of the proposed work, if undertaken, on the ability of other licensees of export slaughterhouses to obtain regular supplies of stock sufficient for the reasonable requirements of their business:

(c) All such other relevant matters as the Minister thinks proper.

(3) After consideration of the matters referred to in subsection (2) of this section, the Minister, if he is satisfied with the plans and specifications, may undertake to give his consent to the issue by the appropriate local authority of an export slaughterhouse licence in respect of the premises if the premises are completed in accordance with the approved plans and specifications and a licence therefor is duly applied for within twelve months after the date of the Minister's undertaking, or within such extended time as the Minister may allow:

Provided that the Minister, before giving any undertaking under this subsection, shall obtain the approval of the Meat Producers Board.

Cf. 1939, No. 19, s. 26; 1962, No. 30, s. 7

29. Application for licence—(1) Every application for an export slaughterhouse licence shall be on a form provided by the Director-General for the purpose, addressed to the appropriate local authority, and shall be accompanied by an adequate plan and description of the premises to which the application relates.

(2) Every such application shall also be accompanied by the prescribed fee, which shall be payable to the local authority.

Cf. 1939, No. 19, s. 28

30. Grant and renewal of export slaughterhouse licence—(1) On receipt of an application for an export slaughterhouse licence in respect of any premises the local authority shall proceed to consider the same, and shall, with the consent of the Minister, but not otherwise, issue a licence if, after such inquiry and investigation as it thinks necessary, it is satisfied—

(a) That the requirements of this Act in relation to the application have been complied with; and

(b) That the situation of the premises is not objectionable, that the construction of the premises is satisfactory in all respects, and that satisfactory provision is made in respect of drainage and sanitation and the disposal of refuse and trade wastes.

(2) Every export slaughterhouse licence shall be on a form provided by the Director-General for the purpose and shall, unless sooner cancelled or surrendered, continue in force until

the thirtieth day of June next after the date on which the licence takes effect.

(3) Every such licence may, with the consent of the Minister but not otherwise, be from time to time renewed on payment to the local authority of the prescribed fee.

(4) The renewal of an export slaughterhouse licence shall be for the period ending on the thirtieth day of June next after the date on which the renewal takes effect.

(5) The issue or renewal of any licence under this section shall be subject to such conditions as the Minister, or the Meat Producers Board with the authority of the Minister, may impose.

Cf. 1939, No. 19, s. 29; 1945, No. 45, s. 54; 1962, No. 30, s. 8

31. Minimum requirements in respect of export of meat—

(1) Notwithstanding anything in the foregoing provisions of this Act, but subject to subsection (2) of this section, no export slaughterhouse licence shall be granted or renewed unless the Minister is satisfied that not less than twenty-five per cent of the meat derived from stock slaughtered in the slaughterhouse during the period for which the licence is granted or renewed is intended for export.

(2) Where an export slaughterhouse licence or the renewal of any such licence is applied for in respect of premises that are used or intended to be used for the slaughter of pigs only, the licence shall not be granted or renewed unless the Minister is satisfied that part of the meat derived from pigs slaughtered in the slaughterhouse during the period for which the licence is granted or renewed is intended for export.

Cf. 1939, No. 19, s. 30

32. Discretionary power of Minister in respect of licences—

(1) Subject to the provisions of section 28 of this Act, the Minister may, in his absolute discretion, give or withhold his consent to the issue, renewal, or transfer of any export slaughterhouse licence.

(2) Without restricting the discretionary power conferred on the Minister by subsection (1) of this section, he may withhold his consent to the issue, renewal, or transfer of any such licence if he is of the opinion, on any grounds that in his discretion he deems sufficient, that the applicant is not a suitable person to be the holder of the licence or that the business of the export slaughterhouse has been carried on, or

is likely to be carried on, in a manner contrary to the public interest, or if the licensee has been convicted of an offence against this Act in respect of the same or any other slaughterhouse, or has failed, in respect of the same or any other slaughterhouse, to comply with any conditions imposed on the licensee in accordance with this Act.

(3) For the purposes of this section the buying of stock to be slaughtered for export shall be deemed to be part of the business of an export slaughterhouse, and the buying of any such stock in a manner contrary to the public interest shall accordingly be a ground on which the Minister may withhold his consent to the issue, renewal, or transfer of a licence in respect of an export slaughterhouse.

Cf. 1939, No. 19, s. 32

33. Effect of export slaughterhouse licence—(1) While a licence in respect of an export slaughterhouse is in force, it shall be lawful, subject to the provisions of this Act and to the terms and conditions of the licence, to slaughter stock in the slaughterhouse to which the licence relates, whether the meat derived from the stock is intended for consumption in New Zealand or is intended for export.

(2) Where meat derived from stock that is slaughtered in an export slaughterhouse is sold by the licensee or any other person for consumption in an abattoir district, the licensee shall pay to the controlling authority of the abattoir the appropriate fees in respect thereof, as fixed in accordance with section 23 or section 24 of this Act.

Cf. 1939, No. 19, s. 34

34. Obligations of licensee to accept certain stock for slaughter—(1) It shall be deemed to be a condition of every licence issued in respect of an export slaughterhouse that the licensee, at all times while the slaughterhouse is open for the slaughter of stock intended for export, shall receive for slaughter in that export slaughterhouse all such stock as, being intended for export, is offered on behalf of an owner who, being engaged in the business of producing stock for export, has raised or fattened the stock, or on behalf of any body of persons, whether corporate or unincorporate, of which the members are such owners as aforesaid.

(2) All stock offered as aforesaid shall be received, slaughtered, and handled, and the carcasses derived therefrom shall, if the owner so requires, be exported on

behalf of the owner, in accordance with such conditions as the Minister may approve, and in consideration of the payment by or on behalf of the owner of such charges and allowances and the fulfilment by the owner of such conditions as may from time to time be approved by the Minister. For the purposes of this subsection the term "owner" includes any body of persons on whose behalf any stock may be offered under subsection (1) of this section.

(3) The foregoing provisions of this section may, in relation to any export slaughterhouse, be applied by the Minister, on the recommendation of the Meat Producers Board made after full inquiry and discussion with the parties concerned, so as to require the licensee to receive, slaughter, and handle any stock intended for export and to export the carcasses derived therefrom on behalf of owners, not being owners to which subsection (1) of this section applies. The application of the said provisions may be effected by notice under the hand of the Minister served on the licensee of the slaughterhouse. Any such notice may apply generally to all such owners or to any specified owner, and may apply particularly to any specified stock or generally to all stock intended for export.

(4) Notice of the approval by the Minister of the charges, allowances, or conditions referred to in subsection (2) of this section shall be given in writing to the licensee. Any such notice may be of general application or may relate to any particular stock or to any particular kind or class of stock.

(5) Where under this section any approval is required to be given by the Minister, he shall not grant his approval unless the Meat Producers Board has recommended that the approval should be given.

(6) For the purposes of this section stock shall be deemed to be intended for export if any part of the carcass to be derived therefrom is intended for export.

Cf. 1939, No. 19, s. 33; 1947, No. 4, s. 4

35. Pooling of hides, wool, or pelts—(1) Subject to the provisions of this section, the licensee of any export slaughterhouse shall, if required to do so by the Minister by notice in writing under his hand, provide, in accordance with the terms of the notice, for the collection in a common pool of hides, or in a common pool of wool and pelts, derived from stock received for slaughter in the slaughterhouse on behalf of owners to whom subsection (1) of section 34 applies and slaughtered and handled in the export slaughterhouse under that section, and for the sale of any such hides, wool, or pelts.

Any requirement under this section shall be made only with the approval of the Meat Producers Board and after the Minister and the Board have considered any representations by the licensee.

(2) Where any pool has been established under subsection (1) of this section, no owner of stock slaughtered in the export slaughterhouse shall be obliged to take part in the pool:

Provided that where any owner (other than a body of persons, whether corporate or unincorporate, of which the members are owners to whom subsection (1) of section 34 of this Act applies) does not take part in the pool, he shall not dispose of any hides, wool, or pelts derived from any such stock otherwise than to the licensee of the export slaughterhouse.

Cf. 1962, No. 30, s. 9

36. Minister may impose conditions—(1) The Minister may at any time during the currency of an export slaughterhouse licence, by notice under his hand given to the licensee, fix with respect to any period or periods specified in that behalf in the notice—

(a) The maximum number of stock that may be slaughtered in the slaughterhouse during any such period; or

(b) The maximum number of any specified kind or specified class of stock that may be slaughtered during any such period.

(2) Any such notice may be at any time in like manner amended or revoked.

(3) Before giving any notice under this section the Minister shall obtain the approval of the Meat Producers Board.

(4) The licensee of any export slaughterhouse in which any stock is slaughtered contrary to the terms of any notice given by the Minister under this section commits an offence, and shall be liable on summary conviction to a fine not exceeding one hundred pounds for every day on which any stock is so slaughtered in contravention of the terms of the notice.

Cf. 1939, No. 19, s. 35

37. Structural alterations to export slaughterhouse—

(1) For the purposes of this section the term "export slaughterhouse" includes all cooling, freezing, and storage chambers used for the purposes of, or in conjunction with, an export slaughterhouse, whether or not any such chambers are erected on land appurtenant to the slaughterhouse.

(2) No addition to or structural alteration of any export slaughterhouse, or no alteration of its freezing power, or no addition to or alteration of its plant or fittings, or equipment, whereby, in the opinion of the Minister, the hygienic conditions of the slaughterhouse or the facilities for inspection therein may be affected or the productive capacity thereof materially increased, shall be made except with the prior approval of the Minister:

Provided that where, in the opinion of the Minister the proposed addition or alteration may materially increase the productive capacity of the slaughterhouse, he shall not grant his approval unless the Meat Producers Board has recommended that the approval should be given.

(3) The Minister and the Meat Producers Board, when considering any application to which the proviso to subsection (2) of this section applies, shall take into consideration—

(a) Whether or not there is any economic necessity or justification for the proposed work:

(b) The probable or possible effect of the proposed work, if undertaken, on the ability of other licensees of export slaughterhouses to obtain regular supplies of stock sufficient for the reasonable requirements of their businesses:

(c) All such relevant matters as the Minister or the Meat Producers Board thinks proper.

(4) Notwithstanding the provisions of this section, if the Minister is of the opinion that the proposed addition or alteration will allow any carcasses or meat to be processed, handled, or stored under unhygienic conditions, or will in any way detrimentally affect the hygienic conditions of the slaughterhouse or the facilities for inspection therein, he may refuse his approval.

(5) The licensee of any export slaughterhouse who contravenes any of the provisions of this section, commits an offence and shall be liable to a fine not exceeding one thousand pounds.

Cf. 1939, No. 19, s. 36; 1962, No. 30, s. 11

Rural Slaughterhouses

38. Rural slaughterhouses—(1) The local authority of any district may, subject to the provisions of this Act, issue in respect of premises situated within the district of that local authority a licence for a rural slaughterhouse:

Provided that, except as provided in subsection (2) of this section, a licence shall not be issued under this section in respect of any premises situated within an abattoir district or inspected meat area or within three miles by the nearest available road of an abattoir district or inspected meat area.

(2) Nothing in the proviso to subsection (1) of this section shall be construed to prohibit the renewal of any licence that is in force at the commencement of this Act or of any licence lawfully issued after the commencement of this Act in respect, in either case, of a slaughterhouse that, at the date of renewal, is situated outside the boundaries of an abattoir district or an inspected meat area.

Cf. 1939, No. 19, s. 37; 1962, No. 30, s. 12

39. Application for rural slaughterhouse licence—(1) Every application for a licence in respect of a rural slaughterhouse shall be on a form provided by the Director-General for the purpose, addressed to the appropriate local authority, and shall be accompanied by an adequate plan and description of the premises to which the application relates.

(2) Every such application shall be accompanied by the prescribed fee, which shall be payable to the local authority.

Cf. 1939, No. 19, s. 39

40. Grant and renewal of rural slaughterhouse licence—(1) On receipt of an application for a licence in respect of any premises intended to be used as a rural slaughterhouse, the local authority shall proceed to consider the same, and shall, with the consent of the Minister but not otherwise, issue a licence if, after such inquiry and investigation as it thinks necessary, it is satisfied—

- (a) That the applicant is a suitable person to be the holder of a rural slaughterhouse licence;
- (b) That the requirements of this Act in relation to the application have been complied with; and
- (c) That the situation of the premises to which the application relates is not objectionable, and that the construction of the premises, their equipment, and the available accommodation for stock are satisfactory in all respects.

(2) Every licence in respect of a rural slaughterhouse shall be on a form provided by the Director-General for the purpose, and shall, unless sooner cancelled or surrendered, continue in force until the thirtieth day of June next after the date on which the licence begins to take effect.

(3) Every such licence may, with the consent of the Minister but not otherwise, be from time to time renewed on payment to the local authority of the prescribed fee.

(4) The Minister may, in his absolute discretion, refuse his consent to the renewal of any such licence if he is satisfied that the rural slaughterhouse or its equipment has been allowed to fall into disrepair or to become insanitary, or that for any reason the slaughterhouse has ceased to be a suitable or adequate place for the slaughter of stock providing meat intended for human consumption:

Provided that, except on the grounds that the slaughterhouse has been allowed to fall into disrepair or to become insanitary, the Minister shall not refuse his consent without consultation with any local authority concerned and with the licensee.

(5) The renewal of a licence in respect of a rural slaughterhouse shall be for the period ending on the thirtieth day of June next after the date on which the renewal takes effect.

Cf. 1939, No. 19, s. 40; 1962, No. 30, s. 12

41. Effect of rural slaughterhouse licence—(1) While a licence in respect of a rural slaughterhouse is in force it shall be lawful to slaughter stock therein for human consumption.

(2) No meat derived from stock slaughtered in a rural slaughterhouse shall be exported from New Zealand or shall be sold or offered for sale in an abattoir district or inspected meat area for human consumption or shall be sold for human consumption to a person carrying on business in an abattoir district or inspected meat area as a purveyor of meat.

(3) Every person commits an offence against this Act who exports or attempts to export any meat derived from stock that has been slaughtered in a rural slaughterhouse, or who sells or offers for sale in an abattoir district or inspected meat area any such meat for human consumption or who sells for human consumption any such meat to a person carrying on business in an abattoir district or inspected meat area as a purveyor of meat.

(4) Where any meat derived from stock that has been slaughtered in a rural slaughterhouse is sold to any person carrying on business in an abattoir district or inspected meat area as a purveyor of meat it shall, unless the contrary is proved, be deemed to be sold for human consumption.

Cf. 1939, No. 19, s. 41; 1962, No. 30, s. 12

General Provisions as to Slaughterhouses

42. Notice of intention to apply for slaughterhouse licence—(1) Before making application for an export slaughterhouse licence or a rural slaughterhouse licence in respect of any premises, the intending applicant shall, by advertisement published at least once in each week for two successive weeks in a newspaper circulating in the district wherein the premises are situated, give notice of his intention to apply for a licence in respect of those premises.

(2) The last of any such advertisements shall be published not earlier than fourteen days and not later than seven days before the date of the application.

Cf. 1939, No. 19, ss. 27, 38

43. Sanitary condition of slaughterhouses—(1) It shall be the duty of the manager of every abattoir and of the licensee of every other slaughterhouse to maintain the slaughterhouse in a sanitary condition to the satisfaction of the Inspector, and if the manager or licensee fails at any time to do so he commits an offence against this Act.

(2) It shall be unlawful to slaughter or to process any poultry, or any animals other than stock, in any part of a slaughterhouse normally used for the slaughtering or processing of stock.

(3) Notwithstanding the provisions of subsection (2) of this section, except as otherwise provided by regulations under this Act, it shall be lawful to store in any part of a slaughterhouse any poultry or animals which are frozen.

Cf. 1939, No. 19, s. 42; 1961, No. 134, s. 7; 1963, No. 131, s. 5

44. Keeping of records—(1) The manager of every abattoir and the licensee of every other slaughterhouse shall keep at the slaughterhouse a record book in which shall be entered daily the following particulars relating to all stock slaughtered at the slaughterhouse during the day, namely:

(a) The number, species, and sex of the stock:

(b) The name, occupation, and address of the owner of the stock, or, if the controlling authority or the licensee is the owner, of the person from whom the stock was purchased or obtained, and the date of taking delivery:

(c) In the case of a rural slaughterhouse, the colour of each head of cattle, and every brand, earmark, or other distinguishing mark on each head of cattle or sheep:

(d) Such other particulars as may be prescribed.

(2) If the manager of an abattoir or the licensee of any other slaughterhouse fails on any day to make in the record book any entry required to be made under this section or knowingly makes a false entry therein, he commits an offence and shall be liable to a fine not exceeding ten pounds.

(3) The record book shall at all times during working hours be open to inspection by any Inspector or member of the Police.

Cf. 1939, No. 19, s. 43

45. Branding of carcasses—(1) Before the carcass of any stock that has been slaughtered in an abattoir or any other slaughterhouse is removed therefrom, it shall be branded in the prescribed manner with a brand approved by the Director-General in respect of the premises, and if any carcass is removed in breach of this section, the manager of the abattoir or the licensee of the slaughterhouse, as the case may be, commits an offence against this Act unless he proves to the satisfaction of the Court that the carcass was removed without his knowledge, consent, or connivance.

(2) Any person who, without lawful excuse, removes any carcass which has not been branded in accordance with this section from any abattoir or other slaughterhouse commits an offence against this Act.

Cf. 1939, No. 19, s. 44; 1963, No. 131, s. 6

Prohibition as to Slaughter of Stock

46. Prohibition as to slaughter of stock—(1) Except as provided by section 47 of this Act, it shall not be lawful for any person to slaughter stock that is intended for human consumption or to dress the carcasses of any such stock elsewhere than in—

- (a) A registered abattoir; or
- (b) A licensed export slaughterhouse; or
- (c) A licensed rural slaughterhouse.

(2) Except as provided by section 47 of this Act, it shall not be lawful for any person to sell for human consumption or to have in his possession for sale for human consumption any meat derived from stock that is slaughtered elsewhere than in a slaughterhouse referred to in subsection (1) of this section.

(3) Where any meat is found on premises used by any person for the sale of meat or for the storage of meat intended for sale, it shall, for the purposes of this section, be deemed to be in the possession of that person for sale for human consumption, unless the contrary is proved.

(4) Where any meat derived from stock slaughtered elsewhere than in a slaughterhouse is supplied for consumption as part of a meal for which payment is made, the meat shall be deemed, for the purposes of this section, to be sold to the person to whom the meal has been supplied.

Cf. 1939, No. 19, s. 45

47. Exemptions from requirements as to slaughter of stock in slaughterhouse—(1) Nothing in section 46 of this Act shall apply with respect to—

(a) The slaughter of stock by any person on land or premises in his own occupation, if the meat derived therefrom is not sold or intended for sale:

(b) The slaughter of stock by any bona fide farmer for sale for human consumption whose ordinary operations include the raising and fattening of stock, if the following conditions are complied with, namely:

(i) The stock is slaughtered on the farm and the slaughtering place is at all times kept in a sanitary condition to the satisfaction of an Inspector:

(ii) No part of the farm is within an abattoir district, inspected meat area, borough, or town district or is within six miles by the nearest available road of any abattoir district, inspected meat area, borough, or town district:

(iii) Except with the prior authority in writing of an Inspector, stock of one class only (being not more than one head of cattle or not more than five head of any other stock) shall be slaughtered in any period of seven days:

(iv) No part of the meat derived from any stock slaughtered as aforesaid shall be sold to any person carrying on business as a bacon curer or to any purveyor of meat, or shall be sold or delivered otherwise than at the farm at which the stock was slaughtered:

(v) No person shall publish, circulate, distribute, or exhibit any advertisement inviting any person to purchase any meat available for sale in accordance with this section:

(vi) The person intending to slaughter the stock (other than a person intending to slaughter stock providing meat to which subsection (2) of this section applies) has notified an Inspector of his intention. Any such notification shall have effect for a period of one year from the date of the notification.

(2) Notwithstanding anything in subparagraph (ii) or in subparagraph (iv) of paragraph (b) of subsection (1) of this section, any meat derived from stock slaughtered on a farm by a bona fide farmer in an abattoir district or elsewhere but otherwise in accordance with the applicable conditions prescribed in that paragraph, may be sold by him to any person who is employed by him in connection with farming operations on the same or any other farm.

(3) Every person by whom any stock is slaughtered pursuant to the authority of this section and sold by him, otherwise than in accordance with subsection (2) of this section, shall forthwith enter in a suitable book to be kept by him for the purpose particulars of all stock so slaughtered by him and the name and address of the person to whom it is sold. Every such book shall at all reasonable times be open to inspection by an Inspector or member of the Police.

(4) Where any meat derived from stock slaughtered by any person purporting to act under the authority of paragraph (a) or paragraph (b) of subsection (1) of this section is supplied for consumption in an abattoir district or inspected meat area as part of a meal for which payment is made, the meat shall be deemed, for the purposes of the said paragraphs, to be sold to the person to whom the meal has been supplied.

(5) If, on the slaughter of any stock in accordance with this section, the stock is found to be diseased, it shall be the duty of the occupier to cause the carcass to be burnt or buried, or to be removed to a boiling down works, manure works, or other place approved for the purpose by an Inspector, there to be so treated that no part of the carcass can be used for human consumption.

Cf. 1939, No. 19, s. 46; 1962, No. 30, s. 14

PART III

PACKING HOUSES AND CANNERIES

48. Packing houses and canneries to be licensed—(1) Subject to the provisions of this section, no person shall use any premises for the packaging of meat for export unless he is the holder of an export packing house licence issued under this Act in respect of those premises.

(2) Where the licensee of any export slaughterhouse carries on the packaging of meat for export in any part of the premises of the export slaughterhouse, that part of those premises shall be deemed to be an export packing house, and in respect thereof the holder of the export slaughterhouse licence shall be deemed to be the holder of an export packing house licence.

(3) No person shall use any premises for the packaging of meat for sale and consumption in New Zealand unless he is the holder of a domestic packing house licence issued under this Act in respect of the premises.

(4) Every person who is the holder of an export packing house licence shall be deemed for the purposes of this Act to be the holder of a domestic packing house licence.

(5) No person shall use any premises for the canning of meat for sale unless he is the holder of a cannery licence issued under this Act in respect of the premises.

(6) Where the licensee of any export slaughterhouse carries on the canning of meat in any part of the premises of the export slaughterhouse, that part of those premises shall be deemed to be a cannery, and in respect thereof the holder of the export slaughterhouse licence shall be deemed to be the holder of a cannery licence.

Cf. 1953, No. 75, s. 3; 1957, No. 14, ss. 3, 3A; 1962, No. 30, s. 21

49. Licences to be issued by local authorities—(1) Every licence in respect of a packing house or a cannery shall be issued by the local authority of the district in which the premises used or intended to be used as a packing house or a cannery, as the case may be, are situated.

(2) No such licence shall be issued without the consent of the Minister.

Cf. 1953, No. 75, s. 5; 1957, No. 14, s. 5

50. Provisions as to new premises—(1) Where any person proposes to erect any premises, or to reconstruct or adapt any premises, with the intention that they shall be used as a packing house or a cannery, he shall, before the work is commenced, submit to the Minister, in a form approved by him, the plans and specifications thereof, and shall at the same time give to the local authority concerned notice that the plans and specifications have been so submitted.

(2) If the Minister is satisfied with the plans and specifications, he may in his discretion undertake to give his consent to the issue by the local authority of the appropriate licence

in respect of the premises if the premises are completed in accordance with the approved plans and specifications and the licence is duly applied for within twelve months after the date of the Minister's undertaking, or within such extended time as the Minister may allow:

Provided that where it is intended to use the premises as an export packing house or a cannery, the Minister shall not give any such undertaking without having regard to any recommendations of the Meat Producers Board.

Cf. 1953, No. 75, s. 6; 1957, No. 14, s. 6; 1962, No. 30, ss. 22, 23

51. Notice of intention to apply for licence—(1) Before making application to a local authority for a packing house licence or a cannery licence in respect of any premises, the intending applicant shall, by advertisement published at least once in each week for two successive weeks in a newspaper circulating in the district in which the premises are situated, give notice of his intention to apply for a licence in respect of those premises.

(2) The last of any such advertisements shall be published not earlier than fourteen days and not later than seven days before the date of the application.

Cf. 1953, No. 75, s. 7; 1957, No. 14, s. 7

52. Application for licence—(1) Every application for a packing house licence or a cannery licence shall be made to the appropriate local authority on a form provided by the Director-General for the purpose, and shall be accompanied by an adequate plan and description of the premises to which the application relates.

(2) Every such application shall also be accompanied by such fee as may be prescribed, which shall be payable to the local authority.

Cf. 1953, No. 75, s. 8; 1957, No. 14, s. 8

53. Grant and renewal of licences—(1) On receipt of an application for a meat packing licence or a cannery licence in respect of any premises, the local authority shall consider the application, and shall, with the consent of the Minister but not otherwise, issue a licence if, after such inquiry and investigation as it thinks necessary, it is satisfied—

(a) That the requirements of this Act in relation to the application have been complied with:

(b) That the situation of the premises to which the application relates is not objectionable, and that, in respect of drainage and sanitation and the disposal of refuse and trade wastes, the construction of the premises and their equipment is satisfactory.

(2) Every such licence shall be on a form provided by the Director-General for the purpose and shall, unless sooner cancelled or surrendered, continue in force until the close of the thirtieth day of June next after the date on which the licence takes effect.

(3) Subject to the provisions of this Act, every such licence may from time to time be renewed on payment to the local authority of such fee as may be prescribed.

(4) The renewal of every such licence shall be for the period ending with the thirtieth day of June next after the date on which the renewal takes effect.

Cf. 1953, No. 75, s. 9; 1957, No. 14, s. 9; 1962, No. 30, s. 24

54. Minister may withhold consent—Subject to the provisions of section 50 of this Act, the Minister may withhold his consent to the issue or renewal of any packing house licence or cannery licence if he is of opinion that—

- (a) The construction of the premises and their equipment is not satisfactory; or
- (b) The licensee has been convicted of an offence against this Act in respect of the licensed premises or in respect of any other premises licensed under this Act.

Cf. 1953, No. 75, s. 10; 1957, No. 14, s. 10

55. Alteration of certain premises—(1) No licensee of a packing house or of a cannery shall make or begin to make, or cause or permit to be made, any addition to or structural alteration of the premises in respect of which the licence was issued, except in accordance with plans and specifications approved by the Minister. When submitting plans and specifications to the Minister for the purposes of this subsection, the licensee shall at the same time give to the local authority concerned notice that the plans and specifications have been so submitted.

(2) No licensee of a packing house or a cannery shall make any addition to or alteration of its plant, fittings, or equipment whereby, in the opinion of the Minister, the hygienic

conditions of the premises or the facilities for inspection therein may be affected, without the prior approval of the Minister.

(3) In considering any application for his approval under subsection (1) of this section in respect of an export packing house or a cannery, the Minister shall have regard to any recommendation of the Meat Producers Board.

(4) Every licensee to whom this section applies commits an offence and shall be liable to a fine not exceeding one hundred pounds who contravenes or fails to comply in any respect with the provisions of this section.

Cf. 1953, No. 75, s. 11; 1957, No. 14, ss. 11, 11A; 1962, No. 30, ss. 25, 26

56. Sanitary conditions of certain premises—(1) Every licensee of a packing house or a cannery shall maintain the packing house or the cannery in a sanitary condition to the satisfaction of the Inspector.

(2) Every licensee commits an offence against this Act who contravenes or fails to comply in any respect with the provisions of this section.

Cf. 1953, No. 75, s. 12; 1957, No. 14, s. 12

57. Conditions with respect to packing houses—(1) The Minister may at any time during the currency of a packing house licence, by notice under his hand given to the licensee, fix with respect to any period or periods to be specified in that behalf in the notice—

(a) The maximum number of carcasses that may be processed in the packing house during any such period:

(b) The maximum number of any specified kind or specified class of carcasses that may be processed in the packing house during any such period.

(2) Any such notice may at any time in like manner be amended or revoked.

(3) No notice shall be given under subsection (1) of this section unless the Minister is of the opinion that, having regard to the capacity and equipment of the packing house, it is necessary to limit the number of carcasses to be processed in order to ensure that the hygienic conditions of the premises and the quality of the product are not detrimentally affected.

(4) The licensee of any packing house in which any carcasses are processed contrary to the terms of any notice under this section commits an offence against this Act.

Cf. 1962, No. 30, s. 27

58. Slaughter of stock on behalf of licensees of export packing houses—(1) The licensee of any export packing house may apply in writing to the Minister for his approval under this section to have any stock owned by the applicant received, slaughtered, and handled in any export slaughterhouse referred to in the application.

(2) The Minister may, in his discretion and after full inquiry and discussion with the Meat Producers Board and the parties concerned, and after having regard to any prior commitments (whether under section 34 of this Act or otherwise) of the licensee of the export slaughterhouse with respect to the slaughter of stock intended for export and to the reasonable requirements of that licensee in respect of stock owned by him and to be slaughtered in the slaughterhouse, give or refuse to give his approval to any application under subsection (1) of this section:

Provided that the Minister shall not give any such approval unless the Meat Producers Board has recommended that the approval should be given.

(3) Where any approval is given under subsection (2) of this section, the Minister shall specify in the approval whether it is given in respect of stock generally, or in respect of any particular kind or class of stock, and may fix with respect to any period or periods specified in that behalf in the approval the maximum number of stock or, as the case may be, the maximum number of any kind or class of stock, that the applicant may have received, slaughtered, and handled in the export slaughterhouse.

(4) Where any approval is given under subsection (2) of this section, it shall be deemed to be a condition of the licence issued in respect of any export slaughterhouse named in the approval that the licensee, at all times when the export slaughterhouse is open for the slaughter of stock, shall receive for slaughter in the slaughterhouse all stock which, in accordance with the terms of the approval, is offered by the licensee of the export packing house named in the approval.

(5) All stock offered for slaughter under subsection (4) of this section shall be received, slaughtered, and handled in the export slaughterhouse in accordance with such conditions as the Minister may approve and in consideration of the payment, by or on behalf of the licensee of the export packing house named in the approval, of such charges and allowances and the fulfilment by that licensee of such conditions as may from time to time be approved in that behalf by the Minister:

Provided that the Minister shall not give any such approval

except after full inquiry and discussion with the Meat Producers Board and the parties concerned and until the Meat Producers Board has recommended that the approval should be given.

(6) No application may be made under subsection (1) of this section, and no approval may be given under subsection (2) or subsection (5) of this section, otherwise than in respect of stock the meat derived from which is intended to be processed in the export packing house for export.

(7) Notice in writing of every approval given by the Minister under this section shall be given to the licensee of any export slaughterhouse to which the approval relates.

(8) Any approval given under this section may at any time be withdrawn by the Minister if he is satisfied that any term or condition to which the approval is subject has not been complied with or if he is of opinion that the circumstances have so altered since the approval was given that it is necessary and desirable that the approval should be withdrawn:

Provided that the Minister shall not withdraw any such approval unless the Meat Producers Board has recommended that it should be withdrawn.

Cf. 1939, No. 19, s. 35A; 1962, No. 30, s. 10

PART IV

GAME PACKING HOUSES

59. Game packing houses to be licensed—No person shall use any premises for the packaging or processing of game for sale unless he is the holder of a game packing licence issued under this Act in respect of those premises.

Cf. 1939, No. 19, s. 46A; 1963, No. 131, s. 7

60. Export of game—No game packaged or processed in New Zealand shall be exported from New Zealand except under the authority of a game exporter's licence issued under this Act and in accordance with regulations under this Act.

Cf. 1939, No. 19, s. 46B; 1963, No. 131, s. 7

61. Issue of licences—(1) All licences under this Part of this Act shall be issued by the Minister in accordance with regulations under this Act and the Minister may grant or withhold the issue or renewal of any such licence on any grounds prescribed in the regulations.

(2) Regulations under this Act may apply to game packing houses such of the provisions of this Act, with such modifications as the Governor-General thinks fit, as may be prescribed in the regulations.

(3) Where the definition of the term "game" is extended in accordance with this Act, regulations under this Act may apply special provisions in respect of premises used for the packaging or processing of any game to which this Part for the time being applies.

Cf. 1939, No. 19, s. 46c; 1963, No. 131, s. 7

PART V

EXPORT OF MEAT

62. Conditions in respect of export of meat—(1) Subject to the provisions of this section, no meat shall be exported from New Zealand unless—

- (a) It is derived from stock slaughtered in an abattoir or a meat export slaughterhouse:
- (b) It has been inspected by an Inspector and has been passed by him as free from disease or defect and as suitable for export, and is branded in the prescribed manner:
- (c) It has been properly preserved by freezing, chilling, salting, canning, drying, dehydrating, or other approved method:
- (d) It is properly packed and is in good order and condition at the time when it is placed on board ship or aircraft for export:
- (e) It has at all times before export been kept or stored in premises approved by the Minister under section 63 of this Act as a meat export store:
- (f) All conditions and restrictions as to shipping or otherwise, imposed in respect of meat by the Meat Producers Board, have been complied with:
- (g) Any conditions imposed in respect of the entry of the meat into the country to which it is proposed to export it, or in respect of its sale for human consumption therein, have, so far as they can be complied with in New Zealand, been complied with.

(2) Except on such terms and conditions as the Minister from time to time approves, it shall not be lawful to export from New Zealand any meat derived from stock slaughtered in an abattoir:

Provided that no terms or conditions shall be approved by the Minister under this subsection except on the recommendation of the Meat Producers Board.

(3) Where any approval is given by the Minister under subsection (2) of this section in respect of any abattoir, the controlling authority of the abattoir shall prescribe charges under section 23 or section 24 of this Act for services rendered and facilities provided in respect of the handling and processing of stock providing meat intended for export, and no part of any such charges shall be payable by persons other than those to whom the services and facilities in respect of which the charges are prescribed are rendered or provided.

(4) If any person exports or does any act with intent to export any meat contrary to the provisions of this section, he commits an offence against this Act.

Cf. 1939, No. 19, s. 52; 1962, No. 30, s. 15

63. Meat export stores—(1) No person shall keep or store any meat intended for export in any premises unless the premises are approved in that behalf by the Minister as a meat export store.

(2) All approvals under this section shall be granted, withheld, renewed, or withdrawn in accordance with regulations under this Act.

(3) All premises licensed under this Act as export slaughterhouses or export packing houses shall, for the purposes of this section, be deemed to be approved by the Minister as meat export stores.

(4) Where any meat is canned in a cannery in accordance with this Act, the meat, for the purposes of this section, shall be deemed to have been stored in premises approved by the Minister as a meat export store.

(5) Any vehicle or other conveyance used, in accordance with regulations under this Act, for the transport of meat intended for export shall be deemed to be approved by the Minister under this section.

64. Offence to carry on business of meat exporter without licence—(1) It shall not be lawful for any person to carry on business as a meat exporter except under the authority and in accordance with the terms of a meat exporter's licence granted under this Part of this Act.

(2) For the purposes of this Part of this Act, the term "meat exporter" does not include—

- (a) The holder of an export slaughterhouse licence, in respect of the export of meat from stock slaughtered in the slaughterhouse to which the licence relates; or
 - (b) The holder of an export packing house licence, in respect of the export of meat packaged in the packing house to which the licence relates; or
 - (c) The holder of a cannery licence, in respect of the export of meat canned in the cannery to which the licence relates; or
 - (d) Any person, in respect of the export of meat from stock raised or fattened by him for export—
- but includes every other person, firm, or company carrying on the business of exporting meat from New Zealand.

Cf. 1939, No. 19, s. 53; 1957, No. 14, s. 14

65. Provisions as to issue of meat exporters' licences—

(1) Any person desirous of carrying on the business of a meat exporter may apply to the Minister for a meat exporter's licence.

(2) Every application for a meat exporter's licence shall be on a form provided by the Director-General for the purpose and shall be accompanied by the prescribed fee.

(3) The Minister may, after consultation with the Meat Producers Board, grant or refuse any such application as he thinks fit.

(4) Every meat exporter's licence shall be granted subject to the provisions of the Meat Export Control Act 1921–22.

Cf. 1939, No. 19, s. 54

66. Duration of meat exporter's licence—(1) Every meat exporter's licence shall be on a form provided by the Director-General for the purpose and shall, unless sooner revoked or surrendered, continue in force until the thirtieth day of June next after the date on which the licence begins to take effect.

(2) Subject to the provisions of subsection (3) of this section, every such licence may from time to time be renewed on payment of the prescribed fee. The renewal of a meat exporter's licence shall be for the period ending on the thirtieth day of June next after the date on which the renewal takes effect.

(3) The Minister may refuse to grant a renewal of any such licence to any person who, while being the holder of a meat exporter's licence, has not at any time during the period of

two years immediately preceding the date of the expiry of the licence sought to be renewed carried on in New Zealand the business of a meat exporter.

Cf. 1939, No. 19, s. 55; 1962, No. 30, s. 16

67. Revocation of meat exporter's licence—(1) Every meat exporter's licence may be revoked by the Minister at any time before the due date of the expiry thereof if the Minister after consultation with the Meat Producers Board is of opinion, on such evidence as he deems sufficient, that the licensee has committed a breach of the terms of his licence or is carrying on business under the licence in a manner contrary to the public interest.

(2) For the purposes of this section the buying of stock to be slaughtered for export shall be deemed to be part of the business carried on under a meat exporter's licence, and the buying by the licensee of any such stock in a manner deemed by the Minister to be contrary to the public interest shall accordingly be a ground for the revocation of the licence.

Cf. 1939, No. 19, s. 56

68. Penalty in respect of export of meat—(1) Every person who carries on the business of a meat exporter otherwise than in accordance with a meat exporter's licence commits an offence, and shall be liable to a fine not exceeding two thousand pounds, and to an additional fine not exceeding four hundred pounds for every day during which the business is carried on contrary to the terms of a notice, under the hand of the Minister, requiring the business to be discontinued.

(2) All meat exported or attempted to be exported from New Zealand by any person carrying on business as a meat exporter contrary to the provisions of this Part of this Act shall be forfeited to Her Majesty, and may be sold or otherwise disposed of as the Minister directs.

Cf. 1939, No. 19, s. 57

PART VI

MISCELLANEOUS PROVISIONS

69. Offence to sell diseased or defective meat—(1) No person shall sell or offer for sale for human consumption or have in his possession for sale for human consumption, any meat which to his knowledge is diseased or defective, whether or not an Inspector has declared the meat to be diseased or defective.

(2) For the purposes of this section meat shall, unless and until the contrary is proved, be deemed to be in possession for sale for human consumption if it is kept on premises used for the sale of meat for human consumption or used for the storage of meat intended for sale for human consumption, and any meat that is sold shall be deemed to be sold for human consumption unless or until the contrary is proved.

(3) Every person commits an offence against this Act who contravenes or fails to comply in any respect with any provision of this section.

Cf. 1939, No. 19, s. 49; 1963, No. 131, s. 10

70. Insurance against loss—(1) The Governor-General may, by Order in Council, extend so as to apply to and bind all persons for the time being carrying on business as butchers in any defined area, any agreement, whether made before or after the commencement of this Act, by which a majority of the butchers carrying on business in that area bind themselves to contribute to an insurance fund to indemnify them, wholly or in part, from loss due to the condemnation for human consumption of any meat derived from diseased stock.

(2) Every Order in Council under this section shall define the area to which it relates, and, unless adequate provision therefor is made in the agreement, shall prescribe the rates of contribution to the fund and the person or persons by whom contributions may be recovered.

(3) Any contribution payable to an insurance fund established as aforesaid may be recovered in any Court of competent jurisdiction as if it were a debt owing by the person liable to pay the same to the person or persons in whom the fund is vested.

(4) The boundaries of any area defined for the purposes of this section may from time to time be altered by the Governor-General by Order in Council, but shall not be so altered unless the Governor-General is satisfied that a majority of the butchers carrying on business in the area, as proposed to be altered, agree to the alteration of the area.

(5) Every Order in Council under this section shall have effect according to its tenor.

Cf. 1939, No. 19, s. 51

71. Minister may investigate certain businesses—(1) The Minister may from time to time, as he thinks fit, cause an investigation under this section to be made into the operations

of the controlling authority of an abattoir, or into the business of the holder of any slaughterhouse licence, packing house licence, cannery licence, or meat exporter's licence granted under this Act.

(2) For the purposes of any such investigation the Minister may by order in writing signed by him require the controlling authority or the licensee, as the case may be, to produce for the inspection of any person nominated in that behalf by the Minister any books or documents in the possession or control of the controlling authority or the licensee relating to any matter affecting the operations of the controlling authority in respect of the abattoir or the business of the licensee, as the case may be, and to allow copies of or extracts from any such books or documents to be made by the person so inspecting them.

(3) Every person who fails to comply with any order of the Minister under this section or who deceives or obstructs or attempts to deceive or obstruct any person nominated by the Minister as aforesaid in the conduct of any such investigation commits an offence and shall be liable to a fine not exceeding five hundred pounds.

(4) All information obtained by the Minister or by any other person pursuant to any investigation under this section shall be treated as confidential except for the purposes of this Act.

Cf. 1939, No. 19, s. 58; 1957, No. 14, s. 14

72. Sale or disposition of export slaughterhouse or export packing house—(1) No licensee of an export slaughterhouse or an export packing house shall enter into any contract, agreement, or undertaking for the sale, lease, or other disposition of the slaughterhouse or packing house unless the consent in writing of the Minister, or of the Meat Producers Board acting with the authority of the Minister, has first been obtained. Every application for consent under this section shall be made to the Minister, and a copy of the application shall at the same time be sent to the Meat Producers Board.

(2) Every application under this section for consent to any sale, lease, or other disposition of any export slaughterhouse or export packing house shall be deemed to include an application for consent to the transfer of the licence in respect of the slaughterhouse or packing house to the person to whom the sale, lease, or other disposition is intended to be made. The Minister shall have in respect of every application made under

this section all such powers as are conferred on him by section 32 of this Act with respect to transfers of licences, and the provisions of that section shall, as far as applicable and with the necessary modifications, apply to every application under this section.

(3) Any consent given under this section may, in the discretion of the Minister, be given subject to such conditions, not inconsistent with this Act, as the Minister, or the Meat Producers Board with the authority of the Minister, may impose.

(4) Where any sale, lease, or other disposition is consented to under this section, the licence in respect of the slaughterhouse or packing house may, subject to any conditions imposed under this section, be transferred by the local authority in whose district the slaughterhouse or packing house is situated to the person to whom the sale, lease, or other disposition is made, on application in that behalf made to the local authority by the licensee and on payment to the local authority of the prescribed fee:

Provided that no such licence shall be so transferred unless the application for the transfer is duly made within twelve months after the date on which the consent is given, or within such extended time as the Minister may allow.

(5) Every licensee of an export slaughterhouse or export packing house who enters into any transaction in contravention of the provisions of this section, or who fails to comply with any condition imposed under this section, commits an offence and shall be liable to a fine not exceeding five hundred pounds.

(6) Where any such transaction is entered into in contravention of this section, or where any condition as aforesaid is not complied with, the transaction shall be deemed to be unlawful and shall have no effect.

Cf. 1947, No. 4, s. 3; 1962, No. 30, s. 28

73. Acquisition of interest in export slaughterhouse—

(1) It shall be deemed to be a condition of every licence issued in respect of an export slaughterhouse that the licensee, or, if the licensee is a company, any subsidiary of the licensee or any company of which the licensee is a subsidiary, shall not, after the commencement of this Act, acquire any estate or interest in any company which is the licensee of an export slaughterhouse without the consent of the Minister given after consultation with the Meat Producers Board.

(2) If any licensee or his subsidiary or any company of which the licensee is a subsidiary acquires any estate or interest contrary to the provisions of this section, it shall be a ground on which the Minister may refuse to consent to the renewal of the licence of that licensee.

(3) For the purposes of this section, the expression "estate or interest" includes ownership, whether complete or partial, any mortgage or charge, any share, stock, debenture, or debenture stock, and any right, title, or claim to any share, stock, debenture, or debenture stock.

74. Inspector may prohibit use of insanitary premises—

(1) If an Inspector is of opinion that any premises are, by reason of their insanitary condition or for any other reason, unsuitable for the collection, holding, slaughtering, storage, or carriage of stock or meat, or for the packaging or canning of meat, he may, by writing addressed to the occupier of the premises or to the person for the time being in charge or appearing to be in charge thereof, order the removal therefrom of any stock or meat, and may prohibit the use of any such premises for any of the aforesaid purposes, either absolutely or until the defective condition has been remedied to his satisfaction. Any order or prohibition under this subsection may be expressed to take effect as from a date to be specified therein by the Inspector.

(2) If any person fails to comply with any order given by an Inspector under this section he commits an offence against this Act.

Cf. 1939, No. 19, s. 59; 1947, No. 4, s. 5; 1953, No. 75, s. 17; 1957, No. 14, s. 14

75. Regulation of processing and export of casings—

(1) After a date fixed in that behalf by the Governor-General by Order in Council, no person, other than the licensee of an export slaughterhouse, shall use any premises for the packaging or processing of casings for export and no person, other than the licensee of an export slaughterhouse or the holder of a meat exporter's licence, shall export any casings from New Zealand, unless he is authorised in writing by the Minister:

Provided that any person who is authorised under this subsection to pack or process casings for export shall be deemed to be authorised to export casings.

(2) The Minister may grant or withhold any authorisation under this section on any grounds prescribed by regulations under this Act.

(3) Regulations under this Act may apply such of the provisions of this Act, with such modifications as the Governor-General thinks fit, as may be prescribed in the regulations to premises used for the packaging or processing of casings for export and to the export of any such casings.

(4) For the purposes of this section the term "casings" means any products derived from the intestines of stock and intended for use as containers of any edible meat product.

Cf. 1939, No. 19, s. 57A; 1963, No. 131, s. 11

76. Special provisions as to pigs—(1) It shall be the duty of every licensee of every rural slaughterhouse who maintains any piggery in conjunction with the slaughterhouse to keep the piggery in a clean and sanitary condition to the satisfaction of the Inspector, and if at any time the licensee fails to do so he commits an offence against this Act.

(2) It shall not be lawful for the owner of any pigs or for any person in charge of any pigs—

(a) To allow them to wander or to be kept within fifty yards of any slaughterhouse; or

(b) To allow them to be brought within fifty yards of any slaughtering place, except for the purposes of slaughter therein within a period of not more than twenty-four hours.

(3) There shall at all times be an absolute obligation on the owner and on every person other than the owner who is for the time being in charge of any pigs to take effective precautions to ensure that the requirements of subsection (2) of this section are complied with, and if he fails to do so he commits an offence against this Act.

Cf. 1939, No. 19, s. 66

77. Inspection of fish for export—(1) Regulations under this Act may provide for the inspection under this Act of premises used for the processing or packaging of fish for export and for the marking or certification of any such fish.

(2) For the purposes of this section the term "fish" includes crustacea or shellfish.

78. Rights of appeal—(1) If the Minister withholds his consent to the renewal of any licence under this Act or revokes any such licence, the licensee may, within twenty-one days after receiving notice of the decision of the Minister, give notice of appeal, in the prescribed manner, to the Director-General.

(2) Upon receipt of the notice the Director-General shall take all steps necessary for the constitution of a committee to hear the appeal consisting of a Magistrate (who shall be Chairman) and two assessors of whom one shall be nominated by the Minister and the other by the licensee. No officer or employee of the Department of Agriculture shall be appointed as an assessor.

(3) The parties to the appeal shall be entitled to be heard either personally or by their solicitors, counsel, or agents.

(4) For the purpose of hearing the appeal the committee shall be deemed to be a Commission under the Commissions of Inquiry Act 1908, and the provisions of that Act shall apply as if the hearing of the appeal were an inquiry under that Act:

Provided that the Chairman of any such Commission may exercise all the powers of the Commission in respect of summoning witnesses, and may do any other act preliminary or incidental to the hearing or consideration of any matter by the Commission.

(5) After hearing the appeal the committee may make to the Minister such recommendations in the matter as it thinks proper in the circumstances.

(6) There shall be paid to assessors appointed under this section fees and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly as if the assessors were members of a statutory Board within the meaning of that Act.

79. Obstruction of officers—Every person commits an offence against this Act who obstructs or in any way interferes with or fails to comply with the lawful requirements of any Inspector, member of the Police, or other person in the performance of his duties or the exercise of his powers or functions under this Act or who furnishes under this Act any particulars which, to his knowledge, are false or misleading in any material respect.

Cf. 1939, No. 19, s. 67

80. Offences and penalties—(1) All proceedings in respect of offences against this Act or against any regulations under this Act shall be taken in a summary way before a Magistrate under the Summary Proceedings Act 1957.

(2) Every person who commits an offence against this Act for which no penalty is provided otherwise than by this section shall be liable to a fine not exceeding fifty pounds.

(3) Where in any proceedings for an offence against this Act knowledge on the part of the defendant is an essential element of the offence with which he is charged, that knowledge shall be presumed unless and until the contrary is proved.

Cf. 1939, No. 19, s. 68; 1962, No. 30, s. 17

81. Proceedings against licensees—Where proceedings for an offence against this Act are taken against the licensee of any slaughterhouse, packing house, cannery, or game packing house, the following provisions shall apply:

- (a) The defendant shall be required to produce his licence at the commencement of the hearing:
- (b) If the defendant is convicted of an offence against this Act, the convicting Court shall cause a record of the conviction to be endorsed on the licence:
- (c) If at any time not less than three convictions in respect of which the licensee was fined more than twenty pounds are endorsed on the licence, the Court, in addition to imposing any other penalty to which the licensee may be liable, may cancel or suspend the licence either immediately or as from a date to be specified in the order of the Court.

Cf. 1939, No. 19, s. 69; 1953, No. 75, s. 15

82. Liability for nuisance not affected—Nothing in this Act or in any licence granted under this Act shall be construed to authorise any person to commit a nuisance or shall affect the liability of any person in respect of a nuisance or the rights or powers of any person to abate a nuisance.

Cf. 1939, No. 19, s. 70

83. Regulations—(1) The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:

- (a) Providing for the registration of abattoirs:
- (b) Prescribing the conditions to be complied with before the grant of any licence under this Act and the terms and conditions subject to which any such licence shall be held or may be renewed, transferred, surrendered, or cancelled:
- (c) Providing for the registration of marks, stamps, brands, or labels used for the branding or marking of meat, skins, or any other products derived from slaughtered stock:

- (d) Providing for the inspection of slaughtering places, packing houses, canneries, stockyards, and other premises subject to this Act, of stock, carcasses, or meat, and of conveyances used for the carriage of stock, carcasses, or meat and prescribing the powers of Inspectors in respect of any such inspection:
- (e) Regulating or prohibiting the administration of drugs or harmful substances to stock before slaughter:
- (f) Regulating or prohibiting the acceptance at slaughterhouses of animals for slaughter which are diseased or defective:
- (g) Providing for the inspection of ships or aircraft carrying or intended to carry carcasses or meat:
- (h) Regulating or controlling the processing and packaging of meat and meat products or of by-products of stock slaughtered in slaughterhouses:
- (i) Providing for the branding, marking, or grading of meat, skins, or any other products derived from slaughtered stock and for the certification of carcasses or meat intended for export:
- (j) The provision of refrigerating space and appliances in abattoirs or in premises in respect of which licences may be issued under this Act:
- (k) Regulating the construction, lighting, ventilation, air temperature, cleansing, drainage, water supply, maintenance, and good management of slaughtering places, packing houses, canneries, and stockyards, and the construction, cleansing, and maintenance of all fixtures, appliances, instruments, utensils, and things connected or used therewith or connected with the management thereof:
- (l) The provision by holders of export slaughterhouse, packing house, or cannery licences, and by controlling authorities of abattoirs, of suitable office accommodation, sanitary conveniences, washing facilities, and accommodation for keeping and drying clothing for use by Inspectors in the course of the performance of their functions under this Act:
- (m) Regulating the conveyance of carcasses or of meat from place to place:
- (n) Regulating or controlling the application of chemicals or drugs to meat or meat products derived from stock slaughtered in slaughterhouses:

- (o) Providing for the storage and treatment of meat intended for human consumption, and prohibiting the use of any injurious or detrimental or deceptive processes in respect of any such meat:
- (p) Prescribing the mode of dealing with diseased or defective stock or meat and regulating or controlling the sale, use, or disposition of diseased or defective meat:
- (q) Providing for the treatment of calves intended for slaughter for human consumption:
- (r) Regulating methods for the slaughter of stock and prohibiting methods of slaughter which are not humane:
- (s) The matters in respect of which fees shall be payable under this Act, the amount of the fees, and the person liable for the payment thereof:
- (t) Regulating or controlling the processing of carcasses in boiling down works and the conveyance of carcasses to and the disposal of by-products and effluent from boiling down works:
- (u) Prescribing returns to be made by controlling authorities or managers of abattoirs or by the licensees or other persons in charge of other slaughtering places, packing houses, or canneries, or by the holders of meat exporters' licences and prescribing the persons to whom any such returns shall be made:
- (v) Providing for the establishment and management of any insurance fund pursuant to section 70 of this Act:
- (w) Prescribing penalties for the breach of any regulations under this Act, not exceeding a fine of fifty pounds:
- (x) Providing for such matters as are contemplated by or necessary for giving full effect to the provisions of this Act and for the due administration thereof.

(2) Any regulations made under this section may apply generally throughout New Zealand or may be made to apply only within such area or areas as may be defined therein in that behalf.

(3) Any regulations under this Act may be made to apply only to meat intended for export or to meat intended for consumption in New Zealand and the operation of any such regulations, so far as they are applicable to meat intended for consumption in New Zealand, may, if so provided in the regulations, be suspended, in whole or in part, in respect of

any class of premises or any class of meat, by the Minister by notice in the *Gazette*.

(4) In this section the term "packing house" includes a game packing house.

Cf. 1939, No. 19, s. 71; 1953, No. 75, s. 18; 1957, No. 14, s. 14; 1962, No. 30, s. 18; 1963, No. 131, s. 11

84. Disposition of fees derived from inspection of pigs—

(1) Such proportion of the fees received pursuant to regulations under this Act in respect of the inspection of pigs or of meat derived from pigs, as the Minister of Finance may from time to time approve, shall be paid to a special deposit account in the Consolidated Revenue Account.

(2) Any money in the said deposit account may, from time to time, on the recommendation of the Minister, and without further appropriation than this section, be paid to the New Zealand Dairy Production and Marketing Board and applied by that Board for such purposes in furtherance of the interests of pig producers in New Zealand as that Board thinks fit.

Cf. 1939, No. 19, s. 72; 1952, No. 61, s. 2 (2)

85. Other Acts not affected—Nothing in this Act shall be construed to limit the provisions of the Food and Drugs Act 1947 or the Health Act 1956.

Cf. 1939, No. 19, s. 72A; 1962, No. 30, s. 29

86. Repeals—The enactments specified in the Second Schedule to this Act are hereby repealed.

SCHEDULES

FIRST SCHEDULE

Section 2 (1), (2)

DISEASES AFFECTING STOCK

ACTINOBACILLOSIS, actinomycosis anthrax, blackleg, caseous lymphadenitis, contagious bovine pleuro-pneumonia, cysticercus bovis, cysticercus cellulosae, cysticercus ovis, cysticercus tenuicollis, echinococcus granulosus, erysipelas, facial eczema, foot-and-mouth-disease, infectious necrotic hepatitis (black disease), Johne's disease, leptospirosis, listerellosis, leukaemia, malignant catarrh, malignant neoplasms, malignant oedema, mange (sarcoptic), rabies, rinderpest, salmonellosis, sarcocysts, swine fever, teschen disease, tetanus, trichinosis, tuberculosis.

SECOND SCHEDULE

Section 86

ENACTMENTS REPEALED

- 1939, No. 19—The Meat Act 1939. (1957 Reprint, Vol. 9, p. 421.)
 1945, No. 45—The Finance Act (No. 2) 1945: Section 54. (1957 Reprint, Vol. 9, p. 484.)
 1947, No. 4—The Meat Amendment Act 1947 (1957 Reprint, Vol. 9, p. 485.)
 1953, No. 75—The Meat Amendment Act 1953 (1957 Reprint, Vol. 9, p. 485.)
 1957, No. 14—The Meat Amendment Act 1957 (1957 Reprint, Vol. 9, p. 486.)
 1961, No. 134—The Meat Amendment Act 1961.
 1962, No. 30—The Meat Amendment Act 1962.
 1963, No. 131—The Meat Amendment Act 1963.

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This Act is administered in the Department of Agriculture.
