

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
19th October, 1877.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Hon. Mr. Reid.

Slaughterhouses.

ANALYSIS.

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A BILL INTITULED

AN ACT to regulate the Slaughtering of Cattle and the Supervision of Abattoirs and Slaughterhouses. Title.

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

1. The Short Title of this Act shall be "The Slaughterhouses Short Title.
5 Act, 1877," and it shall take effect on and after the first day of December, in the year one thousand eight hundred and seventy-seven.
2. The several enactments enumerated in the *Second* Repeals.
Schedule annexed hereto are hereby repealed; but all offences against any of
10 the said repealed enactments may be prosecuted, and all things done and proceedings taken or commenced by virtue of the said repealed enactments shall be valid and may be continued, and all rights accrued

under the said repealed enactments may be enforced, as if the same were not repealed.

Present officers and by-laws to continue.

3. All officers appointed and in office, all rules by-laws and tables of fees in force, and all licenses issued and in force at the time of the coming into operation of this Act shall be deemed to have been appointed and made respectively under this Act, and shall continue in office or in force respectively until the same shall be determined under the provisions of this Act. 5

Existing slaughterhouses to come under Act.

4. All places wherein cattle are slaughtered, and in use, or in course of erection for such purpose at the time of the coming into operation of this Act, shall come under the provisions of this Act, and shall be subject to the provisions of all by-laws and regulations duly made by the Council of any corporate district for the registration, inspection, and management thereof. 10

Interpretation.

5. In the construction of this Act the terms following within inverted commas shall have the meanings hereby assigned to them respectively, unless there be something in the context or subject-matter repugnant thereto:—

“Cattle” shall include large and small cattle.

“Large cattle” shall include any bull, ox, steer, cow, heifer, 20 or calf.

“Small cattle” shall include ram, ewe, wether, lamb, goat, kid, or swine.

“Abattoir” shall include any slaughterhouse or place for slaughtering cattle, with its appurtenances, provided by the Governor or by any Superintendent under the authority of any enactment hereby repealed, or by the Council of any corporate district as herein described under any authority enabling such Council in that behalf, or under this Act. 30

“Slaughterhouse” shall include all slaughterhouses, with their appurtenances, or places in respect of which licenses have been issued and exist in force for the slaughtering of cattle, and all such places which may be so licensed under this Act. 35

“Borough” shall include every city, town, or borough incorporated under any enactment of the General Assembly or of any Provincial Council.

“Corporate district” shall include every county wherein a County Council is established, and every borough as herein defined. 40

“Council” shall include County Council, Municipal Council, and the Town Board or other governing body of any borough as herein described.

“Public notification,” “public notice,” “publicly to notify,” 45 shall respectively mean the insertion of a notice in one or more newspapers having general circulation in the particular place affected by the matter contained in such notification or notice.

“Gazette” shall mean the *New Zealand Gazette*. 50

“Inspector” shall mean an Inspector of Abattoirs and Slaughterhouses.

PROVISIONS RELATING TO COUNTIES AND BOROUGHS.

No slaughtering permitted within half a mile of any borough.

6. From and after the coming into operation of this Act no abattoir shall be erected outside of a borough within a distance of half a mile from the outer boundary of such borough, and no license shall be issued in respect of any slaughterhouse situated within the aforesaid limits unless such slaughterhouse had been erected or was in course of erection for that purpose immediately before the coming into operation of this Act. 55 60

7. The establishing of abattoirs and the licensing of slaughterhouses shall be exclusively within the jurisdiction of the Councils of counties and boroughs respectively, and such jurisdiction shall in all cases be exercised subject to the exception mentioned in the foregoing section of this Act: ~~Provided, however, that in the case of any county where the full operation of "The Counties Act, 1876," has been suspended, such jurisdiction shall be exercised by the Resident Magistrate whose Court shall be nearest to the site of the proposed abattoir or slaughterhouse.~~

Control of abattoirs.

8. The Council of every county and borough respectively may erect and establish one or more abattoirs within the limits of such county and [at a distance of not less than half a mile from any] borough, and every abattoir so established shall be under the sole control and supervision of the Council of the county or borough establishing the same.

County and Borough Councils may erect abattoirs.

9. The Council of any county or borough respectively may, and alone shall, issue licenses for slaughterhouses within such county or borough.

And shall alone issue licenses.

10. The Council of any borough may, without the consent of any County Council, erect and establish outside of the limits of such borough one or more abattoirs for such borough; and every abattoir so established shall, for the purposes of this Act, be deemed to be within the limits of the borough establishing the same, and shall be under the sole control and supervision of the Council of such borough.

Borough Council without consent of County Council may erect abattoirs.

11. The Council of any corporate district may defray any expense which may be incurred in the erection of any abattoirs and the appurtenances thereof, and in the management and maintenance of the same, out of the County or Borough Fund, as may be the case, of such district.

Expenses may be defrayed out of corporate funds.

12. The Council of a corporate district may demand, receive, and have from every person who shall use any abattoir such sums of money as and for stallages, rents, and tolls as shall be appointed by special order of the Council in such behalf respectively, but not exceeding such amounts as shall from time to time be approved by the Governor.

Councils may receive rents and tolls therefrom.

13. The Council of a corporate district may demise or let to farm for any term not exceeding three years all or any of the stallages, rents, and tolls from time to time payable under this Act in respect of any abattoir provided hereunder.

Letting of tolls.

14. Where by this Act the Council of a corporate district shall be empowered to provide abattoirs, they may from time to time erect on any land provided by them under the provisions of any Act in force for the time being relating to boroughs or counties, as the case may be, any buildings, or set apart and improve any buildings belonging to them for the slaughtering of cattle; and so soon as the same shall be ready for public use, the Council shall give notice to that effect by the publication thereof in some newspaper circulating within the limits of the borough or county, and by printed handbills posted on some conspicuous place within the said limits.

Power to erect abattoirs.

15. The Council of a corporate district shall not demand or receive any stallage, rent, or toll until the abattoir in respect of the use of which the same shall be demanded shall be completed and fit for the use of the persons resorting thereunto.

Tolls not to be demanded until abattoir completed.

16. A certificate under the hand of any Resident Magistrate shall be conclusive evidence that any such abattoir is completed and fit for public use as aforesaid.

Certificate that abattoir is completed.

17. Nothing in this Act shall protect the Council of a corporate district from an information for nuisance, or from any other legal proceeding in respect of any such abattoir as aforesaid.

Council not excepted from information for nuisance.

18. After the expiration of ten days from the publication and posting of such notice in respect of an abattoir provided for a borough,

Penalty for slaughtering elsewhere than in

an authorized
abattoir.

no person shall slaughter any cattle or dress any carcass for sale in any place outside of a borough, within a distance of half a mile from the outer limits of the borough, other than a duly licensed slaughterhouse which was erected or in course of erection for that purpose before the coming into operation of this Act, or other than the abattoir so provided for the borough; and every person who shall after such notice as aforesaid slaughter any such cattle or dress for sale any such carcass within the aforesaid limits to which such notice relates, in any place other than at such abattoir or at one of such slaughterhouses, shall be liable to a penalty not exceeding ten pounds for every such offence. 5 10

By-laws relating to
abattoirs.

19. The Council of a corporate district may from time to time make, alter, or amend by by-law such regulations as to it shall seem meet for regulating and for the inspection of any abattoirs erected and established for the said district under this Act or any other law for the time being in force, and for keeping the same in a cleanly and proper state, and for removing filth and refuse at least once in every twenty-four hours, and for requiring that they be provided with a sufficient supply of water, and preventing the exercise of cruelty therein, and for the good government of all parties using the same, and may fix by by-law from time to time the rates of slaughtering fees or dues for the use of such abattoirs and the appurtenances by parties slaughtering or causing to be slaughtered live stock therein. 15 20

By-laws relating to
slaughterhouses.

20. The Council of every county or borough respectively may from time to time make and alter and may repeal by-laws and regulations, not being inconsistent with the provisions of this Act or of any other law for the time being in force for determining the sum to be paid to the County or Borough Fund, as the case may be, in respect of every such license, and the conditions on which such license shall be granted, for providing for the inspection, cleanliness, and good management of slaughterhouses so licensed, and for fixing the penalty to be paid to the County or Borough Fund for the breach of any such by-law or regulation; but no such by-law or regulation shall have any force or effect until the same shall have been approved by the Governor, and shall have been publicly notified. 25 30 35

By-laws to have same
effect as if made under
Acts relating to cor-
porate districts.

21. All by-laws relating to abattoirs and slaughterhouses made by the Council of any corporate district shall be made in the same manner, and have the like force and effect, and be subject to the like provisions as by-laws made by the Council under the authority of any Acts for regulating boroughs or counties (as the case may be) in force at the time of the making of such by-laws. 40

GENERAL PROVISIONS.

Penalty for slaughter-
ing without license.

22. If any person, without being duly licensed, shall keep a slaughterhouse or place for slaughtering cattle intended for sale or barter or for shipping, and not being an abattoir lawfully erected or provided, or a slaughterhouse licensed by the Council of any corporate district, or if any person shall slaughter or cause to be slaughtered, contrary to the provisions of this Act, any cattle in any house or place, not being an abattoir and not being a slaughterhouse duly licensed under this Act, such person shall forfeit and pay a sum not exceeding ten pounds for each and every head of cattle so slaughtered. 45 50

Application for
licenses.

23. Any person who may be desirous of obtaining a license for a slaughterhouse shall make application for the same in manner following:— 55

- (1.) If such slaughterhouse be within a distance of half a mile from the outer limits of any borough, and be a slaughterhouse which was erected or in course of erection for that purpose before the coming into operation of this Act, he shall apply to the Council of such borough. 60

(2.) If such slaughterhouse be within any county, except as aforesaid, he shall apply to the Council of such county.

And if such Council is satisfied that such applicant is of unexceptionable character, and that the situation of such slaughterhouse or place is not objectionable, and if such applicant shall pay the license fee that may be appointed by any by-law or regulation duly made, to the clerk of such Council, such Council may issue and deliver to the applicant a license under the seal of the borough or county, as the case may be, in the form set forth in the *First* Schedule hereto, and such license shall remain in force until the thirty-first day of December in the year for which such license shall be granted.

Any such license may be granted in respect of large cattle only, or small cattle only, or of both, at the discretion of the authority granting the same; and such license shall entitle the person named therein, or his servants, to slaughter only the description of cattle named in the license at the place in respect of which such license is granted.

Licenses may be for one class of cattle only.

24. No license not being the renewal of a previously existing license shall be issued to any person to keep a slaughterhouse, unless public notice shall have been given by the applicant for the same once in each week for one month immediately preceding the time when such application is to be heard. Every license shall be subject to immediate cancellation in any case of breach of any of the provisions of this Act, or of any by-laws or regulations made hereunder, and all fees or moneys paid in respect of any such license shall on such cancellation be absolutely forfeited.

Notice of intended application to be published.

25. Certain persons, to be called "Inspectors of Abattoirs and Slaughterhouses, and of Cattle intended for Slaughter," may be appointed for each corporate district by the Council thereof, and a public notification of every such appointment shall be made without any delay. Every person so appointed shall have free access at all times to any abattoirs and slaughterhouses, and may inspect the same, and all appurtenances thereto belonging, and may examine any cattle intended to be slaughtered in any of such places.

Inspectors of abattoirs and slaughterhouses.

Duties of Inspectors.

26. Every keeper of an abattoir or slaughterhouse in New Zealand shall keep a book, in which he shall enter a description of all cattle slaughtered in such abattoir or slaughterhouse, specifying the colour, marks, brands, sex, and apparent age of such cattle, and, if purchased, containing the name of the person from whom the same shall have been so purchased, and the date of slaughter. The aforesaid book shall be open to inspection by any Inspector and any Justice of the Peace on demand, and to every other person on payment of a fee of one shilling for every inspection thereof; and a report in writing for the week ending each Saturday of all cattle slaughtered, with the particulars above stated, shall be transmitted weekly and before the end of the week succeeding that to which the report refers, by and under the hand of such keeper of every such abattoir and slaughterhouse, to the Inspector of the corporate district in which such abattoir or slaughterhouse is situate; and if any such keeper of an abattoir or of a licensed slaughterhouse shall neglect to keep such book, or shall omit to make any such entry therein, or shall make a false entry therein, or shall fail or refuse to make such weekly report within the time and containing the particulars aforesaid to the Inspector as aforesaid, or to produce such book when so required by the Inspector or by any Justice, or by any other person after payment or tender by such person of the fee for inspection thereof, he shall for every first offence forfeit and pay a sum not exceeding five pounds, and for every subsequent offence a sum not exceeding twenty pounds.

Keeper of abattoir or slaughterhouse to keep record of cattle slaughtered.

27. Nothing in this Act contained shall extend to any person (not carrying on the trade of a slaughterman or butcher) slaughtering

Not to extend to slaughtering cattle for family use.

or permitting to be slaughtered at or upon his own residence, run, or farm, cattle which he shall be able to show are *bona fide* his own property: Provided that any person slaughtering more than two head of large cattle in any one week who sells any part thereof shall keep a book, in which he shall enter the particulars of all such large cattle slaughtered at or upon his residence, run, or farm; and if any such person shall neglect to keep such book, or shall omit to make any such entry therein, or shall make a false entry therein, or shall refuse to permit such book to be inspected, or, upon requisition from any Inspector, to make or transmit to the Inspector a copy of or an extract from such book within a reasonable time and containing the particulars aforesaid, or to produce such book when so required by the Inspector or by any Justice, he shall for every such offence forfeit a sum not exceeding twenty pounds.

Inspectors or Justices may demand the skins of cattle slaughtered.

28. An Inspector or any Justice may demand the skins of any cattle whatsoever that may have been, or that may appear from the report mentioned in either of the two last preceding sections to have been, slaughtered within fourteen days previously to the date of such demand, or a full and satisfactory account showing to whom any such skin has been sold or in what manner disposed of; and any person who upon such demand shall refuse or neglect to produce such skin, or, in case the same cannot be produced, to give a full and satisfactory account of how and in what manner the same has been disposed of, shall, on conviction of every such offence, forfeit and pay a sum not exceeding ten pounds.

No person shall destroy the brands upon any skin.

29. If any person shall destroy the skin of any cattle, or shall cut out, burn, or otherwise destroy or deface any brand which shall have been upon any such skin, or if any person shall be in the possession of any such skin from which the brand shall have been cut or burnt, or otherwise destroyed or defaced, without being able to give a satisfactory account thereof, every such person shall, upon conviction of every such offence, forfeit and pay a fine not exceeding twenty pounds.

Penalty for having carcass of cattle not accounted for.

30. If the carcass or any part of the carcass of any cattle shall be found in the possession of any person or on the premises of any person with his knowledge, and such person being summoned before two Justices shall not satisfy the Justices that he came lawfully by such carcass or part of carcass, he shall, on conviction by the Justices, be liable to imprisonment with hard labour for any term not exceeding six calendar months.

Justices may enter premises, on suspicion of stolen cattle slaughtered.

31. Any Justice, Inspector, or constable may enter any abattoir or slaughterhouse, and any other house, place, or premises whatsoever, at any time of the day or night, where there shall be good cause to suspect that stolen cattle have been slaughtered or are intended to be slaughtered, and may make such search and inquiry therein as shall be necessary for the discovery of the offence and of the offender.

Obstructing officers.

32. If any person shall obstruct or hinder any Justice, Inspector, or constable, so as to prevent or attempt to prevent him from entering any abattoir or slaughterhouse, or any other house, place, or premises whatsoever, for the purpose of examining any cattle or skins of cattle, the person so offending shall be liable to forfeit and pay a penalty not exceeding twenty pounds.

Persons shooting cattle in paddocks, &c., liable to penalty.

33. Any person who shall shoot at any cattle running in any field, paddock, or other enclosed ground, or in the immediate vicinity thereof, or on or near to any highway, so as to endanger human life, shall be liable to a penalty not exceeding twenty pounds.

Nothing in this Act shall be construed to render any person liable to any penalty for using a gun in a stockyard, slaughterhouse, or any place of confinement for the purpose of slaughtering cattle, provided every proper precaution be used to prevent danger to human life.

Slaughterhouses.

34. Any Inspector may ask, demand, and receive a fee to be fixed by the Council, not exceeding the sum of one halfpenny for each and every head of small cattle, and the sum of threepence for each and every head of large cattle, slaughtered at any abattoir or slaughterhouse, and every such skin inspected by him under the authority of this Act, and such sums licensed shall be paid by the keeper of such abattoir and slaughterhouse and may be recovered before any Justice.

Fee for inspection.

35. All fees, dues, fines, penalties, and forfeitures imposed by this Act shall be recoverable in a summary manner before any two Justices of the Peace, and shall be paid to the County or Borough Fund respectively of the corporate district wherein the same accrued.

Recovery of fines, penalties, &c.

36. If any person convicted under this Act shall hold a license under this or any other Act, or under any by-law or regulation, such license may, if the Justices think fit, be declared to be, and the same shall thereupon be, null and void from and after the date of such conviction.

License forfeited for breach of by-laws.

37. No conviction before any Justices for any offence under this Act, nor any adjudication made on appeal therefrom, shall be quashed for want of form, or be removed by writ of certiorari or otherwise into the Supreme Court; and no warrant of commitment shall be held void by reason of any defect therein, provided that it be therein alleged that the party has been convicted, and that there be a good and valid conviction to sustain the same.

Convictions not to be quashed for want of form.

New Clauses.

38. In all parts of New Zealand in which the whole of "The Counties Act, 1876," is not in operation, a Resident Magistrate to be appointed in that behalf by the Governor, acting together with any two Justices of the Peace, shall form a Bench of Magistrates who shall be charged with the administration of all the provisions of this Act within such parts of New Zealand respectively as may be limited to such Magistrates by the Governor.

39. All the foregoing provisions of this Act shall be read in respect of all parts of New Zealand aforesaid, as if the words "Bench of Magistrates," as described in the last-foregoing section, had been inserted in this Act in lieu of the word "Council" wherever the same occurs: And the Bench of Magistrates aforesaid shall have and may exercise all the powers, duties, and functions in respect of the district for which they shall respectively be acting at the time, as the Council of a county or borough respectively have within such county or borough under the provisions of this Act or any of them.

40. All expenses and costs attending the administration of this Act in all such parts of New Zealand as aforesaid, shall be defrayed out of moneys to be appropriated from time to time by the General Assembly for that purpose; and all license fees, fines, penalties, and other moneys payable under this Act and received by any Bench of Magistrates as above described, shall be paid by the said Magistrates into the Consolidated Fund.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

(Form of License.)

LICENSE FOR SLAUGHTERING.

of _____ is hereby licensed to slaughter cattle in his _____, situated and being in _____ This license shall remain in force from the _____ now next until the thirty-first day of December, one thousand eight hundred and _____ Given under our hands [or as the case may be] at _____, this _____ day of _____, 18 _____.

Registered by—

A. B., Clerk of Council of County [or Borough].

SECOND SCHEDULE.

SCHEDULE OF ACTS AND ORDINANCES REPEALED.

- (1.) *Ordinance of the Governor and Legislative Council of New Zealand.*
 Sess. VIII., 1847, No. 5.—An Ordinance for regulating the Slaughtering of Cattle in certain Places.
- (2.) *Act of the Province of Auckland.*
 Sess. XIX., No. 5.—The Slaughter House Act, 1866.
- (3.) *Ordinance of the Province of Taranaki.*
 Sess. XV., No. 6.—The Slaughtering of Cattle Ordinance, 1867.
- (4.) *Acts of the Province of Hawke's Bay.*
 Sess. XII., 1867, No. 5.—An Act to alter and extend the Provisions of the Slaughter House Ordinance, Sess. VIII., No. 5.
 Sess. XVIII., No. 12.—The Slaughter House Act Amendment Act, 1871.
 Sess. XX., No. 3.—The Slaughter House Act Amendment Act, 1873.
- (5.) *Act of the Province of Wellington.*
 Sess. IX., No. 12.—The Slaughter House Act, 1862.
- (6.) *Act of the Province of Nelson.*
 Sess. XVIII., No. 2.—The Cattle Slaughtering Act, 1868.
- (7.) *Ordinance of the Province of Canterbury.*
 Sess. IX., 1858, No. 4.—The Slaughter House Amendment Ordinance, Sess. IX., No. 4.

By Authority: GEORGE DIDSBUY, Government Printer, Wellington.