

MEAT SUPPLY FOR IMPERIAL USES ACT.

Act No. 6, 1915.

An Act to secure supplies of meat for the uses of George V, His Majesty's Imperial Government during No. 6. War; and for other purposes. [Assented to, 17th February, 1915.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :

1. This Act may be cited as the "Meat Supply for Imperial Uses Act, 1915." Short title.

2. This Act shall remain in force during such period Duration of Act. or extended period as the Governor, by proclamation published in the Gazette, from time to time declares.

3. This Act shall have effect notwithstanding any-Operation of Act. thing to the contrary, whether express or implied, in any Act, rule, or regulation, or in any judgment or order, or in any contract or agreement whether oral or written, or in any deed, document, security, or other writing whatsoever; and nothing contained in any of the aforesaid matters or things shall be construed to prejudice or affect the full and immediate operation of this Act.

4. In this Act the following terms have the meanings Interpretation. respectively set against them, that is to say :—

"Stock"—Cattle, sheep, and pigs, the meat whereof Stock. is intended for export or may be made available for export.

"Meat"

**George V,
No. 6.**

Meat.

“Meat”—The flesh and all other edible parts of stock when killed which are intended for export and to be used for the food of man, whether prepared for export by any process, or fresh, or in course of preparation for export: the term includes every package or other container of meat.

Place.

“Place”—Any works, factory, warehouse, wharf, building, structure, ship, vessel, barge, punt, boat, room, chamber, railway, tramway, siding, land, station, farm, holding, road, highway, or other place whatsoever where meat is prepared, treated, packed, stored, conveyed, held, or had in possession, or is in course of preparation, treatment, packing, storage, delivery, or transit, or where stock are or are being depastured, kept, travelled, conveyed, held, or had in possession.

Owner.

“Owner” includes the owner of stock or meat, and also all persons having any interest in or mortgage, charge, lien, or other encumbrance on or over stock or meat.

**All meat and
stock to be
held for
Imperial
uses.**

5. (1) It is hereby declared that all stock and meat in any place in New South Wales are and have become and shall remain subject to this Act, and shall be held for the purposes of and shall be kept for the disposal of His Majesty's Imperial Government in aid of the supplies for His Majesty's armies in the present War.

(2) Forthwith upon the making of an order in writing under the hand of the Minister, or the Under Secretary to the Minister, all stock and meat mentioned in such order shall cease to be the property of the then owner or owners thereof, and shall become and remain the absolute property of His Majesty, freed from any mortgage, charge, lien, or other encumbrance thereon whatsoever; and the then owners and all their agents, managers, attorneys, servants, and workmen shall, without any delay, hindrance, obstruction, claim, demand, or objection whatsoever, give immediate and peaceable possession of such stock and meat to His Majesty; and all the title and property of the then owners thereof shall be changed into a right to receive payment of the value thereof in the manner and to the extent provided by this Act. (3)

(3) The production of any such order, or of a copy thereof, or of a telegram purporting to be a demand pursuant to such order and to be sent by the Minister or the said Under Secretary, shall be sufficient authority for the delivery of possession of any stock or meat mentioned, or claimed to be mentioned, in such order or demand.

George V,
No. 6.

(4) All stock and meat mentioned or claimed to be mentioned in any such order or demand may, without any warrant other than this Act, be seized and taken possession of by any State officer; and such officer with any necessary assistants may, for any of the purposes of this Act, enter any place at any time and use any force which may be necessary.

(5) Any person who refuses to deliver or delays or obstructs or hinders the delivery of stock or meat, mentioned or claimed to be mentioned in any such order or demand, shall be liable to a penalty not exceeding one thousand pounds and to be imprisoned for any period not exceeding one year. If such person is a company, the individual person guilty of the offence, and also the managing director or other manager in New South Wales of the company, shall each of them be liable to the like punishment.

6. (1) All persons whosoever, including the owners, consignors, consignees, shippers, vendors, and purchasers of stock and meat, and each of their agents, attorneys, servants, and workmen, are hereby prohibited from selling, offering for sale, disposing of, forwarding, consigning, shipping, exporting, delivering, or in any manner whatsoever dealing with any stock or meat (whether the same is or is not actually appropriated to His Majesty by an order made under this Act), except only in pursuance of and under the directions and orders of the Minister.

(2) Every contract, agreement, security, mandate, authority, order, or direction, whether oral or in writing and whether express or implied, which is in any way whatsoever contrary to the foregoing prohibition, or which prejudices or which may have the effect of prejudicing His Majesty in the full and unrestricted use, control, and disposal of any stock or meat (whether the same is, or is not actually appropriated to His Majesty

E by

Prohibition
against sales,
&c.

George V, by an order made under this Act), and whether made,
No. 6. entered into, given, or executed before or after the
 passing of this Act, is hereby declared to be and shall be
 void and of no effect whatsoever.

(3) Any person who does any act or makes any omission contrary to the prohibition in subsection one hereof mentioned, or knowingly enters into, gives, carries out, or acts under any contract, agreement, security, mandate, authority, order, or direction in subsection two hereof mentioned, shall be liable to a penalty not exceeding one thousand pounds and to be imprisoned for any period not exceeding one year. If such person is a company, the individual person guilty of the offence, and also the managing director or other manager in New South Wales of the company, shall each of them be liable to the like punishment.

**Prices to be
fixed by a
board.**

7. The Governor shall appoint such and so many persons as he thinks proper to be a board of control for the purposes of this Act.

Such board shall meet at such times and places and shall conduct their business in such manner as the Minister directs.

It shall be the duty of such board to fix the prices at which stock and meat shall be appropriated and taken by the Minister when required under and for the purposes of this Act; and the prices so fixed and no other prices shall be payable to the respective owners of the said stock and meat. For the purposes of this section such board may make such inquiry as is thought necessary.

**When price
to be paid.**

8. The moneys to be paid for stock and meat appropriated and taken under and for the purposes of this Act shall be paid at such times and intervals as the Minister may by notification in the Gazette declare, and not otherwise.

In the event of any doubt or dispute as to the person legally entitled to receive any such moneys, the Minister may pay the same into the Supreme Court to abide the orders of that court.

The receipt given by any person to the Minister for any moneys paid for stock or meat appropriated and taken under and for the purposes of this Act shall be a sufficient discharge to the Minister in respect of the liability to make payment therefor; but nothing herein shall

shall prejudice or affect the right of any person claiming to be entitled to receive any such money to recover the same from the person to whom the Minister has paid the same.

George V,
No. 6.

9. No action, claim, or demand whatsoever shall lie, or be made or allowed by or in favour of any person whomsoever, against His Majesty or the Minister, or any officer, or person acting in the execution of this Act, for or in respect of any damage, loss, or injury sustained or alleged to be sustained by reason of the passing of this Act, or of its operation, or of anything done or purporting to be done thereunder, save only for or in respect of the value as ascertained under this Act of any stock or meat appropriated and taken by His Majesty thereunder.

10. In any proceeding under or for the purposes of Evidence this Act—

(a) Any order, direction, or other document in writing purporting to be signed by the Minister or the Under Secretary to the Minister, and any telegram purporting to be a demand pursuant to any such order, shall be judicially noticed.

(b) The averment on behalf of His Majesty in any information, complaint, pleading, summons, or writ that any stock or meat was or is stock or meat subject to this Act, or was or is stock mentioned in any order made under this Act, or that any meat was or is intended for export, or was or is or might have been or may be available for export, or was or is intended to be used for the food of man, or that any place is a place in New South Wales and is a place within the meaning of this Act, shall be sufficient evidence of that fact.

11. (1) The Minister may, by notice published in the Gazette and in a newspaper circulating in the locality, require all or any persons having within a locality therein mentioned any stock or meat owned by them, or in their disposal or under their control, to make returns of such stock or meat.

Such returns shall be in the form, shall contain the particulars, and shall be made to the persons prescribed.

(2)

George V,
No. 6.

(2) If any person to whom such notice applies fails to make such return as aforesaid, he shall be liable to a penalty not exceeding two hundred pounds.

Power to
enter and
search for
stock or
meat.

12. Any member of the police force may, at any time in the day or night enter and search any premises or vessel, or part thereof, where any stock or meat which by notification under this Act is vested in His Majesty, or as to which a return is required under this Act, is or is supposed to be, and, if necessary for that purpose, may break into and use force to enter such premises or vessel or part.

Powers of
board.

13. (1) The board shall for the purpose of any inquiry under this Act have all such powers, rights, and privileges as are vested in the Supreme Court, or in any judge thereof, on the occasion of any action or trial in respect of the following matters:—

- (a) The compelling the attendance of witnesses, and examining them on oath, affirmation, or declaration.
- (b) The compelling the production of books, documents, and writings.
- (c) The compelling witnesses to answer questions relevant to the inquiry.
- (d) The directing witnesses to be prosecuted for perjury.

(2) The board may receive evidence on affidavit; but the chairman may require any person who has given evidence on affidavit to attend before the board for oral examination or cross-examination.

Summons to
produce.

14. A summons signed by the chairman of the board may be issued for enforcing the attendance of witnesses or compelling the production of books, documents, and writings. If any person having been served with such summons fails to appear, the said chairman may issue a warrant authorising such person to be apprehended and brought before the board.

Sale or
disposal of
stock or meat.

15. The board shall, on behalf of the Minister, sell or dispose of any stock or meat acquired under this Act, and in the opinion of such Minister not likely to be required for the purposes of section five of this Act, at such times, at such prices, and on such terms of payment as may be thought fit.

The

The net proceeds of any such sale shall be paid into the Treasury, and carried to a special account. The moneys at credit of such account shall be used to recoup the Consolidated Revenue Account for moneys paid out of such account under this Act. When the Minister certifies to the Colonial Treasurer that all transactions under the foregoing provisions of this Act are completed, such special account may be closed, and any balance of such account shall be carried to the Consolidated Revenue Account.

16. The operation of this Act may at any time and from time to time be extended by the Governor by proclamation published in the Gazette to any foodstuffs, commodities, goods, chattels, live stock, or things whatsoever in such proclamation mentioned. Thereupon, while such proclamation remains unrevoked, this Act shall extend and apply to the things mentioned in such proclamation to the same extent and in the same manner as if such things were expressly mentioned in this Act in addition to stock and meat.

Any such proclamation shall have the force of law, and shall be judicially noticed.

17. (1) All offences against this Act may be prosecuted and punished at the option of the Minister, either in a summary way before Justices under "The Justices Act, 1902," or by action in the Supreme Court.

(2) In case of any conviction, the adjudicating Court may in its discretion order the forfeiture of all or any part of any stock or meat with respect to which the offence was committed, or of the value thereof.

18. The Governor may from time to time make and publish in the Gazette all such regulations as he thinks fit for giving full effect to this Act.

Such regulations shall be published in the Gazette and shall be laid before both Houses of Parliament within fourteen days after such publication, or if Parliament is not then sitting, within fourteen days after the next meeting of Parliament.

If either House of Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall thereupon cease to have effect.

19.

George V,
No. 6.

George V,
No. 6.
Service of
notices.

Payment of
moneys re-
quired for
carrying out
Act.

19. Any notice under this Act or the regulations may be served personally or by post, addressed to the last known place of residence or business of the person to be served.

20. All moneys required for carrying this Act into full execution, and for the payment of the value of stock and meat, or other things to which under section sixteen hereof the operation of this Act has been extended, shall be defrayed out of the Consolidated Revenue Fund.
