

1993—No. 396

MEAT INDUSTRY ACT 1978—REGULATION

(Relating to issue, renewal, suspension and cancellation of licences)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Meat Industry Act 1978, has been pleased to make the Regulation set forth hereunder.

I. R. CAUSLEY

Minister for Agriculture and Fisheries.

The Meat Industry (Licensing) Regulation 1980 is amended:

(a) by inserting after Part 8A the following Part:

PART 8B—ISSUE OF LICENCES

Prescribed ground for refusal of licence (section 11 (4) (d) (ii))

39F. The Authority may refuse to issue a licence to a corporation if the Authority is of the opinion that a person who has an interest (whether legal or equitable) in any shares in the corporation is not a suitable person to hold a licence.

(b) by inserting after clause 40 the following clause:

Prescribed grounds for refusal of renewal of licence (section 11A (5) (c))

40A. The Authority may refuse an application for renewal of a licence if the Authority is of the opinion that the application should be refused having regard to any of the following matters:

- (a) whether or not the applicant is a corporation, the Authority is of the opinion that the applicant is not a suitable person to hold a licence;
- (b) if the applicant is a corporation:

- (i) the Authority is of the opinion that a person who has an interest (whether legal or equitable) in any shares in the corporation is not a suitable person to hold a licence; and
 - (ii) the Authority has notified the applicant in writing of the Authority's intention to refuse the application if that person does not cease to have that interest within the period specified in the notice; and
 - (iii) that person has not ceased to have that interest within that period.
- (c) by omitting clause 43A and by inserting instead the following clause:

**Prescribed ground for suspension or cancellation of licence
(section 16 (1) (e))**

43A. The Authority may suspend or cancel a licence on any of the following grounds:

- (a) whether or not the holder of the licence is a corporation, the Authority is of the opinion that the holder of the licence is not a suitable person to hold a licence;
- (b) if the holder of the licence is a corporation:
 - (i) the Authority is of the opinion that a person who has an interest (whether legal or equitable) in any shares in the corporation is not a suitable person to hold a licence; and
 - (ii) the Authority has notified the corporation in writing of the Authority's intention to suspend or cancel the licence if that person does not cease to have that interest within the period specified in the notice; and
 - (iii) that person has not ceased to have that interest within that period;
- (c) the Authority is of the opinion that the premises or vehicle in respect of which the licence was issued has or have, for a period of 9 months or more, not been operated for the purpose for which the licence was issued.

EXPLANATORY NOTE

The object of this Regulation is to amend the Meat Industry (Licensing) Regulation 1980 to enable the Meat Industry Authority:

- (a) to refuse to renew a licence, or to suspend or cancel a licence, on the ground that the applicant for or holder of the licence is not a suitable person; and
 - (b) if a corporation is the applicant for or holder of a licence, to refuse to issue or renew the licence, or to suspend or cancel the licence, on the ground that a person who has an interest in shares in the corporation is not a suitable person.
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