

Act No. 36, 1902.

An Act to consolidate the enactments relating to the slaughtering of cattle, the destruction of animals dying of disease, and diseased animals and meat. [20th August, 1902.]

CATTLE  
SLAUGHTERING AND  
DISEASED ANIMALS  
AND MEAT.  
—

**B**E 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:—

PART I.

PRELIMINARY.

1. This Act may be cited as the "Cattle Slaughtering and Diseased Animals and Meat Act, 1902," and is divided into Parts and Divisions, as follows:—

PART I.—PRELIMINARY—*ss.* 1-2.

PART

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*Cattle Slaughtering and Diseased Animals and Meat.*

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## PART II.—CATTLE SLAUGHTERING—

DIVISION 1.—*General provisions as to cattle slaughtering—*  
*ss. 3-17.*

DIVISION 2.—*Local control of cattle slaughtering—ss. 18-32.*

PART III.—ANIMALS DYING OF DISEASE, OR IN PUBLIC PLACES—  
*ss. 33-44.*

PART IV.—DISEASED ANIMALS AND MEAT—*ss. 45-58.*

Repeal.  
Schedule.

2. (1) The Acts mentioned in the Schedule hereto are, to the extent therein expressed, hereby repealed.

Savings.

(2) (i) All persons appointed under the Acts hereby repealed and holding office at the time of the passing of this Act, shall be deemed to have been appointed hereunder.

(ii) All regulations made under the authority of any enactment hereby repealed, and being in force at the time of the passing of this Act, shall be deemed to have been made under the authority of this Act.

(iii) Every license granted under the authority of any enactment hereby repealed, and existing at the time of the passing of this Act, shall be deemed to have been granted under the authority of this Act.

(iv) Every abattoir established under the authority of any enactment hereby repealed and existing at the time of the passing of this Act shall be deemed to have been established under the authority of this Act.

(v) Every area notified by the Governor under section seventy-five of the "Public Health Act, 1896," shall be deemed to have been notified under the authority of this Act.

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PART II.

CATTLE SLAUGHTERING.

DIVISION 1.—*General provisions as to cattle slaughtering.*

Interpretation.

57 Vic. No. 21, s. 23. wise indicates or requires,—

3. In this Division, unless the context or subject-matter other-

“inspector” means any person appointed under this Act, or any of the Acts hereby repealed, to be an inspector of slaughter-houses and of cattle intended for slaughter;

“justice” means Justice of the Peace;

“licensed house or place” means premises in respect of which a license has been issued under Division 2 of this Part.

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4. (1) The council of the city of Sydney may appoint inspectors of slaughter-houses and of cattle intended for slaughter, and every such appointment shall be notified in the Gazette. Appointment of inspectors.  
5 Wm. IV No. 1, s. 4.

(2) The council of every municipality may appoint inspectors of slaughter-houses and of cattle intended for slaughter, and every such appointment shall be notified in the Gazette. 7 Vic. No. 2, s. 2.

(3) The Governor may appoint or cause to be appointed for any town or district, which is not within a municipality, inspectors of slaughter-houses and of cattle intended for slaughter, and every such appointment shall be notified in the Gazette.

(4) Every inspector shall without delay go to any place within his district at which he has information of any cattle having been slaughtered or of any cattle being intended to be slaughtered, and in all cases in which notice has been given to him, or left at his place of residence, of the intention to slaughter any cattle. Duties of such inspectors.

(5) Such inspector shall examine the said cattle slaughtered, or so intended to be slaughtered, in his district, and shall take a particular description thereof, with the colour, marks, brands, sex, and apparent age, together with the name of the owner thereof, and of the time and place of slaughter, which particulars he shall carefully enter or cause to be entered in a book to be kept by him for that purpose.

(6) Every inspector shall produce such book for examination to every court of Quarter Sessions for his district, and for the information of any justice within the said district whenever he is so required.

(7) Every inspector shall make a weekly return to the bench of justices of the district of the number of cattle so slaughtered.

5. (1) Every person intending to slaughter any cattle in any city, town, district, or municipality in which an inspector has been appointed shall first give twelve hours' notice in writing to such inspector of the cattle intended to be slaughtered, specifying the place and time, under a penalty of five pounds for each and every head of cattle which shall be so slaughtered without such notice having been given thereof as last mentioned, unless it is made to appear to the justices before whom such fine is sought to be recovered that such notice could not have been given, and that owing to some unforeseen accident it was necessary that such cattle should have been immediately slaughtered. Notice of intention to slaughter cattle to be given to the inspectors.  
Ibid. s. 5.

(2) In all cases in which any cattle have been slaughtered within any such town, district, or municipality without having been previously inspected as aforesaid, notice thereof shall be immediately given to the inspector, and the skins of such cattle shall be kept or preserved for three days, and be produced upon demand at the place of slaughter to the inspector for the town, district, or municipality wherein such cattle have been slaughtered, under a penalty of five pounds for every skin so neglected to be preserved and produced. In cases of necessity skins to be produced.

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Keeper of a licensed house, &c., where inspectors are not appointed to keep records of cattle slaughtered.

5 Wm. IV No. 1, s. 6.

And to make returns.

Penalty.

Not to extend to slaughtering cattle for family use.

*Ibid.* s. 7.

Proprietor, &c., of cattle-boiling establishments, &c., exempted from giving notice to inspectors.

15 Vic. No. 13, s. 19.

Justices may demand the skins of cattle slaughtered or an account thereof.

5 Wm. IV, No. 1, s. 8.

Penalty.

No person shall destroy the brand upon any skin.

*Ibid.* s. 9.

Penalty for purchasing hides from which brand has been cut.

*Ibid.* s. 10.

**6.** (1) Every keeper of a licensed house or place for slaughtering cattle, excepting in any town, district, or municipality for which inspectors are appointed, shall keep a book in which he shall enter a particular account and description of all cattle slaughtered in such house or place, 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 were purchased, and the time of slaughter.

(2) A report of all cattle slaughtered, with the particulars above stated, shall be transmitted monthly in writing under the hand of such keeper of each licensed house or place to the bench of justices of the district.

(3) Every such keeper of a licensed house or place who neglects to keep such book or record, or makes a false entry therein, or who fails or refuses to make such monthly report to the bench of justices of the district, or to produce such book or record when so required by any justice, shall for every such offence be liable to a penalty not exceeding five pounds.

**7.** Nothing hereinbefore contained shall extend to any person slaughtering at his own residence or farm cattle for his family, servants, or labourers.

**8.** It shall not be necessary for the proprietor or manager of any establishment for the extraction of tallow from the carcasses of cattle, or for salting beef for exportation, and being a licensed house or place, to give notice to any inspector of the cattle intended to be slaughtered by him, nor shall any inspector be required to examine any such cattle, or to take or make entries of the descriptions or other particulars hereinbefore mentioned.

**9.** (1) Any justice may demand the skins of any cattle that have been slaughtered within one month previous to the date of such demand, or a full and satisfactory account as to whom the skin has been sold, or in what manner disposed of.

(2) Whosoever upon such demand refuses or neglects to produce the skins of any cattle that have been slaughtered, or in case the same cannot be produced, to give such full and satisfactory account, shall for every such offence be liable to a penalty not exceeding ten pounds.

**10.** Whosoever cuts out, burns, or otherwise destroys or defaces any brand which has been upon any skin, or is in the possession of any such skin from which the brand has been cut, or burnt, or otherwise destroyed or defaced, without being able to give a satisfactory account thereof, shall, for every such offence, be liable to a penalty of ten pounds.

**11.** Whosoever purchases a raw hide or skin from which any brand has been cut or burnt out, or destroyed, or otherwise defaced, shall, for every such offence, be liable to a penalty of ten pounds.

**12.**

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12. Any justice, inspector, or any constable, may enter any licensed house or place at any time of the day or night where there is good cause to suspect that stolen cattle have been slaughtered, and may make such search and inquiry therein as shall seem necessary for the discovery of the offence and of the offender.

Justices, &c., may enter licensed premises on suspicion of stolen cattle slaughtered.  
5 Wm. IV No. 1, s. 11

13. Whosoever hinders or obstructs any justice, inspector, or constable, so as to prevent him from entering any licensed house or place for the purpose of examining any cattle or skins, shall be guilty of a misdemeanour, and shall be dealt with accordingly as in cases of misdemeanour at common law.

Penalty for opposing entrance of justices, &c., into licensed premises.  
*Ibid.* s. 12.

14. If at any time it is made to appear on oath to the satisfaction of any justice that there is reasonable ground to suspect that any sheep, calves, pigs, or other animals are slaughtered in any shop, building, stall, or place, in violation of the provisions of any law in force relating to slaughter-houses or the slaughtering of cattle, such justice may grant a warrant under his hand authorising any inspector of nuisances, or any inspector of police or any constable, with any assistants, at any hour, to enter into any such shop, building, stall, or place for the purpose of ascertaining whether any violation of the law has been committed therein.

Justice may authorise entry into shops, &c., in which calves, sheep, &c., are suspected to be slaughtered.  
15 Vic. No. 13, s. 9.

15. Every inspector may demand and receive the sum of three-pence for every head of cattle or skin inspected by him under this Act, to be paid by the keeper of any licensed house or place in or at which such inspection is made, and to be recovered before any justice.

Inspectors to receive a certain sum for inspection.  
5 Wm. IV No. 1, s. 13.

16. Whosoever discharges any gun or pistol, or any kind of firearms, in any road, street, or market-place, or in any town, for the purpose or under the pretence of killing or maiming any cattle, shall, for every such offence, be liable to a penalty not exceeding five pounds, or to imprisonment for a term not exceeding one month.

No firearms to be discharged in any town for killing cattle.  
*Ibid.* s. 16.

17. If any person convicted of an offence against this Division holds a license under Division 2 of this Part, such license shall become null and void from and after the date of such conviction.

Forfeiture of license.  
*Ibid.* s. 17.

*DIVISION 2.—Local control of cattle slaughtering.*

18. In this Division, unless the context or subject-matter otherwise indicates or requires,—

Interpretation.  
57 Vic. No. 21, s. 26.

“The Board” means the Board of Health as constituted and incorporated by the “Public Health Act, 1902”;

“cattle” includes sheep, lambs, pigs, and goats, and bovine cattle;

“district” means district constituted by or under the authority of this Division;

“premises” includes any building, land, ship, vessel, or place;

“prescribed” means prescribed by regulations made under the authority of this Division;

“slaughter-house”

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“slaughter-house” includes any premises used in connection with the slaughtering of cattle.

Local scope of Part II, Division 2.  
57 Vic. No. 21, s. 10.

19. This Division shall have effect in all parts of the State not being within the city of Sydney, or within three miles from the said city.

*Local authorities.*

Local authorities for administration of Part II, Division 2.  
*Ibid.* s. 11.

20. Subject to the provisions hereinafter contained this Division shall be administered by the following local authorities—

- (a) within the limits of any municipality or portion thereof, the council of that municipality ;
- (b) in any place where there is no municipality, the senior police officer of the police district in which that place is situate.

And in each case the area within which a municipal council or police officer has authority as aforesaid shall constitute a district for the purposes of this Division :

Provided that during the time that an abattoir, established by a council or councils of any municipality or municipalities under the provisions of this Division, is used as a public slaughter-house, the Board shall be the local authority within the district or districts included in the said municipality or municipalities.

Duties of local authorities.  
*Ibid.* s. 12.

21. It shall be the duty of every local authority within its district—

- (a) to keep a register of the name and address of every person using or about to use or build premises as a slaughter-house, and of the said premises, and such other particulars as may be prescribed ; and, on being satisfied that the requirements of this Division and of the regulations made thereunder relating to the slaughtering of cattle have been fulfilled, to issue annual licenses in the prescribed form and manner, upon payment of the prescribed fees ;
- (b) to strike from the register the name and address of every person who has ceased to use premises as a slaughter-house ;
- (c) to keep the register open at all reasonable times for inspection by the Board and its officers, and to furnish any extracts from the same that the Board may require ;
- (d) by itself or its officers to inspect at the times prescribed all premises registered as slaughter-houses, and all utensils and appliances, and the carcasses, blood, offal, garbage, and material therein and thereon, for the purpose of enforcing the provisions of this Division and any regulations made thereunder as to the slaughtering of cattle, and to enter on the register the result of every inspection ; and
- (e) to furnish to the Board in the month of July of each year a report of its proceedings under this Division during the next preceding twelve months in the prescribed form.

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**22.** The local authority shall, for the purpose of regulating the slaughtering of cattle within its district, have the following powers in addition to any other powers conferred by this Division or by any regulation made thereunder, namely:—

Powers of local authorities.  
57 Vic. No. 21, s. 13.

- (a) to enter or authorise the entry at any time into or upon any premises used, or reasonably suspected of being used as a slaughter-house, and to inspect the same, and the utensils and appliances, carcasses, blood, offal, garbage, and material therein and thereon;
- (b) to require, by notice in writing, any person using premises as a slaughter-house to place and maintain those premises in a sanitary condition; and
- (c) to refuse or cancel the registration of any person in respect of any premises which are on an unsuitable site or in an insanitary condition, or in, on, or about which the provisions of this Division, or of any regulation made thereunder dealing with the slaughtering of cattle, are not carried out.

*Board of Health.*

**23.** (1) Any officer of the Board, and any person authorised by the Board in that behalf, may, at any time, exercise the rights of entry and inspection conferred on the local authority by the two next preceding sections.

Power of officers and Board.  
*Ibid.* s. 14.

(2) The Board may exercise any of the powers and perform any of the duties which a local authority may exercise or perform under this Division; and anything done by a local authority inconsistent with any power exercised or duty performed by the Board under this section shall be void and inoperative.

**24.** The Board may require a local authority to exercise any power conferred, or perform any duty imposed on it by this Division, and within a time to be limited by the Board in that behalf; and if the said requirement is neglected or disobeyed by the said authority, the Board may exercise the power or perform the duty, and recover in an action of debt in any Court of competent jurisdiction against the said authority the expenses thereby incurred.

Board to have certain powers in all districts.  
*Ibid.* s. 15.

*Use of premises as slaughter-houses.*

**25.** (1) Every person before commencing to build or use any premises in any district as a slaughter-house, shall make an application in writing to the local authority of that district to enter on the register the particulars mentioned in section twenty-one, paragraph (a), of this Act, accompanied by a description, as prescribed, of the site proposed and of the buildings intended to be erected.

Application for registration; renewal of registration.  
*Ibid.* s. 17.

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The application shall in each case be accompanied by the payment to the local authority of the prescribed fees.

(2) The application to register shall be renewed yearly, on or before the first day of July in each year, and shall be accompanied by the prescribed annual fee. And immediate notice shall be given by the person using any premises as a slaughter-house of any change in the particulars above mentioned.

Using premises  
without registration.  
57 Vic. No. 21, s. 18.

**26.** Whosoever, within a district, and for the purposes of any trade, business, or manufacture, keeps premises (not being an abattoir established under the authority of this Act) as a slaughter-house without being then registered, or without being the holder of a license under this Division in respect of those premises, shall be liable to a penalty not exceeding twenty pounds.

*Abattoirs.*

Abattoirs.  
*Ibid.* s. 19.  
60 Vic. No. 33, s. 75.

**27.** (1) The council of a municipality, either alone or jointly with the council of any other adjoining municipality or municipalities, may, with the approval of the Governor on the recommendation of the Board, establish in any place, whether within or without the said municipality or municipalities, an abattoir to be used as a public slaughter-house; and for such purpose the council or councils of the said municipality or municipalities may purchase or lease lands within or without the said municipality or municipalities.

(2) During the use of an abattoir established under this section, it shall not be lawful within the municipality or municipalities which have established the abattoir, or within such area adjoining the said municipality or municipalities as may be notified by the Governor on the recommendation of the Board, to slaughter any cattle for the purpose of any trade or business to be used within the municipality or municipalities or the said area for the food of man, except in an abattoir established under this section.

(3) The provisions of this Division shall apply to abattoirs, and shall, within the said municipality or municipalities and the said area, be administered by the Board.

*Miscellaneous.*

Application of fees  
and penalties.  
57 Vic. No. 21, s. 21.

**28.** All fees payable to, and all penalties recovered by or under the authority of a municipal council, shall be paid to that council, and shall be applied to the same purposes as the general rates of the municipality. In every other case the fees and penalties shall form part of the Consolidated Revenue Fund, and shall be applied accordingly.

**29.** (1) The Governor may, upon the recommendation of the Board, make regulations in respect of the following matters:—

Regulations by  
Governor.  
*Ibid.* s. 22.

(a) registration;

(b) the granting of licenses;

(c)



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- (c) the fees to be paid ;
- (d) the inspection of registered and unregistered premises ;
- (e) the disposal of offal and garbage ;
- (f) the sanitary rules to be observed ;
- (g) the appliances to be used in the slaughtering of cattle under this Division ;
- (h) the fees and charges to be made in abattoirs ; and
- (i) generally for carrying out the provisions of this Division.

(2) The Governor may by such regulations impose a penalty not exceeding twenty pounds for any breach thereof.

(3) Such regulations shall be published in the Gazette, and shall thereupon, if not inconsistent with this or any other Act, have the force of law ; and shall be laid on the table of each House of Parliament without delay.

**30.** Whosoever hinders or obstructs any person in the discharge of a duty imposed on him by or under any authority conferred by this Division, or by any regulations made thereunder, shall be liable to a penalty not exceeding ten pounds. Obstructing persons in discharge of duty. 57 Vic. No. 21, s. 23.

**31.** Whosoever refuses or neglects to do any of the things which he is required by this Division to do, or is guilty of a breach of any of the provisions of this Division, or refuses or neglects to carry out any of the lawful requirements of the Board or of a local authority, shall, in addition to any liability to a cancellation of any registration under this Division, be liable to a penalty not exceeding twenty pounds for each offence. Penalties for contravention of this Division. Ibid. s. 24.

**32.** All penalties imposed by any regulations made under the authority of this Division, may be recovered before a police or stipendiary magistrate, or any two justices of the peace in petty sessions : Penalties how recovered. Ibid. s. 25.

Provided that any person aggrieved by any judgment, conviction, or order given or made under this section may appeal therefrom in the manner provided by the Justices Act, 1902, or any Act amending the same.

PART III.

ANIMALS DYING OF DISEASE, OR IN PUBLIC PLACES.

**33.** In this Part, unless the context or subject-matter otherwise indicates or requires,— Interpretation. 15 Vic. No. 13, s. 16.

“ animal ” includes horses, cattle, sheep, pigs, calves, and lambs ;

“ die of any disease ” shall apply to all cases of death other than death by killing or slaughtering ;

“ justice ” means Justice of the Peace,

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Cattle dying in slaughter-houses, &c., of any disease, to be removed and destroyed.

15 Vic., No. 13, s. 1.

**34.** If any animal dies of any disease in any slaughter-house in the city of Sydney, or in any yard or premises connected with any such slaughter-house, and the owner or occupier of such slaughter-house does not cause such animal to be immediately removed therefrom to some convenient place not less than one mile beyond the boundary of the said city, and to be then, without delay, destroyed by fire, he shall for every such offence be liable to a penalty not exceeding fifty pounds, nor less than ten pounds.

Cattle dying of disease in any part of the city of Sydney to be removed and destroyed.

*Ibid.* s. 2.

**35.** If any animal dies of any disease in any part of the city of Sydney, not being a slaughter-house, nor any yard or premises connected with a slaughter-house, and the owner of such animal, or the occupier of the place where such animal died, does not immediately cause such animal to be removed and destroyed in manner mentioned in the next preceding section, every such owner or occupier shall, for every such offence, be liable to a penalty not exceeding ten pounds, nor less than two pounds.

Cattle dying of disease in the counties of Cumberland or Camden to be destroyed.

*Ibid.* s. 3.

**36.** If any animal dies of any disease in any part of the counties of Cumberland or Camden, within half a mile of any public road or of any dwelling-house, and the owner of such animal, or the occupier of the place where such animal died, does not immediately cause such animal to be without delay destroyed by fire on the spot where it died, if a quarter of a mile from any dwelling-house, or if such spot is less than a quarter of a mile from any dwelling, then if such owner or occupier does not immediately cause such animal to be removed to some place not less than a quarter of a mile from any dwelling-house and there destroyed as aforesaid, every such owner or occupier shall for every such offence be liable to a penalty not exceeding ten pounds, nor less than two pounds.

Penalty on persons slaughtering any diseased cattle.

*Ibid.* s. 6.

**37.** If the owner, or occupier, of any slaughter-house in any part of New South Wales, used for the slaughter of animals intended for human food, knowingly causes or permits or suffers any animal infected with any disease affecting the milt or spleen to be slaughtered in any such slaughter-house, or if, after the slaughter of any animal in any such slaughter-house, the milt or spleen of such animal is found to be diseased, and such owner or occupier does not immediately thereupon cause the entire carcass to be removed and destroyed, as in the case of animals dying of disease, such owner or occupier shall, for every such offence, be liable to a penalty not exceeding fifty pounds nor less than ten pounds.

Proviso exempting owners or occupiers in certain cases.

*Ibid.* ss. 1, 2, 3, 4, and 6.

**38.** If, upon the hearing of any information under the four next preceding sections, such owner or occupier proves, to the satisfaction of the justices that he has not been guilty of negligence, such information shall be thereupon dismissed.

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**39.** Whosoever knowingly takes, or assists in taking, into any slaughter-house, in any part of New South Wales, used for the slaughter of animals intended for human food, any animal, or part of any animal, which has died of any disease shall be guilty of a misdemeanour, and shall be liable to imprisonment for any term not exceeding two years, with or without hard labour.

Persons taking any diseased cattle into any slaughter-house guilty of a misdemeanour.  
15 Vic. No. 13, s. 5.

**40.** Whosoever knowingly sells, or exposes for sale, any animal, or portion of any animal, which has died of any disease, or any animal, or part of any animal, the milt or spleen of which has been diseased, shall be guilty of a misdemeanour and shall be liable to imprisonment for any term not exceeding two years, with or without hard labour.

Penalty on persons selling diseased meat.  
*Ibid.* s. 7.

**41.** Any inspector of nuisances, inspector or sergeant of police, may enter, with assistants, at any hour upon any premises or place within the city of Sydney where any animal has died of disease, and may require the owner or occupier of such premises or place immediately to remove such animal one mile beyond the limits of the said city, to be destroyed then and there by fire, in default of which any one or more of such officers may cause such animal to be removed for such purpose, at the cost of the owner or occupier of such premises or place, such costs to be recovered in like manner as penalties under this Part are recoverable.

Inspectors of nuisances, &c., may enter any premises whereon a diseased animal has died.  
*Ibid.* s. 10.

**42.** If any animal dies upon any road or public place in New South Wales other than in the city of Sydney, and the owner of such animal, or the person in charge of such animal at the time, does not immediately cause such animal to be destroyed by fire upon the spot, he shall, for every such offence, be liable to a penalty not exceeding ten pounds.

Animals dying on any public road, &c., to be immediately destroyed under a penalty.  
*Ibid.* s. 11.

**43.** If any animal dies in any public street or place within the city of Sydney, and the owner, or any person having charge of such animal, cannot at the time be found, it shall be immediately removed by any inspector of nuisances or constable, and destroyed in manner aforesaid at the public cost.

Animals dying in the streets of Sydney to be removed, &c., if owner cannot be found.  
*Ibid.* s. 12.

**44.** (1) In case of the neglect or refusal of any person whose duty it is under this Part to destroy any animal to perform such duty by destroying any animal, any inspector of nuisances or constable may cause such animal to be destroyed at the cost of the person so neglecting or refusing.

As to persons neglecting or refusing to destroy animals.  
*Ibid.* s. 13.

(2) Such costs may be recovered in like manner as penalties under this Part are recoverable.

(3) For the purpose of so destroying such animal such inspector or constable may lawfully enter upon any lands whatsoever.

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## PART IV.

## DISEASED ANIMALS AND MEAT.

This Part to be read  
with certain other  
enactments.  
55 Vic. No. 17, s. 1.

**45.** This Part shall be read and construed cumulatively with, and not as superseding, any enactment relating to the slaughtering of cattle, sheep, or other animals, or regulating the places for slaughtering such animals, or any enactment contained in the Sydney Corporation Act of 1902 or in any Act amending the same, or any enactment in force in any municipality or any by-law made thereunder.

Interpretation.  
*Ibid.* s. 2.

**46.** In this Part, unless the context or subject-matter otherwise indicates or requires, the expression—

“animal” includes every animal of a kind commonly used for the food of man ;

“Board” means the Board of Health as constituted and incorporated by the “Public Health Act, 1902” ;

“court” means any police or stipendiary magistrate, or any two justices sitting as a court of petty sessions, or assembled at any place other than a place at which courts of petty sessions are authorised to be held ;

“diseased animal” means any animal affected with *Tuberculosis*, *Anthrax*, *Actinomycosis*, or *Cancer*, or with any other disease which the Governor, by notification in the Gazette, has declared to be a disease within the meaning and for the purposes of the Diseased Animals and Meat Act of 1892, or may by such notification declare to be a disease within the meaning of this Part.

Penalty on selling,  
consigning, or  
exposing for sale  
diseased animals.  
*Ibid.* s. 3.

**47.** (1) Whosoever sells or consigns or exposes for sale, or supplies for rations, any diseased animal, shall be liable to a penalty not exceeding twenty pounds for each diseased animal sold, consigned, or exposed for sale, or supplied for rations by him, and to pay any expenses incurred in the inspection, seizure, and disposition of such diseased animal, or, in the discretion of the court, to pay either the penalty or the expenses aforesaid.

(2) The payment of such expenses may be enforced in like manner in all respects as the payment of a penalty under this Part.

(3) Any person who offers or consigns for sale, or who has in his possession or under his control for sale, any such diseased animal, shall for the purposes of this Part be deemed to be a person who exposes such animal for sale.

Increased penalty  
in certain cases.  
*Ibid.* s. 4.

**48.** Where any person is convicted of any offence under the next preceding section, and the court is of opinion that the evidence shows that the person so convicted either knew that the animal sold, consigned, or exposed for sale by him was diseased within the meaning of this Part, or that, by the exercise of ordinary care or precaution,

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he might have known that such animal was so diseased, the court shall inflict the maximum penalty on such person provided by the said section, in addition to the payment of such expenses in respect of the inspection, seizure, and disposition of any such diseased animal as the said court shall order.

**49.** Whosoever designedly blows with his breath into or upon any meat intended for sale, or ejects any suct, liquid matter, or other substance from his mouth thereon, shall for every such offence be liable to a penalty not exceeding twenty pounds nor less than two pounds. Penalty for blowing meat. 15 Vic. No. 13, s. 8.

**50.** (1) Any officer of, or person authorised by the Board may, at all reasonable times, inspect and examine any animal, carcass, or meat, sold, consigned, or exposed for sale, or deposited in any place for the purpose of sale, or of preparation for sale, and intended for the food of man. Powers of inspection of animal, meat, &c. 55 Vic. No. 17, s. 5.

(2) The burden of proving that the same was not consigned or exposed or deposited for any such purpose, or was not intended for the food of man, shall be on the party charged.

(3) If any such animal, carcass, or meat appears to any such officer or inspector to be diseased, or unsound, or unwholesome, or unfit for the food of man, he may seize and carry the same away himself or by assistants, in order that it may be dealt with by the court.

**51.** If any such diseased animal is found upon any public highway or place, or upon any public lands, reserve, park, or other place, any such authorised officer or person may seize and take such animal away to be dealt with as provided under section fifty-three. Seizure of diseased animals. Ibid. s. 6.

**52.** (1) If it appears to the court that any carcass or meat so seized is diseased, or unsound, or unwholesome, or unfit for the food of man, the court shall condemn the same, and order it to be destroyed or so disposed of as to prevent it from being exposed for sale or used for the food of man. Power of court to order destruction of unsound meat, &c. Ibid. s. 7.

(2) The person to whom the same belongs, or did belong at the time of consignment or exposure for sale, or in whose possession or on whose premises the same was found, shall be liable to a penalty not exceeding twenty pounds for every such carcass or piece of meat.

**53.** The court may condemn any animal, carcass, or meat, and order the same to be destroyed or disposed of as in the next preceding section mentioned, if satisfied on complaint being made by any person that the same is diseased, unsound, unwholesome, or unfit for the food of man, although no seizure thereof has been made pursuant to section fifty of this Act. Power of court to condemn animal, meat, &c., without seizure. Ibid. s. 8.

**54.** Whosoever prevents or obstructs any such authorised officer or person from or when entering or being on any premises for the purpose of inspecting any animal, carcass, or meat consigned or exposed or deposited for the purpose of sale, or of preparation for sale, Penalty for hindering officer from inspecting meat &c. Ibid. s. 9.  
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and intended for the food of man, or obstructs or impedes any such officer or any assistant when carrying into execution the provisions of of this Part, shall be liable to a penalty not exceeding five pounds

Power of officers to search.  
55 Vic. No. 17, s. 10.

**55.** (1) Every such authorised officer or person may enter any building or part of a building in which such officer or person has reason to believe that there is kept or concealed any animal, carcass, or meat which is intended for sale for the food of man, and is diseased, unsound, or unwholesome, or unfit for the food of man; and may search for, seize, and carry away any such animal, carcass, or meat, in order to have the same dealt with under the provisions of this Part.

(2) Whosoever obstructs any such officer or person in the performance of his duty shall, in addition to any other punishment to which he may be subject, be liable to a penalty not exceeding twenty pounds.

Regulations.  
*Ibid.* s. 11.

**56.** (1) The Governor may, on the recommendation of the Board, make regulations to come into force either throughout New South Wales, or in any specified part thereof, for the inspection of animals in sale-yards, in transit, or upon slaughtering premises, and for the seizure, condemnation, and destruction of diseased animals, and of the meat of diseased animals, and may impose penalties for the breach of any such regulation, not exceeding in any one case fifty pounds, and with or without a minimum limit, and in the case of continuing penalties not exceeding twenty pounds for every day during which any breach or default is continued.

(2) Such regulations shall be published in the Gazette, and shall come into force upon the publication thereof, or at such time after such publication as shall be therein named.

Regulations as to waste and refuse.  
60 Vic. No. 38, s. 76.

**57.** (1) The Governor, on the recommendation of the Board, may make regulations to have effect within such districts as he may, on the recommendation of the Board, proclaim by notification in the Gazette, for regulating the storage of waste and refuse upon, and the removal of the same from, premises where meat is sold or exposed for sale.

(2) The Governor may, by such regulations, impose a penalty not exceeding twenty pounds for any breach thereof.

(3) Such regulations shall be published in the Gazette, and shall thereupon, if not inconsistent with this or any other Act, have the force of law; and shall be laid on the table of each House of Parliament without delay.

Summary jurisdiction and appeal.  
55 Vic. No. 17, s. 12.

**58.** (1) All proceedings for the recovery of any penalty or sum of money, or for the prosecution of any offence under any regulation made under this Part, may be had and taken before any stipendiary or police magistrate or any two justices of the peace in accordance with the Acts in force for the time being regulating summary proceedings before justices. (2)

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(2) Any person aggrieved by any adjudication under this Part may appeal therefrom in the manner provided by the Justices Act, 1902, or any Act amending the same.

(3) The proceeds of any penalty recovered in respect of an offence under this Part, on the complaint of any officer of a municipality, shall be paid over to and form part of the general municipal fund of such municipality.

SCHEDULE.

Section 2

Reference to Act.	Title or short title.	Extent of repeal.
5 Wm. IV No. 1	An Act for regulating the Slaughtering of Cattle ...	The unrepealed portion.
7 Vic. No. 2 ...	An Act to amend an Act for regulating the Slaughtering of Cattle.	The whole Act.
15 Vic. No. 13	An Act to amend the laws for the Slaughtering of Cattle and to secure the immediate destruction of animals dying of disease.	The whole Act, except section 20.
55 Vic. No. 17	Diseased Animals and Meat Act of 1892 ... ..	The whole Act.
57 Vic. No. 21	"Noxious Trades and Cattle Slaughtering Act, 1894"	The whole of Part II except the proviso to section 10, section 16, and so much of Part III as relates to the provisions of Part II.
60 Vic. No. 38	Public Health Act, 1896 ... ..	Sections 75, 76.