

**MEAT INDUSTRY (FURTHER AMENDMENT) ACT,
1978, No. 150**

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 150, 1978.

An Act to constitute a corporation, to be called the Homebush Abattoir Corporation, to conduct, in place of the Metropolitan Meat Industry Board, the operations formerly conducted by that Board, and for other purposes. [Assented to, 29th December, 1978.]

Meat Industry (Further Amendment).

BE it enacted by the Queen'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 Industry (Further Short title. Amendment) Act, 1978".

2. (1) Except as provided in subsection (2), this Act shall Commence-
commence on the date of assent to this Act. ment.

(2) Section 4 (1) and (2) and Schedules 1 and 2 shall commence on 1st January, 1979.

3. This Act contains the following Schedules :— Schedules.

SCHEDULE 1.—AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978, RELATING TO THE HOMEBUSH ABATTOIR CORPORATION.

SCHEDULE 2.—FURTHER AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978, RELATING TO THE HOMEBUSH ABATTOIR CORPORATION.

SCHEDULE 3.—AMENDMENT TO THE MEAT INDUSTRY ACT, 1978, BY WAY OF STATUTE LAW REVISION.

4. (1) The Meat Industry Act, 1978, is amended in the Amendment
manner set forth in Schedule 1. of Act No.
54, 1978.

(2) Each provision of the Meat Industry Act, 1978, set forth—

(a) in Part 1 of Schedule 2 is amended by omitting therefrom the word "Board" wherever occurring and by inserting instead the word "Corporation"; and

(b) in Part 2 of Schedule 2 is amended by omitting therefrom the word "Board's" wherever occurring and by inserting instead the word "Corporation's".

Meat Industry (Further Amendment).

(3) The Meat Industry Act, 1978, is amended in the manner set forth in Schedule 3.

Sec. 4 (1).

SCHEDULE 1.

AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978, RELATING TO THE HOMEBUSH ABATTOIR CORPORATION.

(1) Long title—

Omit "Metropolitan Meat Industry Board", insert instead "Homebush Abattoir Corporation".

(2) (a) Section 3—

From the matter relating to Part V, omit "BOARD", insert instead "CORPORATION".

(b) Section 3—

Omit the matter relating to Schedule 3, insert instead :—

SCHEDULE 3.—PROVISIONS RELATING TO THE MANAGEMENT OF THE CORPORATION.

(c) Section 3—

From the matter relating to Schedule 4, omit "BOARD'S", insert instead "CORPORATION'S".

(3) (a) Section 4, definition of "Board"—

Omit the definition.

(b) Section 4, definition of "Corporation"—

After the definition of "Commonwealth body", insert :—

"Corporation" means the Homebush Abattoir Corporation;

Meat Industry (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978, RELATING
TO THE HOMEBUSH ABATTOIR CORPORATION—*continued.*

(c) Section 4, definition of “executive officer”—

After the definition of “elected member”, insert :—

“executive officer” means the person holding office as the General Manager and, where a person holds office as the Deputy General Manager of the Corporation, includes the person holding that office;

(d) Section 4, definition of “General Manager”—

After the definition of “functions”, insert :—

“General Manager” means the person for the time being holding office as the General Manager of the Corporation;

(e) Section 4, definition of “member”—

Omit the definition, insert instead :—

“member” means a member of the Authority;

(4) Section 46 (1) (e)—

Omit “2 years after the commencement day”, insert instead “such period as may be fixed by the Minister”.

(5) Part V, heading—

Omit “BOARD”, insert instead “CORPORATION”.

(6) Section 51 (1)—

Omit “Metropolitan Meat Industry Board”, insert instead “Homebush Abattoir Corporation”.

Meat Industry (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978, RELATING
TO THE HOMEBUSH ABATTOIR CORPORATION—*continued.*

(7) Section 52 (1)–(3)—

Omit the subsections, insert instead :—

(1) Subject to Schedule 3, the Corporation shall be managed by the General Manager appointed under that Schedule and he shall have all of the functions of the Corporation.

(8) Section 55 (5)—

Omit “a member”, insert instead “an executive officer referred to in that clause”.

(9) Section 66 (a)—

Omit “members”, insert instead “executive officers”.

(10) Section 75 (1)—

Omit “officer or employee of the Authority or the Board” wherever occurring, insert instead “the General Manager or an officer or employee of the Authority or the Corporation”.

(11) (a) Schedule 3, heading—

Omit “CONSTITUTION, TO MEMBERS, AND TO THE PROCEDURE, OF THE BOARD”, insert instead “MANAGEMENT OF THE CORPORATION”.

(b) Schedule 3, clause 1—

Omit the clause, insert instead :—

1. (1) A person shall be appointed by the Governor to be the General Manager of the Corporation.

(2) The Governor may at any time appoint a person to be the Deputy General Manager of the Corporation.

General
Manager,
Deputy
General
Manager
and Acting
General
Manager.

Meat Industry (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978, RELATING
TO THE HOMEBUSH ABATTOIR CORPORATION—*continued.*

(3) The Minister may at any time appoint a person to be the Acting General Manager of the Corporation to hold office during any period the office of General Manager is vacant or during any period the General Manager or any previously appointed Acting General Manager is absent from his office through illness or other cause.

(4) A person is not eligible for appointment as an executive officer or as the Acting General Manager if—

(a) he has attained the age of 65 years; or

(b) he is—

(i) a licensee or a retail seller or exporter of abattoir meat; or

(ii) a member of any firm or a director or officer of any company, society, association or corporation which is a licensee or a retail seller or exporter of abattoir meat, or in receipt of any remuneration or fee or any benefit (otherwise than as a shareholder in a company consisting of more than 25 persons) from any such firm, company, society, association or corporation.

(c) Schedule 3, clause 2—

Omit “a member” wherever occurring, insert instead “an executive officer”.

(d) Schedule 3, clause 3—

Omit “a member” wherever occurring, insert instead “an executive officer”.

Meat Industry (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978, RELATING
TO THE HOMEBUSH ABATTOIR CORPORATION—*continued.*

(e) Schedule 3, clause 3 (2)—

Omit "A member", insert instead "An executive officer".

(f) Schedule 3, clause 3 (3)—

After clause 3 (2), insert :—

(3) Without limiting any other provision of this Schedule, a person holding office as the Acting General Manager ceases to hold that office when a General Manager is appointed or, as the case may be, the General Manager ceases to be absent from his office, as referred to in clause 1 (3).

(g) Schedule 3, clause 4—

Omit the clause, insert instead :—

4. An executive officer and any person holding office as the Acting General Manager shall devote the whole of their time to the duties of their respective offices.

(h) Schedule 3, clause 5—

Omit "Each member", insert instead "(1) An executive officer".

(i) Schedule 3, clause 5 (2)—

At the end of clause 5, insert :—

(2) A person holding office as the Acting General Manager is entitled to be paid such remuneration and such travelling and subsistence allowances as the Minister may from time to time determine in respect of him.

Executive
officers
and Acting
General
Manager
to be full-
time officers.

Meat Industry (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978, RELATING
TO THE HOMEBUSH ABATTOIR CORPORATION—*continued.*

(j) Schedule 3, clause 6 (1)—

Omit "A member", insert instead "An executive officer or a person holding office as the Acting General Manager".

(k) Schedule 3, clause 6 (1) (h)—(h2)—

Omit clause 6 (1) (h), insert instead :—

(h) if, being an executive officer, he resigns his office by writing under his hand addressed to the Governor and the Governor accepts the resignation or, being a person holding office as the Acting General Manager, he resigns his office by writing under his hand addressed to the Minister and the Minister accepts the resignation;

(h1) if, were he not an executive officer or a person holding office as the Acting General Manager, as the case may be, he would not be eligible for appointment as an executive officer or as the Acting General Manager by reason of clause 1 (4);

(h2) if, being an executive officer, he is removed from office by the Governor or, being a person holding office as the Acting General Manager, he is removed from office by the Minister;

(1) Schedule 3, clause 6 (2)—

Omit "a member", insert instead "an executive officer or as the Acting General Manager".

(m) Schedule 3, clause 6 (3)—(6)—

Omit the subclauses, insert instead :—

(3) The Governor may, for any cause which to him seems sufficient, remove an executive officer from office.

Meat Industry (Further Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978, RELATING TO
THE HOMEBUSH ABATTOIR CORPORATION—*continued.*

(4) The Minister may, for any cause which to him seems sufficient, remove a person holding office as the Acting General Manager from office.

(n) Schedule 3, clause 7—

Omit “a member”, insert instead “an executive officer or the Acting General Manager”.

(o) Schedule 3, clause 7—

Omit “for the balance of his predecessor’s term of office, so that the Board is constituted in accordance with section 52”.

(p) Schedule 3, clause 8 (1), (2)—

Omit the subclauses, insert instead :—

(1) A person holding office as the Acting General Manager shall have all the functions conferred or imposed on the General Manager by or under this Act and while he holds office as the Acting General Manager shall, for the purposes of this Act, be deemed to be the General Manager.

(2) A person holding office as the Deputy General Manager shall perform such functions as are conferred or imposed on him by or under this Act and such functions conferred or imposed on the General Manager by or under this Act as he is directed by the General Manager to perform and, when so doing, shall, for the purposes of this Act, be deemed to be the General Manager.

Meat Industry (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978, RELATING
TO THE HOMEBUSH ABATTOIR CORPORATION—*continued.*

- (q) Schedule 3, clause 8 (3)—
Omit “a deputy”, insert instead “a person”.
- (r) Schedule 3, clause 8 (3)—
After “appointed”, insert “as the Acting General
Manager or the Deputy General Manager”.
- (s) Schedule 3, clause 8 (3)—
Omit “a member”, insert instead “the General
Manager”.
- (t) Schedule 3, clause 8 (3)—
Omit “the deputy”, insert instead “a person so
appointed”.
- (u) Schedule 3, clause 8 (3)—
Omit “the member”, insert instead “the General
Manager”.
- (v) Schedule 3, clauses 9–12—
Omit the clauses.
- (w) Schedule 3, clause 13—
Omit “a member” where firstly occurring, insert
instead “an executive officer, by a person holding
office as the Acting General Manager”.
- (x) Schedule 3, clause 13—
Omit “a member” where secondly occurring, insert
instead “an executive officer, the person holding that
office”.

Meat Industry (Further Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978, RELATING
TO THE HOMEBUSH ABATTOIR CORPORATION—*continued.*

- (y) Schedule 3, clause 14 (1), definition of “executive officer”—

Before the definition of “statutory body”, insert :—
“executive officer” includes a person holding office
as the Acting General Manager;

- (z) Schedule 3, clause 14—

Omit “a member” wherever occurring, insert instead
“an executive officer”.

- (aa) Schedule 3, clause 14 (3)—

Omit “member” where thirdly occurring, insert
instead “an executive officer”.

- (ab) Schedule 3, clause 14 (5)—

Omit “A member”, insert instead “An executive
officer”.

- (ac) Schedule 3, clause 15 (1), definition of “executive
officer”—

Before the definition of “retiring age”, insert :—
“executive officer” includes a person holding office
as the Acting General Manager;

- (ad) Schedule 3, clause 15—

Omit “a member” wherever occurring, insert instead
“an executive officer”.

- (ae) Schedule 3, clause 17—

Omit the clause.

Meat Industry (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978, RELATING TO
THE HOMEBUSH ABATTOIR CORPORATION—*continued.*

(12) Schedule 4, heading—

Omit "BOARD's", insert instead "CORPORATION's".

(13) (a) Schedule 6, clause 3—

After "51", insert ", as in force before the commencement of the Meat Industry (Further Amendment) Act, 1978,".

(b) Schedule 6, clause 3 (2), (3)—

At the end of clause 3, insert :—

(2) The Corporation constituted under section 51, as amended by the Meat Industry (Further Amendment) Act, 1978, is a continuation of, and the same legal entity as, the Metropolitan Meat Industry Board as constituted under that section immediately before its being amended by that Act.

(3) A reference in any Act, regulation, by-law or other instrument of any kind whatsoever to The Metropolitan Meat Industry Board, constituted under section 8 of the Meat Industry Act, 1915, as in force at any time before the commencement day, or to the Metropolitan Meat Industry Board, constituted under section 51, as in force at any time before 1st January, 1979, shall be construed as a reference to the Corporation.

Meat Industry (Further Amendment).

Sec. 4 (2).

SCHEDULE 2.

FURTHER AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978,
RELATING TO THE HOMEBUSH ABATTOIR CORPORATION.

PART 1.

Sections 46 (1) (e), 51 (2), 53, 54 (1), 55, 56, 57, 58, 59, 60, 66, 67, 73 (1), 76 (5), 77 (2) (e), 78 (1), clauses 13, 14 (2) (i) and (3) and 15 (1) of Schedule 3, Schedule 4, clause 1 of Schedule 5.

PART 2.

Sections 53 (5), 55 (1), clauses 2, 3 and 4 of Schedule 4.

Sec. 4 (3).

SCHEDULE 3.

AMENDMENT TO THE MEAT INDUSTRY ACT, 1978,
BY WAY OF STATUTE LAW REVISION.

Schedule 6, clauses 6, 7—

After clause 5, insert :—

6. The by-laws made under this Act by the Metropolitan Meat Industry Board and in force on 31st December, 1978, shall be deemed, on and from 1st January, 1979, to have been made under this Act by the Corporation.

Meat Industry (Further Amendment).

SCHEDULE 3—*continued.*

AMENDMENT TO THE MEAT INDUSTRY ACT, 1978, BY WAY OF
STATUTE LAW REVISION—*continued.*

7. The amendments made by sections 51 and 53 of the Meat Industry Authority Act, 1970, continue to have force and effect as if those sections had not been repealed by this Act.
