

**MEAT INDUSTRY (AMENDMENT) ACT, 1979, No. 122**

**New South Wales**



ANNO VICESIMO OCTAVO

**ELIZABETHÆ II REGINÆ**

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**Act No. 122, 1979.**

An Act to amend the Meat Industry Act, 1978, in relation to licence fees and in certain other respects. [Assented to, 19th October, 1979.]

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*Meat Industry (Amendment).*

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**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 (Amendment) Act, 1979". Short title.

**2.** (1) Except as provided by this section, this Act shall commence on the date of assent to this Act. Commencement.

(2) Section 3 shall, in its application to a provision of Schedule 1, commence or be deemed to have commenced on the day on which that provision commences or is deemed to have commenced, as the case may require.

(3) The several provisions of Schedule 1, except Schedule (1) (11) (a), shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

(4) Schedule 1 (11) (a) shall be deemed to have commenced on 1st November, 1978.

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

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*Meat Industry (Amendment).*


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Sec. 3.

## SCHEDULE 1.

## AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978.

## (1) Section 4 (2)—

At the end of section 4, insert :—

## (2) A reference in this Act to—

- (a) the renewal of a licence is a reference to the issue of a further licence which is of the same class as that licence and is to take effect on the expiry of that licence; or
- (b) a renewed licence is a reference to a licence issued as referred to in paragraph (a).

## (2) (a) Section 11 (2)—

Omit “relating to the premises or vehicle in respect of which the licence is sought”, insert instead “relating to the application for the licence”.

## (b) Section 11 (3), (5), (6), (7)—

Omit the subsections.

## (3) Sections 11A–11D—

After section 11, insert :—

Renewal of  
licences.

11A. (1) In this section, “licence” does not include a licence referred to in clause 1 of Schedule 6.

(2) A licence issued by the Authority pursuant to section 11—

- (a) before the commencement of this section—  
expires on the day that is 1 month after that commencement; or

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*Meat Industry (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978—*continued.*

(b) on or after that commencement—expires on 1st September next following the day on which it was so issued.

(3) Licences may, from time to time, be renewed by the Authority for successive periods of 1 year expiring on 1st September.

(4) A licence shall not be renewed by the Authority unless the prescribed requirements relating to the application for renewal have been complied with.

(5) An application for the renewal of a licence may be refused if the applicant or the owner or occupier of the premises or vehicle in respect of which the application is made has been convicted of an offence against this Act, the Meat Industry Authority Act, 1970, the Cattle Slaughtering and Diseased Animals and Meat Act, 1902, or the Meat Industry Act, 1915, or the regulations or by-laws made under this Act or any of those Acts and shall be refused—

- (a) if the premises or vehicle in respect of which the renewed licence is sought do or does not comply with the prescribed minimum standards; or
- (b) if the Authority is of the opinion that the application should be refused having regard to any matters prescribed for the purposes of this paragraph.

(6) Notwithstanding subsections (2) and (3), where application is duly made for the renewal of a licence and the application is not granted before the expiry of the licence, the licence continues in force until the day on which the application is finally determined.

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*Meat Industry (Amendment).*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978—*continued.*

(7) Where the Authority refuses to renew an abattoir licence on the ground that the abattoir does not comply with any prescribed minimum standards for abattoirs, and the slaughtering place comprised in the premises of the abattoir complies with any prescribed minimum standards for slaughter-houses, the Authority may, upon the expiry of the abattoir licence, issue a slaughter-house licence in place of the expired abattoir licence.

Licences  
may be  
subject to  
conditions  
and  
restrictions.

11B. (1) A licence may be issued subject to such conditions and restrictions as may be specified in the licence.

(2) A licence may be renewed subject to such conditions and restrictions as may be specified in the renewed licence.

(3) The Authority may, by notice in writing sent by post to a licensee at his address specified in his licence, amend the licence by varying any conditions or restrictions specified in the licence or by adding to the licence or deleting from the licence any conditions or restrictions.

(4) Upon any such variation, addition or deletion taking effect, the condition or restriction as so varied or as so added shall be deemed to be a condition or restriction specified in the licence or the condition or restriction as so deleted shall be deemed not to be a condition or restriction so specified.

(5) Any such variation, addition or deletion shall take effect on and from a date specified in the notice, being a date not earlier than 7 days after the notice is sent to the licensee in accordance with subsection (3).

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*Meat Industry (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978—*continued.*

(6) A condition or restriction which is specified in a licence pursuant to subsection (1), (2) or (4) does not, if the licence is renewed or further renewed, attach to the renewed licence unless it is specified in the renewed licence pursuant to subsection (2) or (4).

11C. (1) In this section, “relevant period”, in relation to the issue or renewal of a licence, means the period of 1 year that ended on 30th June that last preceded the date on and from which the licence or renewed licence is to be in force. <sup>licence fees.</sup>

(2) A licence of any kind other than an abattoir licence or a slaughter-house licence shall not be issued or renewed by the Authority unless the Authority has been paid the licence fee prescribed for the issue or renewal, as the case may be, of that kind of licence.

(3) An abattoir licence or a slaughter-house licence shall not be issued or renewed by the Authority unless the Authority has been paid—

- (a) the appropriate licence fee determined in accordance with this section for the issue or renewal, as the case may be, of the licence; or
- (b) where the applicant for the issue or renewal of the licence has made an election under section 11D, the first instalment of that fee.

(4) The licence fee to be paid for the issue or renewal of an abattoir licence or a slaughter-house licence is—

- (a) an amount calculated at the prescribed rate for each abattoir animal slaughtered during the relevant period at the premises in respect of which the licence or renewed licence is sought; or

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*Meat Industry (Amendment).*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978—*continued.*

- (b) where no abattoir animals were so slaughtered or no such rate is prescribed, such amount as may be prescribed for the issue or renewal, as the case may be, of the licence.

- (5) Without affecting the generality of section 77

(4)—

- (a) different rates may be prescribed for the purposes of subsection (4) (a) for different classes of abattoir animals; and
- (b) different amounts may be prescribed for the purposes of subsection (4) (b) for different abattoirs or slaughter-houses or for different classes of abattoirs or slaughter-houses.

- (6) Notwithstanding any other provision of this section, where the Authority—

- (a) cancels an abattoir licence and issues a slaughter-house licence in place of the cancelled abattoir licence; or
- (b) cancels a slaughter-house licence and issues an abattoir licence in place of the cancelled slaughter-house licence,

no licence fee is payable for the issue of the slaughter-house licence or abattoir licence, as the case may be.

- (7) The licence fee to be paid—

- (a) for the issue of a licence, is payable by the applicant for the licence; or
- (b) for the renewal of a licence, is payable by the holder of the licence.

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*Meat Industry (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978—*continued.*

(8) If an application for the issue or renewal of a licence is refused by the Authority any licence fee paid in respect thereof shall be refunded to the person who paid the fee.

11D. (1) An applicant for the issue or renewal of an abattoir licence or a slaughter-house licence may, in his application, if the licence fee payable in respect of the issue or renewal of the licence is in excess of \$500, elect to pay the licence fee by 4 equal instalments, the first instalment being due and payable before the issue or renewal of the licence and each of the remaining 3 instalments being due and payable—

Payment of  
certain  
licence  
fees by  
instalments.

- (a) respectively on 1st December, 1st March and 1st June next following the date of issue or renewal of the licence; or
- (b) where the licence is issued or renewed after 30th November in any year, at such times as the Authority may determine.

(2) For the purpose of calculating the amount of instalments under subsection (1), where the quotient obtained by dividing the licence fee by the appropriate number of instalments results in a remaining fraction of a cent, that fraction shall be ignored.

(3) If an instalment payable in respect of an abattoir licence or a slaughter-house licence is not paid on or before the day on which it is due and payable under subsection (1), the balance of the licence fee becomes due and payable.



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*Meat Industry (Amendment).*

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**SCHEDULE 1—*continued.*****AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978—*continued.***

(4) The balance of the licence fee payable in respect of an abattoir licence or a slaughter-house licence becomes due and payable upon the cancellation or suspension of the licence.

(5) The whole or any part of an amount which is due and payable by any person under this section and which is unpaid may be recovered by the Authority, as a debt, in any court of competent jurisdiction.

(4) Section 13—

Omit the section.

(5) Section 16 (1) (a)—

Omit the paragraph, insert instead :—

- (a) if any instalment of the licence fee that is due and payable in respect of the licence under section 11D is unpaid;

(6) Section 17 (1) (a)–(d)—

Omit the paragraphs, insert instead :—

- (a) to refuse an application for the issue or renewal of a licence;
- (b) to issue or renew a licence subject to conditions or restrictions;
- (c) to suspend or cancel a licence;
- (d) to exercise its power under section 11B (3);

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*Meat Industry (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978—*continued.*

(7) Section 46 (1) (b)—

After “issue”, insert “and renew”.

(8) Section 66 (2)—

At the end of section 66, insert :—

(2) All fees or sums of money received by the Authority or its officers or employees under the provisions of this Act and all money appropriated by Parliament for the purposes of the Authority shall go to form a fund, out of which shall be defrayed—

- (a) the cost of conducting elections of elected members;
- (b) the salaries, wages and allowances of members, officers and employees of the Authority; and
- (c) all other expenses of the Authority in the carrying out of the purposes of this Act.

(9) Section 75—

Omit the section, insert instead :—

75. (1) A member, the General Manager or an officer **Bribery.** or employee of the Authority or the Corporation shall not, without lawful authority, demand or receive from any person any payment, gratuity or present in consideration of doing or omitting to do any act or thing pertaining to his office or employment.

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*Meat Industry (Amendment).*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE MEAT INDUSTRY ACT, 1978—*continued.*

(2) A person shall not, without lawful authority, offer, make or give to a member, the General Manager or an officer or employee of the Authority or the Corporation, any payment, gratuity or present in consideration of any act or omission pertaining to his office or employment.

Penalty : \$1,000.

(10) (a) Section 77 (2) (f)—

Omit the paragraph, insert instead :—

(f) the issue, renewal and transfer of licences;

(b) Section 77 (2) (1)—

Omit the paragraph.

(11) (a) Schedule 6, clause 1 (5)—

Omit the subclause.

(b) Schedule 6, clause 1 (6)—

At the end of clause 1 of Schedule 6, insert :—

(6) This clause expires on the day that is 1 month after the day appointed and notified under section 2 (3) of the Meat Industry (Amendment) Act, 1979.

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