

Act 1993 No. 100

**COMMONWEALTH POWERS (POULTRY PROCESSING)
BILL 1993**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to empower the Commonwealth Parliament to enact legislation about poultry processing for the purpose of ensuring the fitness of poultry meat for human consumption. The Bill will refer power to make laws with respect to the regulation, licensing and inspection of operations involving the slaughtering of poultry for human consumption and the processing, handling and packaging of poultry meat on slaughter premises in New South Wales. The Bill will refer power to make laws with respect to the regulation and inspection of poultry meat brought into the State for sale and of its packaging. Power to make laws with respect to ancillary matters is also referred.

The reference of power is done under section 51 (xxxvii) of the Commonwealth Constitution. That provision authorises the Commonwealth Parliament to make laws with respect to:

“(xxxvii) Matters referred to the Parliament of the Commonwealth by the Parliament or Parliaments of any State or States, but so that the law shall extend only to States by whose Parliaments the matter is referred, or which afterwards adopt the law”.

The Bill provides that the State may at any time terminate the referral on a day appointed by proclamation, that is, a proclamation of the Governor of New South Wales on the advice of the Executive Council.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a proclaimed day.

Clause 3 makes the referral described above.

Clause 4 enables the referral to be terminated by proclamation.
