



ANNO PRIMO

## GEORGII VI REGIS.

A.D. 1937.

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## No. 2373.

## An Act to amend the Metropolitan and Export Abattoirs Act, 1936.

[Assented to 15th December, 1937.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

- Short title.** 1. (1) This Act may be cited as the "Metropolitan and Export Abattoirs Act Amendment Act, 1937".
- 2291, 1936.** (2) The Metropolitan and Export Abattoirs Act, 1936, as amended by this Act, may be cited as the "Metropolitan and Export Abattoirs Act, 1936-37".
- (3) The Metropolitan and Export Abattoirs Act, 1936, is hereinafter called "the principal Act".
- Incorporation.** 2. This Act is incorporated with the principal Act, and that Act and this Act shall be read as one Act.
- Amendment of s. 41 of the principal Act—Councillors eligible to be auditors.** 3. (1) Subsection (2) of section 41 of the principal Act is amended by striking out therein the words "and members of the council of any municipality or district within or partly within the metropolitan abattoirs area".
- Term of auditors not limited to two years.** (2) Subsection (3) of section 41 is amended by striking out therein the words "but shall not hold office for more than two consecutive years" and inserting in lieu thereof the word "from time to time".
- Enactment of s. 52a of the principal Act—** 4. The following heading and section are enacted and inserted in the principal Act after section 52 thereof:—
- Licensing of Premises used for Slaughtering Stock for Export.*
- Licensing of export meat works.** 52a. (1) No person shall in any part of the State outside the Metropolitan Abattoirs Area use any premises for the

purpose of slaughtering stock for export as fresh meat in a chilled or frozen condition unless he is the holder of a licence from the Minister of Agriculture authorising him to use those premises for that purpose.

Any person who contravenes this subsection shall be guilty of an offence and liable to a fine not exceeding one hundred pounds and in the case of a continuing offence to an additional fine not exceeding twenty pounds for every day on which the offence continues.

(2) The Minister of Agriculture shall have a discretion to grant or refuse any application for a licence under this section after due consideration of the following matters :—

- (a) whether the applicant is a fit and proper person to hold a licence under this section ; and
- (b) whether the place where it is proposed to establish the premises to be used under the licence is a suitable place for the establishment of such premises ; and
- (c) whether the premises are necessary to meet the requirements of the public :

Provided that the Minister shall not refuse an application for such a licence if the premises for which the licence is required are to be erected at least eighty miles from all premises, existing at the date of such application, and established within the State for the purpose of slaughtering stock for export as aforesaid.

(3) Every licence shall be for such period and contain such restrictions, terms and conditions as the Minister thinks proper.

(4) This section shall not apply to the Government Produce Department.

5. The following section is hereby enacted and inserted in the principal Act after section 59 thereof :—

Enactment of  
s. 59A of the  
principal Act—

59a. (1) In addition to any other borrowing powers the board may borrow from such persons or institutions and on such terms and conditions as it thinks fit any sums of money which it requires for the purpose of carrying out its duties and functions and defraying its expenditure under this Act.

Borrowing  
powers of  
board.

(2) Notwithstanding any other provision of this Act, the board may enter into any arrangement with the Treasurer or with any person or institution which has

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lent money to the board, for the funding of any loans and the repayment thereof on any terms which may be arranged. When any such arrangement is made the period of forty-two years mentioned in paragraph (d) of section 60 of this Act shall in relation to the loans so funded, commence from the date when the arrangement comes into operation.

Enactment of s. 65A. of the principal Act—

**6.** The following section is enacted and inserted in the principal Act after section 65 thereof :—

Provision for annulling certain claims.

65a. No constituent council shall be entitled to—

- (a) any profits earned at any time by the Metropolitan Abattoirs Board in connection with its operations under the Metropolitan and Export Abattoirs Acts, 1908-1930, or any share of those profits :
- (b) any damages, compensation or other legal remedy of any kind on the ground that the said Metropolitan Abattoirs Board failed to distribute among the constituent councils any profits earned at any time by it under the Metropolitan Abattoirs Acts, 1908-1930, or otherwise failed to comply with any provision of those Acts.

Amendment of s. 77 of the principal Act—

**7.** Section 77 of the principal Act is repealed and the following sections are enacted and substituted in lieu thereof :—

Conditions under which meat may be brought into the metropolitan abattoirs area.

77. (1) Subject to subsections (5) and (6) of this section no person shall bring into the metropolitan abattoirs area from any place outside that area any carcass or meat which has been derived from stock slaughtered outside that area unless he has obtained from the board a permit under this section.

Penalty : A fine not exceeding fifty pounds.

(2) The board may on application duly made and payment of such reasonable fee as the board fixes, but not exceeding one pound, grant a permit under this section for any of the following purposes :—

- (a) To authorise any person to bring into the metropolitan abattoirs area boneless beef or buttocks, topsides or silversides of beef intended for human consumption, or fresh pork to be cured as bacon :
- (b) To authorise any person who carries on the business of breeding and rearing dogs for sale, or training racing dogs, to bring into the metropolitan abattoirs area carcasses of stock for consumption by dogs :

(c) To authorise any person to bring any specified carcass or meat into the metropolitan abattoirs area in any other circumstances which in the board's opinion, justify the grant of a permit under this section.

(3) Any permit granted under this section—

(a) may, if it applies to any meat intended for human consumption, authorise the sale and exposure for sale of such meat :

(b) shall, notwithstanding any other provision of this Act, render lawful anything done in accordance with its terms and conditions :

(c) shall set out the period for which, and the terms and conditions on which, it is granted :

(d) may require the person to whom it is granted to submit the meat or carcass mentioned in the permit for inspection and branding and to pay a reasonable fee for such inspection and branding.

(4) No holder of a permit under this section shall contravene any term or condition thereof.

Penalty : A fine not exceeding twenty pounds.

(5) No person shall be liable to any penalty under this Act if he shows that any carcass or meat brought by him into the metropolitan abattoirs area without a permit was so brought in for consumption by himself and the members of his household.

(6) This section shall not apply to any carcass, part of a carcass, or meat which has been brought into the metropolitan abattoirs area from outside that area, and in respect of which the requirements prescribed by paragraph (c) of section 70, or by section 76 of this Act have been complied with, nor to poultry.

77a. (1) The Board may as an administrative act on application duly made and payment of such reasonable fee as the board fixes, grant a permit to authorise the Dogs Rescue Home Incorporated, or any person who carries on the business of breeding and rearing dogs for sale or training racing dogs, or who breeds, rears, and keeps hounds for hunting with any hunt club, to slaughter within the Metropolitan Abattoirs area such stock as the Board specifies in the permit, for consumption by dogs.

Permits to slaughter stock for consumption by dogs.

(2) Any permit granted under this section—

(a) shall set out the period for which and the terms and conditions on which it is granted ;

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(b) shall, notwithstanding any other provision of this Act, render lawful anything done in accordance with its terms and conditions.

(3) No holder of a permit under this section shall contravene any term or condition of that permit.

Penalty: A fine not exceeding twenty-five pounds.

Amendment of  
principal Act,  
s. 86—  
Duty of  
owners as to  
stock dying.

8. Section 86 of the principal Act is amended by striking out the words "an inspector" in the first line of paragraph (a) thereof and inserting in lieu thereof the words "the general manager of the abattoirs".

Amendment of  
s. 87 of the  
principal Act—

9. Section 87 of the principal Act is amended by inserting the following subsections at the end thereof:—

Evidentiary  
provisions.

(4) In any proceedings for an offence under this section relating to portion of a carcass, if it is proved that the portion of a carcass in question was unbranded while in the defendant's possession, it shall be presumed that the carcass of which it was a portion had not been branded as required by this Act unless the defendant proves the contrary.

(5) Every carcass or portion of a carcass or any meat or smallgoods which is or are on the premises of any person carrying on within the metropolitan abattoirs area the business of selling meat shall be deemed to be offered, kept or exposed for sale according to the nature of the offence charged. In this subsection "the premises of any person" includes any shop occupied by that person or by any member of his family, and any land or building which is adjacent to the shop, or forms part of the same premises as the shop, and is occupied by the person who occupies the shop or by any member of his family.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

G. J. R. MURRAY, Lieutenant-Governor.