

Abattoir and Meat Inspection (Arrangements) Bill

No.

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LEGISLATIVE ASSEMBLY

Read 1° 7 October 1987

(Brought in by Mr Jolly and Mr Fordham)

A BILL

to provide for the reference of certain matters relating to meat inspection to the Parliament of the Commonwealth, to make consequential amendments to certain Acts and for other purposes.

Abattoir and Meat Inspection (Arrangements) Act 1987

The Parliament of Victoria enacts as follows:

PART 1—PRELIMINARY

Purpose.

- 5 1. The purpose of this Act is to make provision for the reference of certain matters relating to the inspection of meat to the Parliament of the Commonwealth and to amend certain Acts in connection with the inspection of meat and related matters.

Commencement.

- 10 2. (1) This Act, except section 4, comes into operation on the day on which it receives the Royal Assent.

(2) Section 4 comes into operation on a day to be proclaimed, being a day on or after a day on which the Minister declares that the Minister is satisfied that an arrangement under section 5 has been entered into.

PART 2—REFERENCE OF MATTERS TO COMMONWEALTH**Definitions.****3. In this Part—**

“Meat” means any edible part of—

- (a) a bovine animal, sheep, pig, goat, deer or buffalo intended for human consumption; or 5
- (b) a bovine or equine animal, sheep, pig, goat, deer, buffalo, kangaroo, rabbit or hare intended for use as animal food.

“Transfer day” means the day on which section 4 comes into operation. 10

Certain matters referred to the Commonwealth.

4. (1) The matter of the inspection of meat, other than the matter of the licensing of premises at which meat is inspected and terms and conditions of licences for such premises, is referred to the Parliament of the Commonwealth, to the extent to which it is not otherwise included in the legislative powers of the Parliament of the Commonwealth, for a period commencing on the transfer day and ending on the date fixed, under sub-section (2), as the date on which this section ceases to be in force, but no longer. 15
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(2) The Governor in Council may, at any time, by proclamation published in the *Government Gazette*, fix a date as the date on which this section ceases to be in force and this section ceases to be in force on the date so fixed.

Arrangement with respect to inspection of meat. 25

5. (1) A Minister may, on behalf of the State, enter into an arrangement with a Minister of the Commonwealth, on behalf of the Commonwealth, with respect to the inspection of meat within Victoria.

(2) An arrangement under sub-section (1)—

- (a) must include provision— 30
 - (i) for the inspection of meat at all premises specified by the State from time to time, being premises that are licensed under the *Abattoir and Meat Inspection Act* 1973; and
 - (ii) for standards of meat inspection; and 35
 - (iii) for consultative arrangements between the State and the Commonwealth in relation to domestic meat inspection; and
 - (iv) for an undertaking by the Commonwealth that it will take every reasonable action to ensure that the service of the inspection of meat continues without interruption at any time in the State; and 40

(v) for the State to make necessary arrangements to ensure that requirements for the inspection of meat for domestic consumption are met if the Commonwealth is unable to provide for that inspection; and

5 (vi) for the Commonwealth to make necessary arrangements for the Commonwealth Minister to be provided with advice on any proposal which may have the effect of varying fees for the provision of meat inspection services and such advice to be provided by a
10 Commonwealth, State and Meat Industry Consultative Committee prior to the Minister making a decision on the matter; and

(b) may revoke or vary another arrangement under sub-section (1).

15 (3) If an arrangement under sub-section (1) is in force, the arrangement has effect according to its tenor and the provisions of the *Abattoir and Meat Inspection Act 1973* and regulations under that Act and of any other Act or law relating to the inspection of meat that are
20 inconsistent with the provisions of that arrangement are deemed to have no effect.

Transfer of meat inspectors to Commonwealth public service.

6. A person who—

25 (a) immediately before the transfer day, was an officer of the public service employed in an office classified within the meat inspector structure under the *Public Service Act 1974*; and

(b) has not, before the transfer day, elected, as provided for an arrangement made under section 5, to be appointed or employed by the Commonwealth—

30 is deemed to have resigned from the public service on the transfer day.

(2) This section has effect notwithstanding anything to the contrary in the *Public Service Act 1974*.

Election to remain in State superannuation scheme.

7. (1) A person who—

35 (a) immediately before the transfer day, was an officer within the meaning of the *Superannuation Act 1958* or a contributor within the meaning of the *State Employees Retirement Benefits Act 1979*; and

40 (b) is appointed or employed by the Commonwealth, under an arrangement made under section 5—

may, within three months after being so appointed or employed, elect, by notice in writing given to the State Superannuation Board or the State Employees Retirement Benefits Board, as the case may be, to

continue to contribute to the Superannuation Fund within the meaning of the *Superannuation Act 1958* or the *State Employees Retirement Benefits Fund*, as the case may be.

(2) A person who makes an election under sub-section (1) and is not a contributor to a superannuation scheme provided under an Act of the Commonwealth— 5

(a) may continue to contribute to the Superannuation Fund or the *State Employees Retirement Benefits Fund*, as the case may be, while the person is appointed or employed by the Commonwealth as if the person were an officer within the meaning of the *Superannuation Act 1958* or an employee within the meaning of the *State Employees Retirement Benefits Act 1979*, as the case may be, and were entitled as such an officer or employee to the same annual salary as to that to which the person is actually entitled; and 10 15

(b) has the same rights as the person would have if the person had been such an officer or employee during the whole of the period during which the person contributed to the Superannuation Fund or the *State Employees Retirement Benefits Fund*. 20

PART 3—CONSEQUENTIAL AMENDMENTS

Consequential amendments to other Acts.

8. (1) In section 3 of the *Cattle Compensation Act 1967*—

(a) after “3.” insert “(1)”; and

(b) at the end of the section insert— 25

“(2) In this Act and the regulations, a reference to a meat inspector includes a reference to a person appointed or employed by the Commonwealth who performs functions in relation to the inspection of meat in accordance with an arrangement under section 5 of the *Abattoir and Meat Inspection (Arrangements) Act 1987*.”. 30

(2) In section 3 of the *Swine Compensation Act 1967*—

(a) after “3.” insert “(1)”; and

(b) at the end of the section insert— 35

“(2) A reference in sub-section (1) to a meat inspector includes a reference to a person appointed or employed by the Commonwealth who performs functions in relation to the inspection of meat in accordance with an arrangement under section 5 of the *Abattoir and Meat Inspection (Arrangements) Act 1987*.”. 40

(3) In section 12 of the *Stock Diseases Act 1968*—

(a) after “12.” insert “(1)”; and

(b) at the end of the section insert—

“(2) A reference in sub-section (1) to a meat inspector includes a reference to a person appointed or employed by the Commonwealth who performs functions in relation to the inspection of meat in accordance with an arrangement under section 5 of the *Abattoir and Meat Inspection (Arrangements) Act 1987*.”.

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