



ANNO SECUNDO

## GEORGII VI REGIS.

A.D. 1938.

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No. 2421.

## An Act to amend the Abattoirs Act, 1911-1936.

[Assented to 15th December, 1938.]

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

## Short titles.

1. (1) This Act may be cited as the "Abattoirs Act Amendment Act, 1938".
- (2) The Abattoirs Act, 1911-1936, as amended by this Act, may be cited as the "Abattoirs Act, 1911-1938".
- (3) The Abattoirs Act, 1911-1936, is hereinafter referred to as "the principal Act".

Amendment of  
principal Act,  
s. 3—  
Interpretation.

## 2. Section 3 of the principal Act is amended—

- (a) by striking out the words "any sort" in the third line of the definition of "disease" therein and by inserting in lieu thereof the words "various sorts";
- (b) by striking out the words "two newspapers" in the definition of "public notice" therein and by inserting in lieu thereof the words "a newspaper"; and
- (c) by inserting after the word "of" in the definition of "vehicles" therein the words "aeroplane, motor vehicle,".

Amendment of  
principal Act,  
s. 4—  
Application of  
certain Acts.

## 3. Section 4 of the principal Act is amended by adding at the end of subsection (1) thereof the following words:—

"Provided that the said enactments shall apply with respect to every slaughter-house and abattoir within such abattoirs area or added area which is exempted under section 56."

4. Section 13 of the principal Act is repealed and the following section is enacted in lieu thereof :—

Amendment of  
principal Act,  
s. 13—

13. An abattoirs area shall not be proclaimed until evidence has been furnished to the satisfaction of the Minister showing what arrangements have been made by the council of the local government area which or part of which is to be the abattoirs area, or between the councils of the various local government areas which are to be wholly or partly contained within the abattoirs area, as to—

Provision for  
board of area.

- (a) the constitution of the board and the appointment or election of the members thereof :
- (b) all financial matters connected with the abattoir proposed to be erected or used for the purposes of the abattoirs area, and with the execution of this Act within the abattoirs area,

nor unless those arrangements are in his opinion satisfactory. The arrangements as approved by the Minister shall be stated in the proclamation whereby the abattoirs area is proclaimed.

5. Section 26 of the principal Act is repealed and the following section is enacted in lieu thereof :—

Amendment of  
principal Act,  
s. 26—

26. (1) If the number of the members of a board is three or a multiple of three, one third of the members of the board shall retire at the end of every year. If the board is not so constituted, there shall be stated in the proclamation whereby the abattoirs area is proclaimed, the number of members who shall retire at the end of each year of the first two years of the board.

Term of  
office of  
members of  
the board.

(2) At the end of the first year of the board, the requisite number of members, as provided by subsection (1), shall retire and at the end of the second year of the board, the requisite number of members, as provided by subsection (1), shall retire.

(3) Except as provided by subsection (2), members of the board shall, subject to this Act, hold office for three years.

(4) The members to retire shall be those who have been longest in office without re-election or re-appointment, and when the number cannot thus be made up or decided, lots shall be drawn between those who have been an equal time in office without re-election or re-appointment to decide which of them shall retire, and the retirement shall take place accordingly.

# Abattoirs Act Amendment Act, 1938.

(5) Members of a board shall hold office until the election or appointment of their successors, and on the expiration of their term of office shall be eligible for re-election or re-appointment.

(6) Every person appointed or elected to supply any extraordinary vacancy occurring in a board shall, for the purpose of retirement, be deemed to have been elected or appointed when his immediate predecessor in office was elected or appointed and shall retire accordingly.

Amendment of  
principal Act,  
s. 27—  
Meetings.

6. Section 27 of the principal Act is amended by striking out the word "three" in the sixth line thereof and by inserting in lieu thereof the word "two".

Amendment of  
principal Act,  
s. 34—  
Officers.

7. Section 34 of the principal Act is amended by adding at the end of subsection (1) thereof the words "The board may appoint any person as both the superintendent of the abattoir and as an inspector".

Amendment of  
principal Act,  
s. 40—  
Auditor.

8. Section 40 of the principal Act is amended—

(a) by striking out subsection (1) thereof and by inserting the following subsection in lieu thereof :—

(1) There shall be an auditor appointed by the board of any abattoirs area. The auditor shall retire at the end of each year but shall be eligible for re-appointment. No person shall be appointed as auditor unless he holds a local government auditor's certificate issued pursuant to the Local Government Act, 1934-1936.

(b) by striking out the word "auditors" wherever occurring in subsections (2) and (3) thereof and by inserting in lieu thereof in every case the word "auditor".

Consequential  
amendment of  
principal Act,  
ss. 41, 42 and  
43.

9. (1) Sections 41, 42, and 43 of the principal Act are amended by striking out the word "auditors" wherever occurring in the said sections and by inserting in lieu thereof in every case the word "auditor".

(2) Subsection (2) of section 42 of the principal Act is amended—

(a) by striking out the word "their" in the fifth line thereof and by inserting in lieu thereof the word "his";

(b) by striking out the word "them" in the penultimate line thereof and by inserting in lieu thereof the word "him"; and

(c) by striking out the words "their successors have" in the last line thereof and by inserting in lieu thereof the words "his successor has".

(3) Section 43 of the principal Act is amended by striking out the word " have " in the ninth line thereof and by inserting in lieu thereof the word " has ".

10. Section 45 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof)—

Amendment of principal Act, s. 45—  
Establishment of abattoir.

(2) Any lands acquired by a council may, if not inconsistent with any trusts affecting the same, be used for the establishment of an abattoir under this Act.

11. Subsection (2) of section 46 of the principal Act is amended so as to read as follows :—

Amendment of principal Act, s. 46—  
Expenses.

(2) For the purpose of carrying out the provisions of this section, such abattoir, land, buildings, appurtenances, plant, equipment, and compensation (but not the maintenance or management of the abattoir) shall be deemed to be works and undertakings or permanent works and undertakings authorized to be carried out by such council or councils under the Local Government Act, 1934-1936, and shall further be deemed with the arrangements made and approved by the Minister under section 13 of this Act to be a scheme for the carrying out of such permanent works and undertakings to which the authority or consent of the Minister for the time being administering the said Local Government Act, 1934-1936, has been given as provided by Parts XIX. or XXI. of the said Act, as the case may be, so that the council or councils may without further authority or consent borrow money on the security of the general rates by the issue of debentures in the manner provided by the said Act ; and such council or councils may also without further authority or consent declare any special rate under the said Act and borrow such money on the security thereof as may be necessary for such purpose : Provided that where part only of a municipality or district is included in the abattoirs area the works and undertakings authorized by this Act shall be deemed to be for the benefit of that part only.

12. Section 48 of the principal Act is amended—

Amendment of principal Act, s. 48—  
Application of revenue.

(a) by striking out the paragraph in subsection (1) thereof commencing " Fourthly " and by inserting in lieu thereof the following paragraph :—

Fourthly, in establishing a sinking fund which shall be sufficient to repay all moneys borrowed by the board within a period of not more than forty-two years from the respective dates of the respective borrowings :

## Abattoirs Act Amendment Act, 1938.

(b) by striking out the words "one-third" in the penultimate line of subsection (1) thereof and by inserting in lieu thereof the words "the whole or any part"; and

(c) by striking out the words "'profits,' 'plant,' and 'machinery,'" in subsection (3) thereof and by inserting in lieu thereof the words "and 'profits'".

Amendment of  
principal Act,  
s. 50—  
Overdraft.

**13.** Section 50 of the principal Act is amended by striking out the word "eight" in the eighth line thereof and by inserting in lieu thereof the word "twenty".

Amendment of  
principal Act,  
s. 51—  
Registration of  
abattoir.

**14.** Section 51 of the principal Act is amended by striking out the words "and also the board as the board controlling the same" in the eighth and ninth lines thereof".

Amendment of  
principal Act,  
s. 53—  
Stock  
slaughtered  
for export.

**15.** Section 53 of the principal Act is amended by striking out the words "except on the request, in writing, of the Minister administering the Metropolitan and Export Abattoirs Act, 1936" occurring in paragraphs (e) and (f) thereof and by inserting in lieu thereof in each case the words "unless pursuant to a licence granted by the Minister of Agriculture under section 52a of the Metropolitan and Export Abattoirs Act, 1936-1937".

Amendment of  
principal Act,  
s. 55—  
Inspection  
fees.

**16.** Section 55 of the principal Act is amended by striking out the words "of premises of the Metropolitan and Export Abattoirs Board" in the fifth and sixth lines of subsection (2) thereof and by inserting in lieu thereof the words "the owner of such carcass".

Amendment of  
principal Act,  
s. 62—  
Diseased  
stock.

**17.** Section 62 of the principal Act is amended by inserting therein after the word "area" in the second line thereof the words "or at any factory exempted under section 56 which is for the time being subject to inspection under section 74".

Amendment of  
principal Act,  
s. 65—  
Disposal of  
diseased  
stock.

**18.** Section 65 of the principal Act is amended by striking out all the words in the first six lines thereof and by inserting in lieu thereof the following words:—

"Whenever on the slaughter (other than at the abattoir or any slaughter-house or abattoir exempted under section 56) of any stock after the day specified in the notice given pursuant to section 52 with respect to an abattoirs area, the stock is found to be diseased, the owner or person in charge of the stock shall within twenty four hours from the time of slaughter of the said stock—".

Amendment of  
principal Act,  
s. 73—  
By-products.

**19.** Section 73 of the principal Act is amended by striking out the word "shall" in the first line thereof and by inserting in lieu thereof the word "may".

20. Section 74 of the principal Act is repealed and the following section is enacted in lieu thereof :—

Amendment of  
principal Act,  
s. 74—

74. (1) It shall be the duty of every board to cause all carcasses slaughtered without an abattoir area and brought to the abattoir for examination to be examined by an inspector upon payment of such reasonable fees as are from time to time fixed by the board.

Inspection of  
carcasses.

(2) With the consent of the board, an inspector of an abattoirs area may be appointed an inspector for the purpose of inspecting bacon factories outside the metropolitan area under the Metropolitan and Export Abattoirs Act, 1936-1937. If such an appointment be made and while the same is in force, it shall be the duty of the board to cause the carcasses of all swine slaughtered at any bacon factory exempted under section 56 to be examined by such inspector at such times and upon payment of such reasonable fees as may from time to time be fixed by the board.

(3) If upon an examination pursuant to subsection (1) or (2) hereof any such carcasses are found to be free from disease the inspector shall give a certificate in writing to that effect and brand the same, but if found to be diseased the same shall be retained and disposed of in manner mentioned in section 62 : Provided that—

- I. no such examination shall be made or certificate given or brand implanted in respect of any such carcass unless there is attached thereto in natural connection when brought or presented for examination the pleura and the peritoneum, lungs, heart, kidneys, tongue and such other organs as are prescribed and in the case of cows the udder also :
- II. for the purpose of such examination the carcasses of stock (with the exception of calves) may be cut in halves.

21. Section 79 of the principal Act is amended by inserting after the word " area " in the second line of paragraph IX. of subsection (1) thereof the words " and brought to the abattoir for inspection ".

Amendment of  
principal Act,  
s. 79—  
Regulations.

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

W. DUGAN, Governor.