

MATERNITY EXPENSES.

[See *Marriage Act* 1915.]

MATRIMONIAL CAUSES.

[See *Marriage Act* 1915.]

MEAT SUPERVISION ACT 1915.

6 GEORGE V., No. 2694. An Act to consolidate the Law relating to the proper supervision of the Slaughtering of Animals and the Sale of Meat and for other purposes.

[6th September, 1915.]

*Meat
Supervision Act*
1909.

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title and
commencement.

1. This Act may be cited as the *Meat Supervision Act* 1915, and shall come into operation on the first day of October One thousand nine hundred and fifteen.

Repeal.

First Schedule.

2. The Acts mentioned in the First Schedule to this Act to the extent thereby expressed to be repealed are hereby repealed: Provided that such repeal shall not affect any Order in Council proclamation regulation order or appointment made or any notification direction or notice given or any licence granted under the said repealed Acts or any of them before the commencement of this Act.

Preliminary.

Interpretation.
ib. s. 2.

3. In the construction of this Act unless inconsistent with the context or subject-matter—

“Abattoir” means slaughter-house building or place where animals are or may be slaughtered for human consumption and includes all premises required for animals to be slaughtered at such abattoir and for carcasses of animals or meat in or conveyed to such abattoir, and also includes all appliances for dealing at an abattoir with offal manure or condemned meat;

“Act” or “Acts” includes regulations or by-laws made pursuant thereto;

“Animal” means bull ox steer cow heifer calf ram ewe wether lamb goat kid or swine;

- "Appliances" includes utensils machinery instruments and apparatus ; Meat Supervision Act 1900.
- "Board" means the Board of Public Health ;
- "Brand" means any brand mark or stamp and includes any tag or label bearing any brand mark or stamp ;
- "Carcass" includes each and every part of an animal ;
- "Council" means the council of any municipal district or portion of a municipal district within the meat area ;
- "Meat" means any part of an animal such as is ordinarily used for human consumption and includes small goods ;
- "Meat Area" means any meat area constituted under this Act or any Act hereby repealed ; Meat Supervision Act 1901 s. 2.
- "Meat Inspector" means meat inspector appointed pursuant to this Act ;
- "Municipality" or "Municipal district" or "district" means any municipal district within a meat area and includes the city of Melbourne and the city of Geelong ; Ib. s. 4.
- "Owner" includes any council or councils, and where used in reference to an abattoir market shop house place or building means council or councils or person erecting establishing providing owning occupying or managing the same ;
- "Private abattoir" means any abattoir or slaughter-house other than a public abattoir ;
- "Public abattoir" means an abattoir erected established provided owned occupied or managed by one or more councils ;
- "Regulations" means regulations made pursuant to this Act ; and
- "Small goods" means any article of food prepared either wholly or in part from small portions of meat.

4. Notwithstanding anything contained in the *Local Government Act 1915* or in any Acts relating to the city of Melbourne or the city of Geelong or in the *Butchers and Abattoirs Act 1915*, or in the *Factories and Shops Act 1915*, the *Hawkers and Pedlars Act 1915*, the *Health Act 1915*, this Act shall be administered by the Board ; and so far as the said Acts or any of them are inconsistent with this Act the provisions of this Act shall prevail. Administration and construction of Act. Meat Supervision Act 1900 s. 3. Meat Supervision Act 1901 s. 5.

Application of Act.

5. The provisions of this Act shall extend to and have full force and effect within every meat area and shall also apply to any abattoir outside a meat area and owned by a council, and also to the owner of any such abattoir and all persons using the same. Application of Act to meat area and to municipal abattoirs. Ib. s. 4. Ib. s. 6.

6. (1) The meat areas described in the Second Schedule to this Act which were constituted before the commencement of this Act shall continue to be meat areas under this Act. Existing meat areas. Second Schedule.

*Meat
Supervision Act
1901 s. 3.
Power to
constitute meat
areas.*

(2) On the application of the council or councils of any municipal district or districts the Governor in Council may by Order published in the *Government Gazette* apply the provisions of this Act to such district or districts or any part or parts thereof and thereupon such district or districts or part or parts shall be constituted a meat area subject to and within the meaning of this Act.

*Withdrawal
from meat area.
Ib. s. 12.*

(3) On the application of the council or councils of any municipal district or districts which or any part or parts of which has or have been included in a meat area constituted either before or since the commencement of this Act the Governor in Council may by Order published in the *Government Gazette* cancel the application of this Act to such district or districts or any part or parts thereof and thereupon the same shall cease to be a meat area or to be within a meat area subject to and within the meaning of this Act.

*Extension and
reduction of
meat areas.
Meat
Supervision Act
1900 s. 5.*

(4) The limits of a meat area constituted either before or since the commencement of this Act may at any time on the application of a council of any district be extended altered or reduced by the Governor in Council by Order published in the *Government Gazette*.

Meat Inspectors.

*Councils to
appoint meat
inspectors for
abattoirs.
Ib. s. 7.*

7. (1) The council of every municipal district in which any private abattoir exists or in which any place has been appointed as hereinafter in this Act provided for the council to receive and accommodate any carcass or meat derived only from animals fattened and slaughtered by any person on his own premises and each council being the owner of a public abattoir whether within or without the municipal district of such council shall on being so required by an order of the Board appoint for every such abattoir or appointed place meat inspectors in such number as in the opinion of the Board is necessary for carrying out such duties as are imposed upon meat inspectors by this Act, and shall pay to such inspectors such remuneration and travelling expenses as are mutually agreed upon.

*Qualification of
meat inspector.*

(2) No person shall be eligible to be a meat inspector unless he proves to the satisfaction of the Board that he possesses competent knowledge skill and experience for the performance of the duties imposed on meat inspectors by this Act.

*Appointment to
one or more
abattoirs.*

(3) A meat inspector appointed for one abattoir or appointed place may with the approval of the Board be appointed also for one or more other abattoirs or appointed places.

*Removal by
Governor in
Council.*

(4) A meat inspector may at any time be removed by the Governor in Council on the recommendation of the Board; but no such recommendation shall be made unless the council has first had an opportunity of being heard by the Board.

*Notification in
Government
Gazette.*

(5) The appointment removal resignation or death of any meat inspector shall forthwith be notified by the council to the Board and be published by the council in the *Government Gazette*, and the production of a copy of the *Government Gazette* containing a notification of any such appointment removal resignation or death shall be *prima facie* evidence of such appointment removal resignation or death.

8. (1) If any council does not within two months after it has been required so to do by the Board appoint a meat inspector or inspectors for any abattoir or appointed place the Board may appoint a meat inspector or inspectors for such abattoir or appointed place for a period not exceeding six months, and at the expiration of six months the Board may appoint a meat inspector or inspectors to hold office for any further period until the council makes an appointment.

Meat Supervision Act 1900 s. 8.
Power of Board where council fails to appoint meat inspectors.

(2) In the case at any time of a vacancy occurring in the office of meat inspector for an abattoir or appointed place the council or the chairman of the council owning such abattoir or the council or chairman of the council of the district in which such abattoir or appointed place is situated may appoint to such abattoir or appointed place a suitable and proper person as acting meat inspector, and in default of such an appointment being so made within seven days from the occurrence of such vacancy the Board may make such appointment of acting meat inspector, and every acting meat inspector until the appointment of a meat inspector shall without further or other authority than this section have and exercise all the powers duties and responsibilities of a meat inspector appointed pursuant to this Act.

Acting meat inspector.

(3) If the Board appoints a meat inspector or acting meat inspector for an abattoir or appointed place the Board may fix the rate of remuneration and of travelling expenses which such person so appointed shall be entitled to receive from the council of the district owning such abattoir or in which such appointed place is situated; and such remuneration and travelling expenses may be recovered by the person so appointed from such council before any court of competent jurisdiction.

Remuneration of meat inspector or acting inspector.

(4) Where pursuant to the provisions of this section the Board appoints a meat inspector or acting meat inspector for a private abattoir within a meat area the Board may fix the rate of remuneration and of travelling expenses which such person so appointed shall be entitled to receive from the council of the district in which such private abattoir is situated.

Remuneration of meat inspector of private abattoir.
Meat Supervision Act 1901 s. 7.

9. When a meat inspector is appointed for an abattoir or appointed place—

Effect of appointment of meat inspector.

(a) such meat inspector shall so far as regards such abattoir or place and the animals and carcasses and meat therein and so far as regards any offences committed in such abattoir or place have and exercise in addition to the powers and duties imposed on him by this Act all the powers and (so far as may be prescribed by the regulations) the duties conferred or imposed by any Act on inspectors appointed pursuant to the provisions of section twenty-eight of the *Butchers and Abattoirs Act 1915*, and

Meat Supervision Act 1900 s. 9.

(b) no inspector appointed pursuant to the said section shall in respect to the said abattoir or appointed place or the animals or carcasses or meat therein or any offences committed in such abattoir or place have or exercise any powers or duties under the said Act.

*Meat
Supervision Act
1900 s. 10.
Meat inspector
not to be
concerned in
contracts or
accept rewards
&c.*

10. No meat inspector shall be concerned or interested directly or indirectly in any bargain or contract entered into by any council and connected with any abattoir or place for which he is appointed; and if any meat inspector is so concerned or interested or under cover of his office or employment exacts takes or accepts any fee or reward whatsoever other than his proper remuneration and travelling expenses he shall for each offence be liable to a penalty of not more than Fifty pounds and shall be incapable of afterwards continuing in or holding office as a meat inspector.

*Rights of access
&c. of meat
inspectors.
Ib. s. 11.*

11. Every meat inspector shall have free access at all times at any hour during the day or night to any abattoir or place to which he is appointed and may inspect the same and all appurtenances thereto belonging and all appliances and shall have all the powers of officers under section sixty-nine of the *Health Act 1915*. He shall examine or cause to be examined all animals intended to be slaughtered therein; and shall examine or direct the examination of the carcasses or meat of all animals after slaughter, and may for any such purpose cut into or direct the cutting into any part of any carcass or meat.

Abattoirs.

*Slaughtering
prohibited in
meat area except
at (a) municipal
abattoir or
(b) licensed
private abattoir.
Ib. s. 12.*

12. In any meat area described in the Second Schedule to this Act and in any meat area newly constituted under this Act after the expiration of three months from the constitution thereof no person shall slaughter an animal or dress a carcass or cause or allow any person to slaughter an animal or dress a carcass at any place within any such meat area except at—

*Meat
Supervision Act
1901 s. 9.
Second
Schedule.*

- (a) a public abattoir, or
- (b) a private abattoir or slaughter-house licensed or consented to or registered by a council in accordance with the provisions of the *Butchers and Abattoirs Act 1915* or the *Health Act 1915*, and unless such licence or consent or registration is approved of by the Board and unless also such licence or consent or registration is before the last day of February in each year renewed by the council and such renewal is approved of by the Board, or
- (c) a slaughter-house or place or premises for slaughtering cattle in use as such within the limits of any city town or borough (other than Melbourne or Geelong) before and on the first day of October One thousand eight hundred and sixty-three and which has so continued ever since.

Ib. s. 8.

*No private
abattoirs to be
extended or new
private abattoirs
constructed
without consent
of Board and
council.*

*Meat
Supervision Act
1900 s. 13.*

13. No private abattoir or slaughter-house shall be added to enlarged or extended, and no new private abattoir or slaughter-house shall be constructed or opened or licensed or consented to or registered, within a meat area without the written consent and approval of the Board and of the council of the district in which such abattoir or slaughter-house is situated or in which it is proposed that such new private abattoir or slaughter-house shall be constructed or opened or licensed or consented to or registered.

14. (1) Notwithstanding anything contained in the *Butchers and Abattoirs Act 1915* or the *Local Government Act 1915* or in this Act or any other Act, a new public abattoir may with the sanction of the Board and the approval of the Governor in Council be erected established provided owned occupied or managed by any council or by any two or more councils acting in combination at any specified place whether within or without the municipal district of any such council or councils and at any distance therefrom and whether within or without a meat area, and the expense of so doing including the maintenance of the abattoir shall be defrayed out of the town or municipal fund or funds of such council or councils.

Meat Supervision Act 1900 s. 14.
Erection and establishment of new public abattoirs on recommendation of Board and approval by Governor in Council.

(2) All moneys which any council acting in combination as aforesaid may agree to contribute for defraying expenses incurred under this Act shall be deemed to be incurred by such council in the execution of works within its municipal district. Such council or councils may pay such moneys out of their rates and are hereby empowered under and pursuant to the provisions of the *Local Government Act 1915* to borrow money for the purposes aforesaid upon the credit of such municipality, and the said abattoir shall be deemed to be a permanent work or undertaking within the meaning of the said Act.

(3) Where two or more councils act in combination as aforesaid the Board may take proceedings against any such councils for securing the enforcement of the provisions of this Act with regard to any abattoir erected established provided owned occupied or managed by such councils acting in combination, and each of such councils shall be responsible for any contravention of this Act occurring at such abattoir, provided that no two councils shall be liable to prosecution in respect of one and the same offence.

15. In the case of a public abattoir situated outside the municipal district of the owner of such abattoir—

As to abattoirs established by council outside its district.
16. s. 15.

- (a) it shall be necessary for such abattoir to be licensed consented to or registered by or with the council of the district in which the abattoir is located; and if such licence consent or registration is refused by the council or is not given by the council within eight weeks after being applied for it may be given by the Board, but not until both the applicant and the council have been afforded an opportunity of being heard by the Board;
- (b) if the owner is dissatisfied with the times fixed by the council of the district in which the abattoir is located for the driving of animals to and from the abattoir through the public streets, the Board shall fix the times, but not until both parties have been afforded an opportunity of being heard by the Board;
- (c) all selling of animals or carcasses or meat and times of slaughtering at such abattoir shall be under the control and management of the owner of such abattoir; and
- (d) all the provisions of the *Butchers and Abattoirs Act 1915* relating to abattoirs provided by any council shall apply to such abattoir unless inconsistent with this Act.

*Meat
Supervision Act
1900 s. 16.*

*Councils not
protected from
information &c.
for nuisance.*

*Approval of
Board to renewal
&c. of licence of
abattoir.*

Ib. s. 17.

16. Nothing in this Act shall protect any owner of a public abattoir or appointed place from an information for nuisance or any legal proceedings in respect of such abattoir or appointed place.

17. No licence consent or registration of an abattoir or slaughter-house under the provisions of the *Butchers and Abattoirs Act* 1915 or the *Health Act* 1915 shall be renewed by any council or if renewed have any force or effect unless the previous approval of the Board to any such renewal has been given.

Exceptions.

Ib. s. 18.

18. This Act shall not be deemed to prohibit either—

(a) the slaughtering of animals and dressing of carcasses on premises in a shire for consumption by persons on such premises and not for sale ; or

(b) the slaughtering of animals in any knacker's yard if the owner or occupier of such yard proves that such animal was not slaughtered for human consumption.

*Sections 6, 12,
and 14 of the
Butchers and
Abattoirs Act
not to apply
within meat
area.*

Ib. s. 19.

*Existing
abattoirs not to
be altered nor
public abattoirs
extended or
constructed
without
approval of
Board.*

Ib. s. 20.

19. Sections six twelve and fourteen of the *Butchers and Abattoirs Act* 1915 shall have no force or effect within a meat area.

20. Except with the approval of the Board—

(a) no public abattoir shall be enlarged extended or added to ;

(b) no new public abattoir shall be constructed ; and

(c) no by-law or regulation relating to abattoirs or slaughter-houses shall be made by any council pursuant to the provisions of sections seven fifteen or twenty-four of the *Butchers and Abattoirs Act* 1915 or any other Act.

*Notice of
intended
alteration of
abattoir.*

Ib. s. 21.

21. (1) In every case of an enlargement or extension of or addition to a private abattoir and in every case of an enlargement or extension of or addition to a public abattoir and in every case of the erection of a new abattoir, the owner shall give notice to the Board of the intention to make such enlargement or extension or addition or new erection.

(2) Such notice shall if the Board so requires be accompanied by a plan of the site a ground plan of all buildings on the site and a plan and section with a specification or description showing the proposed works.

*Approval of
Board required
for additions to
abattoirs or to
new abattoirs.*

Ib. s. 22.

22. No enlargement or extension of or addition to or new erection of any abattoir shall be commenced or undertaken until or unless the plans and specifications or description have been approved by the Board in writing either with or without modification.

*Penalty for
using abattoir
without
approval of
Board.*

Ib. s. 23.

23. If any abattoir is newly erected or enlarged extended or added to and such erection enlargement extension or addition is used without the written approval of the Board the owner shall be liable to a penalty of not more than One hundred pounds and to a further penalty of not more than Ten pounds for every day or part of a day during which such abattoir is used without such approval.

24. As soon as a public abattoir is erected and made available by any council or councils for public use pursuant to this Act, the council or councils being the owner of the same shall give notice to that effect to the Board by letter and to the public by the publication thereof in the *Government Gazette* and in some newspaper circulating within the limits of the municipal district or districts of such council or councils and by printed handbills posted in some conspicuous places within such limits.

Meat Supervision Act 1900 s. 24.
Notification of public abattoir.

25. The Board may at any time by a notice in writing require the owner of any abattoir or appointed place to make therein or thereto within a time limited in such notice such alterations or additions as the Board deems necessary for insuring the wholesomeness and cleanliness of all carcasses or meat supplied or removed from such abattoir or appointed place.

Board may require abattoir to be altered.
Id. s. 25.

26. (1) At each abattoir or appointed place the owner thereof shall keep or cause to be kept a register in which there shall be entered such particulars as the regulations may prescribe as to animals supplied or removed therefrom or examined or slaughtered thereat and as to carcasses or meat dealt with thereat; and the meat inspector of such abattoir or appointed place shall certify to the correctness of the entries in such register at each time of inspection; and with respect to any animal or carcass or meat that is condemned the meat inspector shall himself enter or cause to be entered in such register the reasons for which the animal or carcass or meat was condemned.

Owner to keep register of animals slaughtered.
Id. s. 26.

(2) Every such register shall be open at all reasonable times for inspection by an officer of the Board or of the council.

(3) Section twenty-nine of the *Butchers and Abattoirs Act 1915* shall not apply to any abattoir to which this section extends.

27. Every council shall receive and accommodate at some place or places appointed by the Board (in this Act referred to as appointed place or places) which may include auctioneers' premises approved of by the Board within the municipal district of such council any carcass or meat of animals fattened and slaughtered by any person on his own premises situated outside a meat area, and such council shall cause such carcass or meat to be examined and branded by or under the direction of a meat inspector or otherwise dealt with in accordance with the regulations.

Reception &c. of meat from outside meat area.
Id. s. 27.

28. (1) All times for selling animals and for slaughtering animals and for selling carcasses or meat at private abattoirs shall be regulated and determined by a regulation of the council of the district in which such abattoirs are located; any person who sells animals or slaughters animals or sells carcasses or meat at any time other than the times so regulated and determined shall be guilty of an offence against this Act.

Regulation of selling and slaughtering at private abattoirs.
Id. s. 28.

(2) Any council for the use of abattoirs of which it is the owner may demand and receive slaughtering fees or dues at a rate to be fixed by regulation of such council but not exceeding the sums mentioned in the Second Schedule to the *Butchers and Abattoirs Act 1915*.

Meat Supervision Act 1909 s. 2.

*Meat
Supervision Act
1900 s. 29.
Payments to
councils.*

29. (1) Councils may demand and recover fees at such rates as may be fixed by the regulations for examining animals or examining and branding carcasses or meat by or under the direction of meat inspectors pursuant to this Act or for giving certificates as to any examination made by a meat inspector.

(2) Section thirty-nine of the *Butchers and Abattoirs Act 1915* shall have no force or effect at any abattoir to which any such regulation applies.

Sale of Meat.

*Restrictions on
sale of meat or
small goods in
meat area.
Ib. s. 30.*

30. Where a meat area has been already constituted or after the expiration of three months from the constitution of a meat area under this Act—

*Meat
Supervision
Act 1901 ss. 9
and 11.*

(1) No person shall sell or attempt to sell or expose for sale or allow or cause to be sold or exposed for sale any carcass or meat within any such meat area—

unless such carcass or meat has been derived from an animal slaughtered at a private abattoir within the meat area, or at a public abattoir, or has been received and accommodated at a place appointed as hereinbefore in this Act provided, or has been imported into Victoria; and

unless in the case of any carcass or meat derived from an animal slaughtered at a private abattoir within the meat area or at a public abattoir and in the case of any carcass or meat that has as aforesaid been received and accommodated at an abattoir or place appointed as hereinbefore provided in this Act the carcass from which such meat is derived has in accordance with the regulations been branded by or under the direction of a meat inspector as fit for human consumption, and where any carcass or meat is offered or exposed for sale in a covering unless such carcass or meat or the covering enclosing the same is branded in an easily legible manner in the case of a carcass with the words "carcass branded by or under the direction of a meat inspector," and in the case of meat with the words "meat from a carcass branded by or under the direction of a meat inspector"; and

unless in the case of any carcass or meat imported into Victoria the carcass or meat or the covering enclosing the same is branded in an easily legible manner with the word "imported," and in the event of such carcass or meat being fresh frozen or chilled it has been certified to as wholesome by an inspector appointed for the purpose by the Government of the country from which such carcass or meat has been exported.

(2) No person shall sell or attempt to sell or expose for sale or allow or cause to be sold or exposed for sale the whole or any part of the carcass of any calf less than fourteen days old or if less than fourteen days old then of less weight than forty pounds including the skin but excluding the entrails head and feet thereof.

Ib. s. 14.

Where in contravention of the provisions of this sub-section any person sells or attempts to sell or exposes for sale or allows or causes to be sold or exposed for sale the whole or any part of the carcass of any calf, such carcass or part shall be deemed to be a carcass or meat which is subject to the provisions of section forty-three of this Act and may be seized and removed as provided in such section.

Meat Supervision Act 1901 s. 15.
Power to seize and remove carcass of calf under prescribed age or weight.

(3) If in contravention of this section any person sells or attempts to sell or exposes for sale or allows or causes to be sold or exposed for sale any carcass or meat or the whole or any part of the carcass of any calf he shall for every such offence be liable to a penalty of not more than Fifty pounds or to imprisonment with or without hard labour for a term of not more than three months.

(4) No person shall be liable to any punishment for any offence against this section as aforesaid in respect to any meat or carcass or part of a carcass which he proves to the satisfaction of the court was not sold or intended to be used for human consumption.

(5) Nothing in this Act contained shall protect any person who sells or attempts to sell or exposes for sale or allows or causes to be sold or exposed for sale for human consumption any carcass or meat which has become unwholesome after the same has been branded, or any imported meat that is unwholesome.

(6) Notwithstanding anything contained in this Act any carcass or meat branded by or under the direction of a meat inspector pursuant to the provisions of this Act may if it has not become unwholesome be sold or exposed for sale in any meat area.

31. Any person feeling aggrieved by the refusal of a meat inspector to brand any carcass or meat as fit for human consumption may within forty-eight hours after such refusal complain thereof to a justice, and such complaint may be heard and determined before any two justices in or out of sessions who may confirm or disallow such refusal and order the meat inspector to brand such carcass or meat as the case may be, and such meat inspector shall forthwith comply with such order.

Power to appeal to two justices re stamp on meat.
Meat Supervision Act 1900 s. 31.

32. At the expiration of three months after the constitution of a meat area no carcass or meat shall be supplied or removed from an abattoir within such area or from an abattoir outside such area and owned by a council within such area unless pursuant to the regulations it or the carcass from which it is derived has either been branded by or under the direction of a meat inspector as fit for human consumption or if unfit for human consumption has been rendered unusable therefor.

Meat not to be removed from abattoir without stamp &c.
Ib. s. 32.
Meat Supervision Act 1901 s. 9.

33. Any person who without being able to give a satisfactory account thereof affixes or implants or attempts to affix or implant or causes or allows to be affixed or implanted any brand upon any carcass or meat, and any person who without being able to give a satisfactory account thereof removes or defaces or attempts to remove or deface or causes or allows to be removed or defaced any brand placed on a carcass or any meat pursuant to this Act shall be liable to a penalty of not more than One hundred pounds or to imprisonment with or without hard labour for a term of not more than twelve months.

Removal of stamp from meat &c.
Meat Supervision Act 1900 s. 33.

Miscellaneous.

*Meat
Supervision Act
1900 s. 34.
Penalty for
slaughtering &c.
in contravention
of the Act.*

34. Every person who in contravention of any of the provisions of this Act slaughters or causes or allows to be slaughtered any animal or dresses or causes or allows to be dressed any carcass shall be guilty of an offence against this Act, and shall be liable to a penalty of not more than Fifty pounds.

*Penalty for non-
compliance with
provisions of
this Act.
Ib. s. 35.*

35. If any person fails to comply with any provision of this Act or any lawful requirement or order of the Board or of any council or justices or prevents compliance with the same on the part of any other person or obstructs or hinders any meat inspector in the execution of his duty under this Act he shall be deemed guilty of an offence against this Act, and shall for every such offence for which no punishment is expressly provided be liable to a penalty of not more than Fifty pounds and to a further penalty of not more than Two pounds for every day during which after a conviction the offence is further continued.

*Prosecution of
offences.
Meat
Supervision Act
1901 s. 13.*

36. For any offence against any of the provisions of this Act proceedings may be taken by—

- (a) any person authorized by the Board or a council, or
- (b) any meat inspector, or
- (c) any member of the police force.

*Appeal to
County Court
Judge from
refusal of Board
Meat
Supervision Act
1900 s. 36.*

37. In the event of the Board refusing or neglecting to give its approval or sanction to any application made for the approval or sanction of the Board pursuant to any of the provisions of this Act any applicant feeling aggrieved at the withholding of such approval or sanction may within one month apply *ex parte* on affidavit to a Judge of County Courts for an order calling on the Board to appear before him on a day and at a time named in such order and to show cause why the approval or sanction of the Board is withheld. After hearing the Board, or in the absence of the Board if it does not appear at such time when so called on, such Judge may if he thinks fit order that the thing in respect of which such approval or sanction was applied for may be done without the approval or sanction of the Board and in such event such thing may be done accordingly without such approval or sanction.

*Power to take
samples of
water.
Ib. s. 37.*

38. Any officer of the Board or of a council may take samples of water provided at an abattoir meat market butcher's shop small goods manufacturing house or place used for selling preserving freezing or chilling or storing carcasses or meat.

*Proceedings on
complaint to
Board of default
of council.
Ib. s. 38.*

39. (1) Where complaint is made to the Board either by an officer of the Board or any ratepayer of the municipal district of the council whose default is the subject of such complaint that a council has made default in enforcing or carrying out or complying with any provisions of this Act or any by-law or regulation thereunder or of any order of the Board which it is their duty to enforce carry out or comply with, the Board if satisfied after due inquiry that such council has been guilty of the alleged default shall make an order limiting a time for the performance of the duty of the council in the matter of such complaint.

(2) If such duty is not performed within the time limited in such order, the performance of such duty may be enforced by writ of mandamus, or the Board may appoint some person to perform such duty, and shall order that the expenses of performing the same together with a reasonable remuneration to the person appointed for superintending such performance and amounting to a sum specified in the order together with the costs of the proceedings be paid out of the town or municipal fund by the council in default; and such sum with costs may be recovered from such council in any court of competent jurisdiction.

*Meat
Supervision Act
1900.*

(3) Any person appointed under this section to perform the duty of a defaulting council shall in the performance and for the purposes of such duty be invested with all the powers of such council, and the Board may from time to time remove any person so appointed and appoint another in his stead.

(4) Any report of an officer of the Board may be deemed to be a complaint within the meaning of this section.

40. In the event of any meat inspector failing to execute the powers and authorities conferred by this Act on a meat inspector any officer of the Board, if so directed by the Board, may exercise any of such powers and authorities.

*Power of officers
of Board.
Ib. s. 39.*

41. (1) Any person who refuses to give information or gives false information in answer to any inquiry made in the course of his duty by any meat inspector or any officer of the Board or of a council shall be liable on conviction to a penalty of not more than Five pounds.

*Penalty for
refusing
information.
Ib. s. 40.*

(2) It shall be the duty of every member of the police force who finds any person committing a breach of any of the provisions of this Act to demand from such person his name and place of abode and to report the fact of such breach and the name and place of abode of such person as soon as conveniently may be to a meat inspector.

*Duty of police.
Ib. s. 41.*

Any person who on such demand refuses to state his name and place of abode or states a false name or place of abode shall be liable to a penalty of not more than Ten pounds.

42. Any officer of the Board or of a council or any member of the police force may for the purposes of identification make such mark as he deems fit on any carcass or meat in respect to which he is of opinion that any provision of this Act is not being fully complied with; and any such officer or member may at all reasonable times enter into any house building premises or place for the purpose of ascertaining whether or not the provisions of this Act are being complied with therein or thereat.

*Power to make
identification
marks.
Ib. s. 42.*

43. (1) Any officer of the Board or of any council or any member of the police force may seize a carcass that does not appear to him to have been branded or any meat that does not appear to him to be derived from a carcass that has been branded in case the carcass or the meat is either exposed for sale or in the possession of any person apparently for the purpose of sale for human consumption, and such officer or member if he thinks it desirable so to do may remove any carcass or meat so seized.

*Power to seize
unbranded
carcasses &c.
Ib. s. 43.*

*Meat
Supervision Act
1900.*

(2) Any person claiming any carcass or meat so seized may within forty-eight hours after such seizure complain thereof to any justice, and such complaint may be heard and determined before any two justices in or out of sessions who may either confirm or disallow such seizure and may order the carcass or the meat seized to be restored.

(3) The onus of proof that any carcass or meat seized was not intended for human consumption or that it had been branded or formed part of a carcass that had been branded in accordance with the provisions of this Act shall be upon the complainant.

(4) In the event of no such complaint being made within forty-eight hours after such seizure or of such seizure being confirmed the carcass or the meat as to the seizure of which no complaint has been made or the seizure of which has been confirmed shall thereupon become the property of the council or in case such seizure is made by an officer of the Board then of the Crown.

(5) In the event of any person without the authority of the Board or council removing or taking away any carcass or meat so seized such person in addition to any other punishment to which he may be liable shall be deemed and taken to be guilty of an offence against this Act.

*Regulations by
councils.
Ib. s. 44.*

44. (1) Notwithstanding anything contained in sections seven ten fifteen twenty-four and forty-six of the *Butchers and Abattoirs Act 1915* any council may with the approval of the Board and if required by the Board shall make regulations for all or any of the following purposes, namely :—

- prescribing the conditions on which animals may be received into or supplied or removed from any abattoirs ;
- prescribing the duties of meat inspectors ;
- for licensing and registering persons engaged in tending and slaughtering animals and in dressing carcasses at abattoirs ;
- fixing the rates of slaughtering fees or dues (not exceeding the sums mentioned in the Second Schedule to the *Butchers and Abattoirs Act 1915*) payable to it for the use of abattoirs of which it is the owner ;
- prescribing the times for selling and for slaughtering animals and for selling carcasses or meat at private abattoirs ;
- for the feeding watering and tending and the preventing of cruelty to and overcrowding of animals in abattoirs and for the milking of milch animals at abattoirs ;
- for examining animals by meat inspectors before slaughter, and prescribing the mode of dealing with animals at abattoirs when suspected of being affected with communicable disease but not so as to be inconsistent with the provisions of the *Stock Diseases Act 1915* ;
- prescribing the mode of slaughtering animals, of flaying and of dressing carcasses, and for preserving the cleanliness of appliances used therefor ;
- for examining by meat inspectors the different parts of a carcass after slaughter at abattoirs, and for preventing the parts of one carcass being mixed with those of another prior to examination ;

- fixing the fees for examining of animals, for examining and branding of carcasses, and for giving certificates as to any examination of an animal or carcass or meat made by or under the direction of a meat inspector ;
- prescribing the mode of removing condemned carcasses or meat and of rendering the same unusable for human consumption, and of disposing of or destroying the same and prescribing the mode of removing and disposing of blood offal garbage refuse matters and manure from abattoirs ;
- for securing the cleanliness and wholesomeness of carcasses or meat from the time of slaughtering the animal until the delivery of the same to the retail buyer, and for securing the cleanliness and wholesomeness of casings used in the making up of small goods and for preventing the admixture in small goods of substances deleterious to health ;
- prescribing the nature of the particulars to be entered in the register as to animals examined or slaughtered at or supplied or removed from any abattoir and as to carcasses or meat dealt with thereat ;
- for maintaining the cleanliness of abattoirs and of appliances used thereat and the cleanliness of the clothing of persons engaged in slaughtering or in dressing carcasses therein ;
- for preventing persons affected with dangerous communicable disease being employed in the handling of carcasses or meat ;
- for stopping temporarily the manufacture of and the sale of small goods in circumstances in which danger to the consumer is apprehended owing to uncleanness or to presence of infection on or about the premises where such manufacturing or sale is carried on ;
- for maintaining the cleanliness of private abattoirs meat markets butchers' shops small goods manufacturing houses or places used for selling preserving freezing chilling or storing meat and premises appurtenant to any of such markets shops houses places and premises and of appliances used thereat, and for the removing of blood offal garbage refuse matters and manure therefrom, and for maintaining the cleanliness of vehicles and receptacles used for conveyance of carcasses or meat ;
- for prescribing in case of places opened after a period of three months following upon the constitution of a meat area and used for selling preserving freezing chilling or storing carcasses or meat or for manufacturing small goods the distances which such places shall be from any water-closet earth closet privy sink drain cesspool urinal pigsty stable manure receptacle and like construction ;
- for securing adequacy and wholesomeness of water supplied to private abattoirs meat markets butchers' shops small goods manufacturing houses and places used for selling preserving freezing chilling or storing meat and premises appurtenant to any of such markets shops houses and places ; and

*Meat
Supervision Act
1900.*

generally for carrying into effect the objects of this Act and for imposing penalties for non-compliance with the regulations ; provided that no such penalty for one offence shall exceed the sum of Twenty pounds, and no penalty for a continuing offence shall exceed the sum of Two pounds for each day during which the offence continues.

(2) In the event of the council of any district when required by the Board failing to make any regulation, it shall be lawful for the Board to make a regulation for such district under this section, and every regulation so made by the Board shall be deemed and taken to have been made by such council.

*Regulations by
Board.
Ib. s. 45.*

45. (1) Notwithstanding anything contained in sections seven ten fifteen twenty-four and forty-six of the *Butchers and Abattoirs Act* 1915 the Board may pursuant and subject to the provisions of sections thirty-one and forty-one of the *Health Act* 1915 make regulations—

prescribing the conditions under which carcasses or meat shall be passed certified and branded as fit or condemned and certified as unfit for human consumption ;

prescribing in the case of dead meat submitted for branding the parts of the carcass from which it is derived that shall be produced prior to such branding ;

prescribing the modes in which carcasses or meat whether fresh frozen dried preserved or chilled shall be branded ; and

fixing the fees payable annually for licensing consenting to or registering public abattoirs outside a meat area.

(2) So far as any regulation made by the council of any municipal district wholly or partly within a meat area is inconsistent with any regulation made pursuant to this section the provisions of such last-mentioned regulation shall prevail.

*Power to make
regulations as to
conditions under
which meat may
be exported
without
branding.
Meat
Supervision Act
1901 s. 16.*

46. (1) In addition to the purposes for which regulations may be made under the last preceding section regulations may also be made as provided therein for prescribing the conditions and restrictions under which carcasses or meat intended for export to any country or place beyond the Australian States may for the purpose of such exportation and with the written permit of a meat inspector or an officer appointed by the Commonwealth for the supervision and inspection of meat for export be removed from any abattoir or place whatsoever in Victoria or be brought into any meat area without being branded in accordance with the provisions of this Act.

(2) Subject to such regulations the provisions of this Act other than this section shall not apply to any carcass or meat so removed to any store prescribed by such regulations, and shall not apply to any carcass or meat shipped or placed on board any vessel for exportation to any country or place beyond the Australian States if an officer appointed by the Commonwealth as aforesaid has given a certificate with respect thereto as required by a law of the Commonwealth.

(3) If any carcass or meat subject to such regulations is not actually exported to any country or place as aforesaid but is sold or exposed for sale in any meat area, such carcass or meat shall thereupon

be subject to the provisions of this Act provided that where the greater part of a carcass is exported as aforesaid the fact that such carcass was not branded by or under the direction of a meat inspector shall not prevent any other part thereof being sold or exposed for sale in a meat area subject to this Act.

*Meat
Supervision Act
1901.*

SCHEDULES.

FIRST SCHEDULE.

Section 2.

| Number of Act. | Title of Act. | Extent of Repeal. |
|----------------|--------------------------------------|-------------------------------------|
| 1652 ... | <i>Meat Supervision Act 1900</i> ... | So much as is not already repealed. |
| 1774 ... | <i>Meat Supervision Act 1901</i> ... | The whole. |
| 2169 ... | <i>Meat Supervision Act 1909</i> ... | The whole. |

SECOND SCHEDULE.

Sections 6 and
12.

| Name of Meat Area. | Description. |
|----------------------|---|
| Metropolitan... | The Municipal districts of Melbourne, Braybrook, Brighton, Brunswick, Camberwell, Caulfield, Coburg, Collingwood, Essendon, Fitzroy, Footscray, Hawthorn, Heidelberg (the Fairfield, Heidelberg, and Ivanhoe Ridings), Kew, Malvern, Moorabbin, Mulgrave, Northcote, Nunawading, Oakleigh, Port Melbourne, Prahran, Preston, Richmond, South Melbourne, St. Kilda, and Williamstown, and part of the Municipal district of Werribee (formerly Wyndham) being that part of the Parish of Cut-Paw-Paw described in the <i>Government Gazette</i> of the 12th day of February, 1902. |
| Ballarat ... | The City of Ballarat. |
| Ballarat East ... | The Town of Ballarat East. |
| Bendigo ... | The City of Bendigo. |
| Dandenong ... | That part of the Shire of Dandenong described in the <i>Government Gazette</i> of the 4th day of September, 1912, and known as the Gippsland Co-operative Bacon Curing Works. |
| Dunmunkle ... | That part of the Shire of Dunmunkle described in the <i>Government Gazette</i> of the 13th day of November, 1912, and known as the Wimmera Inland Freezing Works. |
| Echuca (Borough) ... | That part of the Borough of Echuca described in the <i>Government Gazette</i> of the 1st day of September, 1909, and known as the Milo Bacon Factory. |
| Geelong ... | The City of Geelong, the Boroughs of Geelong West, and Newtown and Chilwell, and that part of the Shire of Bellarine, consisting of that part of the Parish of Moolap near the Barwon River described in the <i>Government Gazette</i> of the 10th day of November, 1909. |
| Kerang ... | That part of the Shire of Kerang as described in the <i>Government Gazette</i> of the 22nd day of June, 1910. |

SECOND SCHEDULE—continued.

| Name of Meat Area. | Description. |
|--------------------------------|---|
| Kilmore | Those parts of the Shire of Kilmore described in the <i>Government Gazette</i> of the 17th day of November, 1909, and known as Holman and Still's and Boyd's Bacon Factories. |
| Lilydale | That part of the Shire of Lilydale described in the <i>Government Gazette</i> of the 17th day of November, 1909, and known as the Cave Hill Bacon Factory. |
| Warrnambool... ... | The Town of Warrnambool, and that part of the Shire of Warrnambool described in the <i>Government Gazette</i> of 14th November, 1906. |