

# MEAT INDUSTRY ENCOURAGEMENT ORDINANCE 1925-1926.\*

An Ordinance to encourage and improve the Meat Industry and for other incidental purposes.

Short title .  
Short title  
amended:  
No. 17, 1938,  
s. 4.

1. This Ordinance may be cited as the *Meat Industry Encouragement Ordinance 1925-1926*.\*

Commence-  
ment.

2. This Ordinance shall commence on a date to be fixed by the Minister by notice in the *Commonwealth Gazette*.†

Definitions.

3.—(1.) In this Ordinance, unless the contrary intention appears—

“cattle” includes any bull, cow, ox, heifer, steer and calf;

“levy” means the amount assessed by the Administrator and payable by an owner in pursuance of this Ordinance;

“owner” means the owner, whether jointly or severally, of not less than one hundred cattle or five hundred sheep, and includes the agent, manager, or attorney of an owner;

“person” includes a firm and a company;

“sheep” includes any ram, ewe, wether, hogget, and lamb;

“stock” includes sheep and cattle; and

“the Australian Meat Council” means the Australian Meat Council established under the *Meat Industry Encouragement Act 1924* passed by the Parliament of the Commonwealth.

\* The *Meat Industry Encouragement Ordinance 1925-1926* comprises the *Meat Industry Encouragement Ordinance 1925* as amended. Particulars of the Principal Ordinance and of the amending Ordinances are set out in the following table:—

Ordinance.	Number and Year.	Date notified in <i>Commonwealth Gazette</i> .	Date of Commencement.
<i>Meat Industry Encouragement Ordinance 1925</i>	No. 4, 1925	19th February, 1925	9th July, 1925
<i>Meat Industry Encouragement Ordinance 1926</i>	No. 2, 1926	7th January, 1926	7th January, 1926
<i>Meat Industry Encouragement Ordinance (No. 2) 1926</i>	No. 9, 1926	6th May, 1926	(See Note below)

Note.—Section 2 of the *Meat Industry Encouragement Ordinance (No. 2) 1926* reads as follows:—  
“2. This Ordinance shall be deemed to have commenced on the date of commencement of the Principal Ordinance.”

† The date fixed was 9th July, 1925—see table above.

(2.) For the purpose of determining any matter arising under this Ordinance, where sheep and cattle are owned by the same person, all such sheep and cattle shall be taken into account, and for that purpose six sheep shall be deemed to be equivalent to one head of cattle.

4.—(1.) The Administrator shall establish at the Commonwealth Bank or the bank authorized to act as the agent of the Commonwealth Bank at Darwin a fund to be called "The Meat Industry Encouragement Fund."

Fund.  
Sub-section (1.)  
amended by  
No. 9, 1926,  
s. 3.

(2.) All levies and other moneys received, and all penalties recovered under this Ordinance, shall be paid into the Fund and shall become and be the exclusive property of the Australian Meat Council, payable to it on demand by precept made by its authority in due form and delivered to the Administrator, or in such other manner as is prescribed under the Commonwealth Meat Industry Encouragement Act 1924:

Provided that moneys standing to the credit of the Fund may, if the Administrator thinks fit, be applied towards any expenses incurred in carrying out the provisions of this Ordinance or the Regulations.

5. The Administrator shall, in the month of September in each year, make and levy an assessment on every owner of stock at such rates as are determined and declared from time to time by the Australian Meat Council, but at not more in any one year than one penny per head of cattle and one-sixth of a penny per head of sheep on the actual numbers returnable by the owner under the provisions of this Ordinance.

Assessment  
of owners  
of stock.

6.—(1.) As soon as conveniently may be after an assessment is made, the Administrator shall cause notice in writing of the assessment to be sent by post to all persons liable to pay levies thereunder.

Notice of  
assessment.

(2.) The omission to give any such notice shall not invalidate the assessment.

7. The amount assessed under this Ordinance shall become due and payable at the office of the Administrator at Darwin within ninety days after the date of the notice of assessment.

Date of  
payment of  
amount  
assessed.

8. Any person who fails to pay any levy before or at the due date shall be liable to a penalty not exceeding Ten pounds for the first six months during which the payment is in arrear,

Penalty for  
failure to  
pay levies.

*Meat Industry Encouragement Ordinance 1925-1926.*

and thereafter the penalty shall increase at the rate of Ten pounds per centum per annum upon the combined amounts of the levy and of the penalty already imposed.

Power of Administrator to reduce or remit levies.

9. The Administrator may, upon the recommendation of the Australian Meat Council, reduce or remit any levy under this Ordinance, either generally or partially or in respect of any individual owner or owners.

Stock-owners may demand a poll.

10.\*—(1.) Within four months after the first assessment under this Ordinance, any number of owners, not being less than twenty, who have duly paid their levies, may demand that a poll of stock-owners liable to pay levies shall be taken on the question whether any further levy shall be imposed.

(2.) The demand shall be in writing signed by the owners demanding the poll, and shall be delivered or sent to the Administrator.

(3.) Upon receipt of the demand the Administrator shall cause a poll to be taken, and the poll shall be taken in such manner as is prescribed.

(4.) Until otherwise prescribed, the regulations contained in the Schedule to this Ordinance shall apply to the taking of any poll under this Ordinance.

(5.) Every owner assessed under this Ordinance who has paid all moneys (including penalties) due by him shall be qualified to vote at the poll according to the following scale of votes:—

Under 1,000 head of cattle or 6,000 head of sheep	One vote
1,000 and under 5,000 head of cattle or 6,000 and under 30,000 head of sheep	Two votes
5,000 head of cattle or 30,000 head of sheep and upwards	Three votes

Provided that at any poll no single owner shall have more than three votes.

(6.) If, upon the poll being taken, it is found that at least sixty per centum of the owners entitled to vote have voted, and the majority of the owners voting have voted against the imposition of any further levy, the decision of that majority shall be binding upon the Administrator until reversed at a subsequent poll.

\* Section 2 of the *Meat Industry Encouragement (Poll) Ordinance 1926*, No. 15 of 1926, reads as follows:—

"2. Notwithstanding the provisions of sub-section (1.) of section ten of the *Meat Industry Encouragement Ordinance 1925-1926*, the Administrator shall cause a poll to be taken under that section as if a demand for a poll had been duly made in accordance with the provisions of that section."

(7.) After any poll has been taken on the question of the imposition of further levies, no further poll on the question shall be taken for a period of three years, but after the expiration of that period a further poll may be held if a demand in accordance with sub-regulation (2.) of this regulation is made by at least twenty owners.

**11.—(1.)** The Administrator may require any person to make a return of all stock of which he is the owner, or to supply any information required for the purposes of this Ordinance. Returns.

(2.) Any person who fails to make a return or supply any information when required by the Administrator and within a time limit specified by him, or who makes any false return or supplies any false information, shall be guilty of an offence.

Penalty: Fifty pounds.

(3.) Notwithstanding anything contained in this section, the Administrator may declare the latest returns made under the *Crown Lands Ordinance 1924* or any other Ordinance to be returns under this Ordinance for the purpose of making assessments, and may cause assessments to be made upon those returns accordingly, as if they had been made for the purposes of this Ordinance.

**12.** The Administrator may at all times—

- (a) advise the Minister on all matters relating to this Ordinance;
- (b) make recommendations to the Minister with respect to any measures which he deems necessary for the increase in the production of beef and mutton and their by-products, and for the improvement of the methods of breeding carrying, killing, cold-storing, or selling stock and meat and other products thereof; and
- (c) make recommendations to the Minister in regard to the grant of financial assistance for the establishment of co-operative meatworks, abattoirs, or factories for the manufacture and preparation of products and by-products.

Powers of  
Administrator.

**13.** No action, claim, or demand shall lie or be allowed against the Administrator or any officer in respect of anything done or omitted to be done by the lawful authority of the Administrator and in conformity with this Ordinance, whereby damage, loss, or injury may be caused to any person, firm, company, or public authority. Indemnity.

Authorization  
in proceedings.

14. In any proceedings under this Ordinance it shall not be necessary to prove the validity of any document authorized by the Administrator or the authority of any officer to sign and issue any document or to do any act done by that officer for and on behalf of the Administrator.

Appointment of  
Representatives  
on Australian  
Meat Council.

15.—(1.) The Governor-General may, by notice in the *Commonwealth Gazette*, appoint for the purposes of this Ordinance, one representative representing the cattle, sheep, and lamb interests in the Northern Territory, and one representative representing the meatworks in the Northern Territory, to be members of the Australian Meat Council.

(2.) The representatives so appointed shall hold office during the pleasure of the Governor-General.

Appointment  
of persons to  
act during  
absence of  
representatives  
from meetings.  
Inserted by  
No. 2, 1926,  
s. 2.

15A. The Governor-General may, by notice in the *Gazette*, appoint—

(a) a person to represent the cattle, sheep and lamb interests in the Northern Territory; and

(b) a person to represent the meatworks in the Northern Territory,

at any meeting of the Australian Meat Council at which either of the representatives appointed in pursuance of the last preceding section is unable to attend.

Recovery  
of levies.

16. All levies due and payable to the Administrator and all penalties for any contravention of this Ordinance may be recovered by proceedings instituted in the name of the Administrator in any court of summary jurisdiction.

Accounts.

17. The Administrator shall keep proper books and accounts showing all moneys received and expended under the provisions of this Ordinance, and such books and accounts shall be subject to inspection and audit by the Auditor-General of the Commonwealth.

Regulations.

18.—(1.) The Minister may make regulations not inconsistent with this Ordinance prescribing all matters which by this Ordinance are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance, and, in particular, may make regulations repealing, amending, or adding to the regulations contained in the Schedule to this Ordinance, and imposing penalties not exceeding One hundred pounds for any breach of the regulations.

(2.) All regulations made in pursuance of this Ordinance shall—

- (a) be published in the *Gazette*;
- (b) take effect from the date of publication in the *Gazette*, or from any later date specified in the *Gazette* at the time of their publication; and
- (c) be laid before both Houses of the Parliament within thirty days after the making thereof, or, if the Parliament is not then sitting, within thirty days after the next meeting thereof.

(3.) If either House of the Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before the House disallowing any regulation that regulation shall thereupon cease to have effect.

THE SCHEDULE.

MEAT INDUSTRY ENCOURAGEMENT REGULATIONS.

PART I.—PRELIMINARY.

1. These Regulations may be cited as the *Meat Industry Encouragement Regulations*. Short title.
2. These Regulations are divided into Parts, as follows:— Parts.
  - Part I.—Preliminary.
  - Part II.—Stock Owners Poll.
3. In these Regulations, unless the contrary intention appears— Definition.

“the Ordinance” means the *Meat Industry Encouragement Ordinance 1925*.
- 4.—(1.) The Administrator shall appoint a person to be the Returning Officer for the purpose of taking a poll pursuant to Section ten of the Ordinance. Returning Officer.

(2.) The Administrator may, if he thinks it desirable in order to expedite the scrutiny, appoint an Assistant Returning Officer at Alice Springs to conduct the scrutiny in respect of votes recorded by owners living in the Electoral Subdivision of Alice Springs.
5. The Administrator shall, as soon as conveniently may be after the appointment of a Returning Officer, and in every third year thereafter as soon as practicable after the last day of August next preceding, furnish that officer with a list, in alphabetical order, showing— List of Voters to be prepared.
  - (a) the name of each owner of cattle or of sheep or of cattle and sheep, entitled to vote at a poll taken pursuant to Section ten of the Ordinance;
  - (b) the postal address of each owner;
  - (c) the name or description of every holding of each owner;
  - (d) the number of cattle, and the number of sheep, returned for every such holding according to the latest official returns; and
  - (e) the number of votes to which each owner is entitled.
- 6.—(1.) The list shall be certified by the Administrator by writing under his hand to be correct, and, when so certified, shall be the roll of owners to be used for the purposes of a poll and shall continue in force until a new roll is made. Roll to be used at poll.

(2.) The roll shall be conclusive evidence of the right of all persons named therein to vote at a poll, and of the number of votes to which each person is entitled.

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Substitute for Returning Officer.

7.—(1.) If the Returning Officer is unable to act, the Administrator shall, in writing under his hand, appoint a substitute to act for him.

(2.) The person appointed as the substitute for the Returning Officer shall, while acting as substitute, have and perform all the powers, authorities and duties, and be subject to all the liabilities of the Returning Officer.

Date of poll to be fixed.

8. If a poll is required to be taken, the Returning Officer shall forthwith, after being notified by the Administrator of the receipt of the demand for a poll, by notice in the Gazette, fix a day for the close of the poll, and in so doing, he shall have regard to the length of time required for the transmission of voting-papers to the voters and for the return of the votes to the Returning Officer or Assistant Returning Officer, as the case requires.

Voting-papers and form of declaration.

9. As soon as practicable after the day for the close of the poll has been fixed, the Returning Officer shall initial and transmit by post to the postal address (as set out in the List) of every person entitled to vote at the poll a voting-paper; or, if a voter appears by the roll of owners to be entitled to more votes than one, then the number of voting-papers to which the voter is entitled, together with an envelope having printed thereon a form of declaration as follows:—

“NORTHERN TERRITORY STOCK LEVY POLL.

I,.....of.....declare that I am a stock owner and entitled to vote at the poll to be taken on the..... day of.....192 , under the provisions of the Meat Industry Encouragement Ordinance.

Personal Signature of Voter.....

Signed before me the.....day of.....192

(Authorized Witness).

(Title under which Authorized Witness acts).

(Address of Authorized Witness).

Authorized Witnesses.—The following persons are authorized Witnesses, namely:—

(a) in the case of persons voting in the Northern Territory—

The Returning Officer; the Assistant Returning Officer; all Postmasters and Postmistresses or Postal Officials in charge of Post Offices in the Territory; all Magistrates and Justices of the Peace of the Territory; all Teachers in charge of a school in the Territory; all Officers of the Department of Trade and Customs stationed in the Territory; all Members of the Police Force of the Territory; all Legally Qualified Medical Practitioners practising in the Territory; all Officers in charge of Telegraph Stations in the Territory; all Telegraph Line-repairers permanently employed in the Territory who are in charge of working parties; all Railway Stationmasters and Night Officers in charge and all Permanent Way Inspectors and Roadmasters who are permanently employed in the Railway Service of the Territory; all Surveyors in charge of survey camps in the Territory; all Officers in charge of well-boring parties in the Territory; all Managers of Experimental Farms in the Territory; all Engineers, Accountants, and Timekeepers engaged on Railway Construction Work in the Territory; and

(b) in the case of persons voting in a State of the Commonwealth—

the Commonwealth Electoral Officer and each Divisional Returning Officer of that State.”

Envelopes to be endorsed.

10. The envelopes containing the voting-papers posted by the Returning Officer to the voters shall be endorsed with the words “Northern Territory Stock Levy—Voting paper.”

11. Before posting the voting-papers and envelopes bearing the voters' form of declaration, the Returning Officer shall insert in the voting-paper in the space provided for the purpose the date upon which the poll will close, and in the form of declaration on each envelope he shall insert—

Particulars to be inserted in voting-papers and declarations.

- (a) the christian name in full (if known) or the initials, and surname of the person entitled to vote; and
- (b) the place of residence or place of business of the person entitled to vote; and
- (c) the date upon which the poll will close.

12.—(1.) If the Administrator appoints an Assistant Returning Officer at Alice Springs, the envelopes bearing the voters' form of declaration shall, before being posted, be addressed by the Returning Officer as follows:—

Envelopes to be addressed.

- (a) If the voter lives in the Electoral Subdivision of Darwin or Batchelor—to the "Returning Officer, Darwin";
- (b) if the voter lives in the Electoral Subdivision of Alice Springs—to the "Assistant Returning Officer, Alice Springs";

and the Returning Officer shall indicate upon a copy of the roll the names of all persons to whom envelopes have been addressed pursuant to sub-paragraph (b), and shall post the copy of the roll to the Assistant Returning Officer for the purpose of the scrutiny.

(2.) If the Administrator does not appoint an Assistant Returning Officer at Alice Springs, the envelopes shall, before being posted, be addressed by the Returning Officer to the "Returning Officer, Darwin."

13. The voter shall complete and sign with his personal signature the prescribed declaration in the presence of an authorized witness, who shall sign his name in his own handwriting in the place provided for the purpose, and add the title under which he acts as an authorized witness and the date.

Voter to make declaration.

14. The voting-paper shall be in accordance with the following form, and the voter shall record his vote in accordance with the directions thereon:—

Form of voting-paper.

NORTHERN TERRITORY OF AUSTRALIA.  
Meat Industry Encouragement Ordinance 1925.

(Returning Officer's initials.)

VOTING-PAPER.

DIRECTIONS TO VOTER—

The voter should indicate his vote as follows:—

If he is in favour of any further levy being made he should make a cross in the square opposite the word "YES."

If he is not in favour of any further levy being made he should make a cross in the square opposite the word "NO."

QUESTION.—Are you in favour of any further levy being made under the Meat Industry Encouragement Ordinance 1925?

YES

NO

FURTHER DIRECTIONS TO VOTER—

After marking his vote the voter should fold the voting-paper and place it in the envelope bearing his declaration (duly signed and witnessed), securely fasten the envelope, and forthwith send the envelope by post or otherwise to the Returning Officer or Assistant Returning Officer to whom the envelope is addressed.

NOTE.—Unless the vote is marked on this voting-paper on or before the day fixed for the close of the poll (namely, the.....day of.....192.....) and is received by the Returning Officer (or Assistant Returning Officer) within two months after that day, it will not be admitted to the scrutiny.



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Duplicate  
voting-papers.

15.—(1.) At any time before three o'clock in the afternoon of the day next preceding the day fixed for the close of the poll, the Returning Officer may issue a voting-paper to any voter who has not received a voting-paper or whose original voting-paper has been lost or destroyed, and who makes, before the Returning Officer, or before an authorized witness, a declaration that he has not received a voting-paper or that the original voting-paper received by him has been lost or destroyed, and that he has not already voted.

(2.) Any person who makes a false declaration under this regulation shall be guilty of an offence.

Penalty: Fifty pounds.

Voting-papers  
to be kept in  
ballot-box  
until scrutiny.

16. The Returning Officer and the Assistant Returning Officer shall each keep a locked and sealed ballot-box with the words "Stock Levy Ballot-box—Voting papers received from Voters" marked thereon, and shall place and keep therein until the scrutiny all envelopes containing voting-papers received by him within two months after the day fixed for the close of the poll.

Scrutineers.

17. Any five or more stock owners entitled to vote may appoint one person to be a scrutineer at the place appointed for the scrutiny of the voting-papers.

Scrutiny of  
voters and  
declaration.

18. The Returning Officer and the Assistant Returning Officer shall at four o'clock in the afternoon of the last day for the receipt of voting-papers, at their respective offices, in the presence of an officer in the Public Service of the Northern Territory, appointed by the Administrator for the purpose, and of such scrutineers, if any, as may attend—

- (a) open the ballot-box and produce unopened all envelopes containing voting-papers received up to the said hour;
- (b) examine each envelope and if the declaration is, in the opinion of the Returning Officer, or Assistant Returning Officer, as the case requires, signed by the voter and is duly attested, accept the vote for further scrutiny and place a mark against the name of the voter on the certified roll, but, if the voting-paper is not so signed and attested, he shall disallow the voting-paper without opening the envelope;
- (c) place the envelope containing the disallowed voting-papers in a parcel, seal the parcel, and endorse it "Northern Territory Stock Levy Poll—Votes rejected at Preliminary Scrutiny," and add his signature and the date;
- (d) number consecutively from one upwards, and initial each envelope accepted for further scrutiny, on the address side thereof, and place it on a table before him so that the address side only is visible;
- (e) withdraw from each envelope each voting-paper contained therein and, without unfolding it or inspecting the vote or permitting any other person to do so, place thereon a number corresponding with that placed on the envelope from which it was withdrawn, initial the number, and forthwith deposit the voting-paper in a locked and sealed ballot-box for further scrutiny;
- (f) place the envelopes in a parcel, seal the parcel, and endorse it "Northern Territory Stock Levy Poll—Envelopes from which voting-papers have been withdrawn," and add his signature and the date;
- (g) transmit the parcel to the clerk of the Supreme Court at Darwin, and forthwith proceed with the further scrutiny.

Counting  
of votes.

19. At the further scrutiny the Returning Officer or the Assistant Returning Officer, as the case may be, shall open the ballot-box referred to in the last preceding regulation, examine and count the votes, and make out and sign a written statement, which may be countersigned by any scrutineers who are present and consent to sign it, containing the number (in words as well as figures) of votes—

- (a) in favour of any further levy;
- (b) not in favour of any further levy; and
- (c) rejected as informal.

20. A voting-paper shall be informal if—

- (a) it is not initialed by the Returning Officer;
- (b) it has no vote marked on it;
- (c) it has more than one vote marked on it;
- (d) it is so imperfectly marked that the intention of the voter is uncertain.

Informal voting-papers.

21. The Assistant Returning Officer shall forthwith, after he has ascertained the result of the scrutiny of the voting-papers received by him, telegraph the result to the Returning Officer and post to him the statement referred to in regulation nineteen of these Regulations.

Result to be telegraphed by Assistant Returning Officer.

22. Upon the receipt of the telegraphed result from the Assistant Returning Officer, or if there be no Assistant Returning Officer, as soon as practicable, the Returning Officer shall make out a statement showing as regards the whole Territory the number of votes—

Publication of result.

- (a) in favour of any further levy;
- (b) not in favour of any further levy; and
- (c) rejected as informal;

and shall transmit the statement to the Administrator and publish a copy of it in the Gazette.

23. The officer conducting the scrutiny shall place in a parcel the voting-papers, formal and informal, and the copy of the roll used at the scrutiny, seal the parcel, and endorse thereon a description of the contents thereof, add his signature and the date, and retain the parcel until the authority of the Administrator has been obtained for its destruction.

Papers to be sealed.

24. At the expiration of six months from the date of publication of the result of the poll, the Administrator shall cause the voting-papers and the voters' declarations to be destroyed in the presence of at least two justices of the peace.

Destruction of papers.

25. If any question at any time arises touching the votes alleged to have been given at any poll, the voting-papers contained in any sealed packet, endorsed as provided in regulation twenty-three of these Regulations, shall, upon production thereof, be received in evidence as proof of such votes in any court in the Northern Territory.

Proof of votes.

26.—(1.) If a Returning Officer or an Assistant Returning Officer or any scrutineer in the discharge of his duties under this Ordinance or concerning a poll learns how any voter has voted at such poll, he shall not by word or act or any other means whatsoever directly or indirectly divulge or discover or aid in divulging or discovering the fact, save in answer to some question which he is legally bound to answer.

Secrecy.

(2.) Every such Returning Officer or Assistant Returning Officer or scrutineer who knowingly and wilfully acts in contravention of this regulation shall be guilty of an offence.

Penalty: One hundred pounds.

(3.) If a scrutineer makes any mark upon any list of voters or makes or writes any note or memorandum denoting, or whereby he can know or remember, how any voter has voted, he shall be guilty of an offence.

Penalty: One hundred pounds.

27. Every person, not being authorized pursuant to regulation seventeen of these Regulations, to be present at the scrutiny, who wilfully intrudes into the room appointed for the examination of the voting-papers shall be guilty of an offence.

Intruders.

Penalty: Fifty pounds.

28. Every person acting as Returning Officer or Assistant Returning Officer at a poll who is guilty of any wilful misfeasance or wilful or negligent act of commission or omission contrary to any of the provisions of these Regulations shall be guilty of an offence.

Offences by Returning Officer and Assistant Returning Officer.

Penalty: Fifty pounds.

**Validity of  
Poll.**

29.—(1.) No poll shall be liable to be questioned by reason of any defect in the title or any want of title of any Returning Officer, Substitute Returning Officer, or Assistant Returning Officer, if such person really acted at the poll, nor by reason of any formal error or defect in any instrument or in any publication made under this Ordinance or intended to be so made, nor by reason of any such publication being out of time.

(2.) No poll shall be void in consequence solely of any delay in holding the poll at the time appointed, or in consequence of any impediment of a merely formal nature, and the Minister may adopt such measures as may be necessary for removing any obstacle of a merely formal nature by which the due course of any poll might be impeded.

**Expenses.**

30. All reasonable expenses of or incident to any poll incurred by the Returning Officer shall be repaid to him by the Administrator out of the fund.

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