

SLAUGHTERING ORDINANCE 1923-1959.*

An Ordinance to provide for the Licensing and Inspection of Slaughter Houses and Butchers' Shops and for other purposes.

Short title.
Short title
amended:
N. 17, 1938,
s. 4.

Commence-
ment.

1. This Ordinance may be cited as the *Slaughtering Ordinance 1923-1959*.*

2. This Ordinance shall commence on a date to be fixed by the Administrator by notice in the *Gazette* of the Northern Territory. †

* The *Slaughtering Ordinance 1923-1959* comprises the *Slaughtering Ordinance 1923* 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>Slaughtering Ordinance 1923</i> ..	No. 14, 1923	18th October, 1923 ..	20th September, 1924
<i>Slaughtering Ordinance 1924</i> ..	No. 2, 1924	24th January, 1924 ..	20th September, 1924
<i>Slaughtering Ordinance 1925</i> ..	No. 5, 1925	6th March, 1925 ..	6th March, 1925
<i>Slaughtering Ordinance 1927</i> ..	No. 1, 1927	26th May, 1927 ..	26th May, 1927
<i>Slaughtering Ordinance (No. 2) 1927</i> ..	No. 13, 1927	18th October, 1927 ..	18th October, 1927
<i>Slaughtering Ordinance 1933</i> ..	No. 13, 1933	21st September, 1933 ..	21st September, 1933
<i>Slaughtering Ordinance 1940</i> ..	No. 17, 1940	17th October, 1940 ..	17th October, 1940
		Date of Assent by Administrator.	
<i>Administrator's Council Ordinance 1959</i>	No. 22, 1959	7th July, 1959 ..	28th April, 1960

Note.—Sections 2 and 2A of the *Abattoirs and Slaughtering Ordinance 1955-1959* (see pages 1-24 *supra*) read as follows:—

"2.—(1.) Subject to this section, the *Slaughtering Ordinance 1923*, the *Slaughtering Ordinance 1924*, the *Slaughtering Ordinance 1925*, the *Slaughtering Ordinance 1927*, the *Slaughtering Ordinance (No. 2) 1927*, the *Slaughtering Ordinance 1933* and the *Slaughtering Ordinance 1940* shall continue in operation until the date prescribed for the purposes of sections ten and twelve of this Ordinance or, if different dates are prescribed for those purposes, until the later of the dates so prescribed and no longer.

"(2.) When the Slaughtering Ordinances specified in the last preceding sub-section cease to be in operation they shall be deemed to have been repealed and the provisions of section eight of the *Acts Interpretation Act 1901-1957* shall have effect accordingly as if those Ordinances were Acts.

"(3.) After the commencement of the *Abattoirs and Slaughtering Ordinance 1955*, no licence for a slaughter house shall be granted under the Slaughtering Ordinances specified in sub-section (1.) of this section.

"(4.) The granting of a licence under this Ordinance in respect of premises cancels a licence for a slaughter house in force in respect of those premises immediately before the granting of the first mentioned licence.

"(5.) Where a licence under this Ordinance has been granted and is in force, the *Slaughtering Ordinance 1923-1940* and the Slaughtering Regulations do not apply to, or in relation to, the abattoir in respect of which the licence is granted or to slaughtering carried out or meat produced at that abattoir.

"2A. Where a licence for a slaughter house has been granted under the Slaughtering Ordinances specified in sub-section (1.) of the last preceding section and is in force, Parts IV. and V. of this Ordinance and regulations made under this Ordinance do not apply to, or in relation to, the holder of the licence, the slaughter house in respect of which the licence is granted or meat produced at that slaughter house."

The date prescribed for the purposes of section 10 of the *Abattoirs and Slaughtering Ordinance 1955-1959* was 9th March, 1960. Up to 1st January, 1961, no date had been prescribed for the purposes of section 12 of that Ordinance.

† The date fixed was 20th September, 1924—see table above.

2A. This Ordinance shall apply only to such part or parts of the Northern Territory as the Administrator in Council, by notice in the *Gazette* of the Northern Territory, proclaims from time to time to be affected by this Ordinance.

Application of Ordinance.

Inserted by No. 5, 1925, s. 2; amended by No. 22, 1959, s. 6 and First Schedule.

Definitions.

Amended by No. 17, 1940, s. 2.

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

“ Butcher’s Shop ” means any shop, building, or place used for the sale or delivery of meat, or any place where meat is exposed for sale or delivery, or prepared for sale or delivery, and includes any cart or vehicle used for the sale, carriage, or delivery of meat;

“ Disease ” means any of the diseases mentioned in the First Schedule to this Ordinance;

“ Diseased ” means infected or affected by disease;

“ District ” means the Area controlled by each respective Police Station;

“ Inspector ” or “ The Inspector ” means any inspector appointed under this Ordinance;

“ Licensing Court ” means the Licensing Court constituted under the *Licensing Ordinance* 1939;

“ Meat ” means the flesh of any slaughtered stock which is intended to be used for human consumption whether fresh or prepared by freezing, chilling, preserving, salting, or by any other process;

“ Owner ” means the owner whether jointly or severally of any slaughter house, and includes the authorized agent, manager, or superintendent of the owner;

“ Slaughter House ” means any building, enclosure, or place with its appurtenances used for slaughtering stock the meat of which is intended to be sold or delivered for human consumption but does not include a Government Abattoir;

“ Stock ” means stock within the meaning of the *Stock Diseases Ordinance* 1918-1922;

“ the Chief Inspector ” means the Chief Inspector of Slaughter Houses;

“ the Regulations ” means the regulations made under the provisions of this Ordinance.

4.—(1.) The provisions of the Acts and Regulations of the State of South Australia set out in the Second Schedule shall, to the extent therein specified, cease to apply to the Territory.

Certain Acts to cease to apply.

(2.) All licences issued in pursuance of those Acts shall continue in force for the period specified in those licences unless sooner suspended or cancelled under the provisions of this Ordinance or the Regulations.

Appointment
of officers, &c.

5.—(1.) The Administrator may appoint a Chief Inspector of Slaughter Houses and such other Inspectors and Officers as are necessary for the due and effectual execution of this Ordinance and the Regulations.

(2.) Until another appointment is made the Chief Inspector of Stock shall perform the duties and be deemed to be the Chief Inspector of Slaughter Houses.

(3.) The Administrator may assign any district or districts to any Inspector or Inspectors.

(4.) Members of the Police Force of the Northern Territory shall be *ex-officio* Inspectors of Slaughter Houses under this Ordinance.

Establishment
of Government
Abattoirs.

Inserted by
No. 17, 1940,
s. 3.

Grant of
licences.

Amended by
N. 17, 1940,
s. 4.

5A.* The Administrator may establish Government Abattoirs at any place in the Territory and may there engage in the slaughtering of stock.

6. Subject to this Ordinance, the Licensing Court may grant licences for slaughter houses established or proposed to be established in the Territory.

Licence not to
be granted
unless slaughter
house is within
reserve for
slaughtering
stock.

Inserted by
N. 13, 1933,
s. 2.
Sub-section (1.)
amended by
N. 17, 1940,
s. 5.

6A.—(1.) The Licensing Court shall not grant, renew or transfer a licence for any slaughtering house, unless that slaughter house is within an area of land which, by proclamation under the *Crown Lands Ordinance* 1931 or under any enactment amending that Ordinance or in substitution therefor, has been reserved by the Governor-General for the purposes of a slaughtering reserve.

(2.) This section shall apply only within the boundaries of declared areas.

(3.) The Administrator in Council may, from time to time, by notice in the *Gazette* of the Northern Territory declare any area to be a declared area in which the provisions of this section shall apply.

Amended by
N. 22, 1959,
s. 6 and First
Schedule.

7. The Licensing Court shall hear and determine applications for licences and renewals of licences at its annual sittings and applications for transfers of licences at any sittings of the Court.

Sittings of
Licensing
Court.
Substituted by
N. 17, 1940,
s. 6.

* Section 5A was inserted by sub-section (1.) of section 3 of the *Slaughtering Ordinance* 1940. Sub-section (2.) of that section reads as follows:—

“(2.) This section shall be deemed to have come into operation on the eighteenth day of October, One thousand nine hundred and twenty-three.”

7A. Where any application for the grant renewal or transfer of a licence is being heard by the Licensing Court the Chief Inspector or any Inspector of Slaughter Houses may, either personally or by counsel, appear before the Court and object to the grant renewal or transfer of a Slaughter House licence on the ground that the applicant is not of good character and repute, or has made default in the payment of any fee payable in respect of any Slaughter House licence then or previously held by him, or that the premises in respect of which the application is made are not suitable for a Slaughter House and may call evidence in support thereof.

Objection to grant, &c., of slaughter house licence.
Inserted by No. 1, 1927, s. 2; amended by No. 13, 1927, s. 2; and No. 17, 1940, s. 7.

8. If in respect of any application for a licence, renewal, or transfer, the Licensing Court is satisfied—

Conditions of grant, renewal or transfer of licences.
Substituted by No. 13, 1927, s. 3; amended by No. 17, 1940, s. 8.

- (a) that the applicant is of good character and repute,
- (b) that the applicant has paid all fees payable by him under or in respect of any licence then or previously held by him, and
- (c) that the premises in respect of which the application is made are suitable for a Slaughter House,

the Licensing Court shall grant the application.

9 A slaughter house licence shall be in force for the period commencing on the date of issue of the licence and terminating fourteen days after the next succeeding annual sittings of the Licensing Court, and may be renewed from time to time for a like period or transferred for the unexpired portion of the period for which it was granted.

Duration of licences.
Substituted by No. 17, 1940, s. 9.

10. In urgent cases, the Administrator, or an officer thereto authorized by him, may grant permits to slaughter stock, but any such permit shall remain in force only until the annual sittings of the Licensing Court next following the date upon which it was granted.

Administrator may grant permits to slaughter in certain cases.
Amended by No. 17, 1940, s. 10.

11.—(1.) No person shall slaughter at any place other than a licensed slaughter house or Government Abattoirs any stock the flesh of which is intended to be sold or distributed for human consumption.

Illegal slaughter.
Sub-section (1.) amended by No. 17, 1940, s. 11.

Penalty: Fifty pounds or imprisonment for six months.

(2.) This section shall not apply to stock killed solely for the use and consumption of the owner of the stock or the members of his family or his servants.

12 Any person who establishes or keeps an unlicensed slaughter house shall be guilty of an offence.

Unlicensed slaughter houses.

Penalty: Fifty pounds or imprisonment for six months.

Inspection of slaughter houses.

13. An Inspector may, at all reasonable times, enter and inspect any slaughter house or butcher's shop and its appurtenances, and may inspect any vehicles for the carriage and delivery of meat.

Powers of Inspectors in relation to slaughter houses and butchers' shops.

Sub-section (1.) amended by N. 17, 1940, s. 12.

Amended by No. 17, 1940, s. 12.

14.—(1.) An Inspector may inspect any stock or meat at any slaughter house, Government Abattoirs or butcher's shop or other place, and may demand and take samples of meat, and of water used in connexion with the stock or meat, at that slaughter house, Government Abattoirs, shop, or place.

(2.) If after inspection of any slaughter house, Government Abattoirs or butcher's shop an Inspector is satisfied that—

- (a) the slaughter house, Government Abattoirs or butcher's shop or the appurtenances thereto are in an unclean or unwholesome condition; or
- (b) any stock therein is affected with disease so that meat is likely to be contaminated; or
- (c) the water used in connexion with any meat or stock is impure or unwholesome; or
- (d) any person connected with the premises is affected with disease;

he may—

- (e) by order in writing addressed to the owner of the slaughter house, Government Abattoirs or butcher's shop direct that the slaughter house, Government Abattoirs or butcher's shop and the appurtenances thereto be forthwith cleansed, disinfected, or otherwise made wholesome to the satisfaction of an Inspector; or
- (f) with respect to any stock, exercise all or any of the powers conferred upon him by this Ordinance; or
- (g) order a fresh supply of water to be used; or
- (h) order the removal of any person affected with disease.

Powers and duties of Inspectors in regard to meat and stock.

15.—(1.) For the purposes of the provisions of this Ordinance relating to stock every Inspector shall have and may exercise all or any of the powers conferred upon Inspectors by the *Stock Diseases Ordinance* 1918-1922 and the *Brands Ordinance* 1914-1922, or any Ordinances amending or in substitution for those Ordinances.

(2.) If an Inspector is satisfied that any stock or meat inspected by him is unfit for human consumption, he shall condemn it and order it to be **destroyed**.

(3.) If an Inspector is satisfied that any stock or meat is being or has been removed, sold, delivered, or prepared contrary to this Ordinance and the Regulations, he shall condemn it.

(4.) All stock and meat which has been condemned shall be disposed of in the prescribed manner.

16. As soon as possible after making any order under the provisions of this Ordinance or the Regulations, the Inspector shall make a report in regard thereto to the Chief Inspector.

Reports by Inspectors.

17. If disease appears in any stock at any slaughter house or butcher's shop, or if any person connected with the premises is found to be affected with disease, the owner or occupier of the slaughter house or butcher's shop shall, forthwith after discovering the fact, give notice thereof to the nearest Inspector.

Outbreak of disease to be reported.

18. The owner or occupier of a slaughter house shall on request furnish the Inspector with any personal assistance and information which he is capable of furnishing to enable the Inspector to discover, or endeavour to discover, any source of contamination, infection, or disease to which any stock or meat is or has been exposed.

Owner or occupier to furnish information, &c.

19. No person shall knowingly sell or expose or keep for sale any stock or meat infected or affected with disease, or which has been condemned by an Inspector.

Diseased stock not to be sold.

20 No person shall use or render down, or otherwise prepare for use for the food of any swine, except with the permission of the Inspector, any carcass or part of any carcass, which is infected or affected with disease, or which has been condemned by an Inspector, or any blood or offal obtained from any such carcass.

Swine not to be fed with diseased meat.

21 Every person who—

Offences.

- (a) sells, consigns, or exposes for sale or slaughters, uses, or delivers any stock or meat in contravention of any of the provisions of this Ordinance or of the Regulations;
- (b) resists or obstructs an Inspector or Officer of Police in the execution of his duty;
- (c) refuses to give information, or gives false information, in answer to any inquiry made by an Inspector or Officer of Police in the course of his duty;
- (d) refuses or neglects to obey the order of an Inspector;

(e) refuses or neglects to keep any record, or make any report, or preserve any hide or skin or portion of any hide or skin, or produce the same on demand when required to do so by an Inspector, or makes any false entry in any record or report;

(f) refuses or neglects to give any notice prescribed by this Ordinance or the Regulations, shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for six months.

(2.) If any owner refuses or neglects to obey the order or any part of the order of an Inspector, the Administrator may make an order directing the Inspector to carry out the work at the expense of the owner, and the Inspector shall cause the work to be carried out accordingly, and may recover from the owner, by action in any court of competent jurisdiction, the expense of doing the work.

(3.) All such expense shall, until recovered, be and remain a first charge upon the slaughter house, butcher's shop, stock or meat, notwithstanding any change of ownership.

22. Any person who knowingly takes or assists in taking into any slaughter house, Government Abattoirs or butcher's shop any person, or stock, meat, or other matter or thing, infected or affected with disease, shall be guilty of an offence.

Penalty: Imprisonment for one year.

23. All proceedings in respect of penalties for offences against this Ordinance or the Regulations thereunder may be heard and determined by a Justice of the Peace or a Special Magistrate upon the complaint of an Inspector.

24.—(1.) In the case of a second or subsequent offence by the owner of a slaughter house against the provisions of this Ordinance or the Regulations, the Court before which the proceedings are brought may, in addition to the punishment for such offence, order that the licence of the slaughter house be suspended for such period not exceeding three months as the Court thinks fit, or be absolutely cancelled, and the licence shall be so suspended or cancelled accordingly.

(2.) The Government Resident may, by writing under his hand, cancel any Slaughter House licence if he is satisfied that the licensee has failed to pay any prescribed fee within twenty-one days after the due date of payment.

Taking diseased stock, &c., into slaughter houses, &c.
Amended by No. 17, 1940, s. 13.

Proceedings for offences.

Suspension and cancellation of licences.
Amended by No. 17, 1940, s. 14.

Inserted by No. 13, 1927, s. 4.

25. In any legal proceedings under this Ordinance or the Evidence.
Regulations—

- (a) the fact that this Ordinance is in force in any district shall be presumed until the contrary is proved;
- (b) the production of a certificate purporting to be signed by a medical officer, or an expert or analyst, shall be *primâ facie* evidence of the facts therein stated;
- (c) the onus of proof that any stock or meat was not exposed for sale or delivery, or was not intended for human consumption, shall lie upon the party charged; and
- (d) until the contrary is proved, the fact that any stock are found at any place under circumstances denoting an intention to slaughter the stock shall be *primâ facie* evidence that the place is a slaughter house, and that the stock are being slaughtered therein.

26. The Administrator may make regulations, not inconsistent with this Ordinance, prescribing all matters which are by this Ordinance 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 for the following matters:—

Regulations
may be made.
Amended by
No. 17, 1940,
s. 15.

- (a) the forms and procedure to be observed in connexion with applications for licences and for renewals or transfers of licences;
- (b) the powers and duties of Inspectors;
- (c) the persons by whom and the conditions upon which slaughter houses may be licensed;
- (ca) the regulation of Government Abattoirs;
- (d) the slaughter of stock generally;
- (e) the prohibition or regulation of the slaughter of stock at places other than slaughter houses;
- (f) the sustenance and treatment of stock upon any premises or place before they are slaughtered;
- (g) the carriage, storage, and treatment of meat and the carriage and treatment of stock;
- (h) the ventilation and drainage of slaughter houses and butchers' shops;
- (i) the construction and situation of pigsties and the keeping of swine at slaughter houses or butchers' shops;
- (j) the cleansing and disinfecting of slaughter houses and butchers' shops, and of all utensils, machinery, and vehicles used in connexion therewith;

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- (k) the removal and disposal of blood, offal, and filth from slaughter houses;
- (l) the preservation and production to Inspectors on demand of skins, hides, or any portions of skins or hides of stock slaughtered;
- (m) the destruction and disposal of stock or meat infected or affected with disease or which is unfit for human consumption;
- (n) the application or making of any test for the detection of disease in any meat or stock;
- (o) the records to be kept and the returns to be made by owners of slaughter houses;
- (p) the notices to be given under this Ordinance or the Regulations prior to the slaughtering of stock;
- (q) the payment and recovery of fees and expenses in respect of slaughter houses, butchers' shops, stock, and meat;
- (r) the qualifications of inspectors and officers appointed under this Ordinance and the examinations or other tests of competency to be passed by candidates for appointment as inspectors or officers;
- (s) the imposition and collection of fees and charges;
- (t) the imposition of penalties not exceeding fifty pounds for breaches of the regulations and the suspension or cancellation of licences and permits; and
- (u) any other matters and things necessary for the efficient administration of this Ordinance.

(2.) All such Regulations shall be notified in the *Gazette* of the Northern Territory, and shall thereupon have the force of law.

(3.) The Minister may by notice in the *Gazette* disallow any regulation, and thereupon the regulation shall cease to have effect.

FIRST SCHEDULE.

LIST OF DISEASES.

Human Beings.

Cholera.
Diphtheria.
Enteric or Typhoid Fever.
Measles.
Scarlet Fever.
Skin Diseases.
Smallpox.
Syphilis.
Tuberculosis.
Cancer.
Gonorrhœa.
Leprosy.

In Stock or Meat.

Abscesses.
Actinomycosis.
Anthrax.
Cancer.
Foot and Mouth Disease.
Mammitis.
Pleuro-pneumonia.
Swine Plague, or Swine Fever.
Tuberculosis.
Hydatids.
Advanced Pregnancy.
Recent Parturition.
Or any other inflammatory, bacterial, or parasitic diseases.

SECOND SCHEDULE.

Act or Regulation.	Extent of Repeal.
The Slaughtering Act, No. 5 of 1840	The whole Act
The Health Act, 1898	} So far as they relate to slaughter houses and butchers' shops
The Health Act, 1909	
Regulations under the Health Act, 1898 and 1909	
Food and Drugs Act, 1908	} So far as they relate to slaughter houses and butchers' shops
Regulations under the Food and Drugs Act, 1908	