

## TASMANIA.

## THE BURNIE ABATTOIR ACT, 1932.

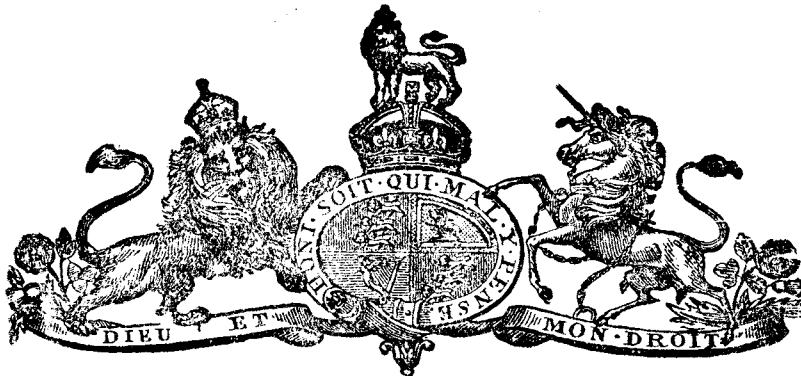
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## TASMANIA.



1932.

ANNO VICESIMO TERTIO

GEORGI V. REGIS.

No. 40.

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AN ACT to confer upon the Municipal Council of Burnie Additional Powers for Regulating the Slaughtering of Animals and Inspection of Animals and Carcases.

A.D.  
1932.

[23 December, 1932.]

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1** This Act may be cited as the "Burnie Abattoir Act, 1932," and shall be construed with the Food and Drugs Act, 1910, and any amendment thereof, and with the Local Government Act, 1906, and any amendments thereof. Short title.

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Interpretation.

**2** In this Act, unless the context otherwise determines—

“The abattoir” means and includes the land described in the schedule hereto and the buildings thereon erected and such other additional or substituted land and buildings as the Council may from time to time by resolution determine :

“Animal” means and includes any bull, bullock, cow, steer, heifer, calf, goat, ram, ewe, wether, lamb, boar, sow and barrow, and sucking pig :

“Carcase” extends to and includes a part of the carcase of any animal :

“The Council” means and includes the Municipal Council of Burnie constituted under the provisions of the Local Government Act, 1906 :

“Inspector” means and includes the person or persons for the time being appointed by the Council to carry out inspection of animals and carcases under this Act :

“Limits of this Act” means and includes the Burnie Water Area as defined in the schedule to the Burnie Water Act, 1928.

Places for slaughtering and inspection.

**3** The Council may from time to time by resolution appoint a place or places, in addition to or substitution for the land described in the schedule hereto, as a place for the slaughter and inspection of animals and carcases or for the carrying out of any one or more of such activities, and may from time to time by resolution rescind or vary such appointment.

Right to have animals slaughtered.

**4** Subject to any by-laws for the time being in force and to any conditions that may be imposed by the Council, any person resident within the limits of this Act shall be entitled to slaughter any animal at the abattoir.

Council to appoint inspector and other officers.

**5**—(1) The Council may from time to time nominate and appoint during pleasure an inspector and all proper and suitable officers and persons required to conduct and carry out the inspections prescribed by this Act and to conduct, manage, and supervise the abattoir.

(2) Such inspector, officers, and persons shall perform such duties as may be from time to time assigned to them by the Council, and shall be paid such salaries and allowances as the Council thinks reasonable.

(3) Such inspector, officers, and persons shall, in addition to their powers hereunder, be vested with all the powers of an inspector under the Food and Drugs Act, 1910, and any amendment thereof.

Animals to be yarded and carcases exhibited to enable inspector to inspect.

**6**—(1) Every person who, in pursuance of this Act or of any by-law made hereunder, gives any notice to an inspector for the purpose of enabling such inspector to inspect any animal or carcase shall yard such animal in a yard of the abattoir, or, in the case of a carcase, exhibit

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such carcase within the abattoir or such other place as shall from time to time be appointed by the Council so as to enable such inspector properly and effectually to inspect the same. A.D. 1932.

(2) It shall be lawful for such inspector, upon his inspecting any animal or carcase, to brand or otherwise mark such animal or carcase so as to enable him to recognise the same. Inspector may brand animals and carcasses.

(3) If any person does not so yard any animal or exhibit any carcase so as to enable the inspector properly and effectually to inspect the same, or obstructs or refuses to permit the branding or otherwise marking of any such animal or carcase by such inspector, he shall forfeit a penalty not exceeding Twenty Pounds.

**7—**(1) The unsalted carcase of any animal, within the limits of this Act, shall be inspected by the inspector at the place or places appointed under this Act. Unsalted carcase of animals within limits of this Act to be inspected.

(2) Every unsalted carcase passed as fit for human consumption by the inspector shall be impressed by the inspector as follows:—

i. In the case of beef—

- (i) On the tongue ;
- (ii) On the outside of each shoulder ;
- (iii) On the outside of each buttock ;
- (iv) On the flank ;
- (v) On the inside of the ribs, near the backbone .

ii. In the case of veal—

- (i) On the outside of each shoulder ;
- (ii) On the outside of each buttock ;
- (iii) On each flank :

iii. In the case of mutton, lamb, and goat, on the outside of each shoulder and the outside of each leg :

iv. In the case of pork, on the outside of each cheek, hand, loin, and leg :

v. In the case of a non-flayed carcase, on the flank and the inside of the breast.

**8—**(1) All unsalted carcasses of animals slaughtered or brought within the limits of this Act shall be conveyed to the place appointed by the Council for inspecting the carcasses of animals as provided in this Act. Carcasses to be brought to place appointed and inspected.

(2) There shall be paid to the inspector such fees as shall from time to time be fixed by the Council in respect of the inspection of the carcase of any animal, which said several sums of money shall be paid to such inspector forthwith.

(3) If the same is not paid forthwith on demand, such carcase shall be forfeited to the use of such inspector.

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Persons  
slaughtering  
animals at  
abattoir to  
remove offal and  
viscera.

**9**—(1) All persons slaughtering, or causing to be slaughtered, at the abattoir any animal, and the owner of any carcase of any animal at the abattoir, shall, on demand by the Council or the inspector, forthwith remove from the abattoir and destroy all offal or viscera of such animal or carcase.

(2) In default of compliance by such person with such demand as aforesaid, the Council may, in addition to all other remedies, itself remove and destroy such offal or viscera, and the cost to the Council of such removal and destruction shall constitute a debt due by such person to the Council and be recoverable accordingly.

(3) Every person who in any manner whatsoever acts in contravention of this section shall, over and above the amount of any other moneys payable hereunder, be liable to a penalty not exceeding Twenty Pounds.

By-laws.

**10**—(1) In addition to the powers to make by-laws already conferred upon the Council by statute, it shall be lawful for the Council from time to time to make such by-laws as to the Council seems meet—

- i. For the proper ordering, conduct, management, and cleansing of the abattoir :
- ii. For any of the purposes of this Act which the Council think it expedient to carry out or effectuate by by-law.

(2) Any such by-law as aforesaid may impose a penalty not exceeding Twenty Pounds for the breach of any by-law so made and a further daily penalty not exceeding Five Pounds for a continuing breach.

Council to fix fees  
for slaughtering  
and inspecting  
animals and  
carcasses.

**11** The Council is hereby empowered, by public notice under the hand of the Warden, to fix—

- i. The rates or sums to be paid for the slaughtering of animals at the abattoir :
- ii. The fees to be payable on inspection of animals and carcasses of animals in pursuance of any notice given under the authority of this Act or of any by-law made thereunder :
- iii. The persons by whom, and mode in which, and time when such rates, sums, and fees shall be paid.

Penalty for not  
paying fees.

**12** If any person does not duly pay any such rates, sums, or fees as last aforesaid, he shall, over and above the amount of such rates, sums, or fees not so paid, be liable to a penalty not exceeding Five Pounds.

Slaughtering only  
at abattoir.

**13** No person shall slaughter any animal within the limits of this Act except in the abattoir.

Penalty : Twenty Pounds for each animal so slaughtered.

Penalty for  
bringing within  
limits of this Act  
carcasses not  
inspected.

**14** No person shall bring within the limits of this Act, except to the abattoir or other place appointed by the Council for inspection of carcasses as aforesaid, the unsalted carcase of any animal which has not been inspected and impressed or branded as by this Act provided.

Penalty : Fifty Pounds.

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**15** No person shall have in his custody or possession within the limits of this Act (except at or in transit to the abattoir or other place appointed by the Council for the inspection of carcases) any unsalted carcase of any animal unless the same has been inspected and branded as provided by this Act.

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Penalty for having possession of carcase not inspected.

Penalty : Twenty Pounds for each carcase.

**16**—(1) No person shall bring to the abattoir for slaughter or slaughter any animal within the limits of this Act without first giving sufficient notice of his intention so to do to the inspector to enable such inspector to inspect such animal before the same is slaughtered.

Animals not to be slaughtered without notice.

Penalty : Twenty Pounds.

(2) No person shall refuse or neglect to state to such inspector, upon being by him requested so to do, the name and residence as well of the owner of any such animal as of the person from whom he received the same.

Name of owner, &c., of animals to be stated.

Penalty : Twenty Pounds.

**17** Nothing contained in this Act shall extend to prevent the conveyance through the limits of this Act of any carcase of any animal for shipment in any vessel from the Port of Burnie.

Exception of carcases shipped from and to Port of Burnie.

**18**—(1) Nothing contained in this Act shall extend to or affect any person who, not having been prohibited by the Council, slaughters or causes to be slaughtered within the limits of this Act any animal for consumption by himself, his family, servants, or workmen.

Exception of slaughter of animals for private consumption.

(2) Nothing contained in this Act shall extend to or affect any person in respect of any animal slaughtered in any case where humanity enjoins its immediate death. Provided that in every such case as last aforesaid the person slaughtering such animal shall, as soon as possible afterwards, give notice thereof to the inspector, and shall, if required so to do, produce the ears and entire skin of such animal to such inspector.

Exception of slaughter of animals for humane reasons.

**19** In any prosecution or other legal proceeding under the provisions of this Act or of any other Act relating to the Council instituted by or under the direction of the Council, no proof shall, until evidence is given to the contrary, be required—

Evidence.

- I. Of the persons constituting the Council or the boundaries of the limits of this Act or the boundaries of the abattoir :
- II. Of any order to prosecute, or of the particular or general appointment of the Council Clerk, or of any other officer of the Council, or of the inspector :
- III. Of the authority of any officer of the Council to prosecute :
- IV. Of the appointment of the Warden or Council Clerk :
- V. Of the presence of a quorum of the Council at the making of any order or the doing of any act.

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Powers to be  
additional.

**20** This Act shall be in addition to, and not in limitation of, the power conferred upon the Council by any other Act now or hereafter to be passed.

Proceedings.

**21** All proceedings in respect of offences committed against this Act or any by-law made hereunder shall be taken, heard, and determined, and all penalties and sums of money imposed or made payable under this Act or any by-law or notice made or given hereunder may be enforced and recovered, in accordance with the provisions of the Justices Procedure Act, 1919.

One conviction  
only.

**22** No person shall be liable to be punished under this Act or under any by-law and under any other Act for the same offence.

Penalties to be  
paid to Council.

**23** All penalties received by virtue of this or any other Act relating to the Council or any by-law shall, if not otherwise in any case specially directed, be paid to the Council and form part of the Municipal Fund.

General penalty.

**24** If any person commits an offence against this Act or against an Act conferring any powers upon the Council now passed or hereafter to be passed or any by-laws heretofore made or hereafter to be made thereunder for which no penalty is, by any of the said Acts or by-laws, provided, he shall be liable to a penalty not exceeding Ten Pounds, and in the case of a continuing offence to an additional penalty not exceeding Two Pounds for every day on which the offence is continued after the first day.

**SCHEDULE.**

ALL that piece or parcel of land situate at Cooe Creek in the County of Wellington in Tasmania known as Cooe Point containing eight acres three roods twenty-two perches and two-tenths of a perch being the land comprised and described in indenture of conveyance dated the first day of May one thousand nine hundred and twelve Registered No. 12/7592 made between the Van Diemen's Land Company of the one part and the Warden councillors and electors of the Municipality of Emu Bay of the other part excepting thereout two roods twenty-six perches and eight-tenths of a perch portion thereof conveyed by the Warden councillors and electors of Emu Bay to Ina Beresford Knight and comprised and described in indenture of conveyance dated the twenty-second day of September one thousand nine hundred and thirty one Registered No. 18/6348 such eight acres three roods twenty-two perches and two-tenths of a perch of land being shown in the plan attached hereto and therein surrounded by red boundary lines.



**SCHEDULE.**



Scale: 4 chains to an inch.

