

- v. Prescribe the cases in which, and the conditions (if any) under which, boots and shoes shall be exempted, either wholly or to such extent as is specified in the regulations, from the provisions of this Act: and
- vi. Impose penalties, not exceeding fifty pounds, for offences against the regulations.”.

Miscellaneous  
amendments.

**5** The sections of the Principal Act specified in the schedule to this Act are repealed.

### THE SCHEDULE.

(Section 5.)

| Section Repealed. | Subject Matter of Repealed Section.   |
|-------------------|---|
| 7                 | Use of guarantees in defence.   |
| 9                 | Proceedings against offenders directed by Minister: Authority to prosecute. |
| 11                | Dismissal of complaints in certain circumstances.                           |
| 14                | Prosecution of employee for breach of section six.                          |
| 15                | Non-application of section five to certain goods intended for export.       |

### STRAITS ISLANDS ABATTOIRS.

No. 24 of 1950.

AN ACT to make provision for the establishment, operation and maintenance, on King Island and Flinders Island, of abattoirs and saleyards, and premises for the treatment and storage of meat, and for the control and regulation thereof; and for matters incidental thereto. [5 July, 1950.]

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:—

Short title  
and com-  
mencement.

**1**—(1) This Act may be cited as the *Straits Islands Abattoirs Act 1950*.

(2) This Act shall commence on a date to be fixed by proclamation.

**2** In this Act, unless the contrary intention appears— Interpre-  
tation.

“animal” means any horse, sheep, pig or goat, and any bovine animal, of any age or sex;

“board” means a board constituted under section three;

“inspector” means any person qualified to act as a meat inspector who is appointed by the Minister for Agriculture to act as an inspector for the purposes of this Act;

“meat” means the whole or any part of the carcase of any animal ordinarily used for human food.

**3**—(1) For the purposes of this Act there shall be constituted two boards, to be called respectively the King Island Abattoirs Board and the Flinders Island Abattoirs Board. Constitution  
and incor-  
poration of  
Boards.

(2) Each board shall consist of three members appointed by the Governor, of whom—

(a) one shall be a person nominated by the Minister, and that person shall be the chairman of the board;

(b) one shall be a person nominated by the Minister for Agriculture; and

(c) one shall be—

(i) in the case of the King Island Abattoirs Board, a person nominated by the King Island Branch of the body known as the Tasmanian Farmers' Federation: and

(ii) in the case of the Flinders Island Abattoirs Board, a person nominated by the Flinders Island Branch of the said body.

(3) Each member of a board shall, subject to this Act, hold office for a term of three years, and shall be paid such remuneration and travelling expenses as the Governor may determine.

(4) Any two members of a board shall constitute a quorum and a board may function, notwithstanding any vacancy in its membership, so long as a quorum remains.

(5) In the event of a vacancy occurring in the office of any member of a board, otherwise than by reason of the effluxion of time, the Governor may appoint a person to fill the vacancy, and the person so appointed shall hold office for the remainder of the term of office of the member in whose stead he is appointed.

(6) Each board shall be a body corporate having perpetual succession and a common seal and may sue and be sued by its corporate name and may do and suffer all acts and things which bodies corporate may by law do and suffer.

Vacation of office.

**4** The office of a member of a board shall become vacant at the expiration of his term of office, or if he—

- (a) dies;
- (b) resigns his office by writing under his hand addressed to the Governor;
- (c) becomes of unsound mind or otherwise incapable of continuing as a member;
- (d) without the consent in writing of the Minister, fails to attend three consecutive meetings of the board;
- (e) is convicted of any crime, as defined by the *Criminal Code*;
- (f) becomes bankrupt or compounds with his creditors or otherwise takes advantage of any law relating to bankruptcy; or
- (g) is removed from office by the Governor for proved incapacity or misconduct.

Proceedings of boards.

**5**—(1) The first meeting of each board shall be held at such time and place as the Minister may appoint in that behalf, and all subsequent meetings shall be held at such times and places as the board may determine.

(2) The chairman of a board shall preside at each meeting of the board at which he is present.

(3) All questions arising at any meeting of a board shall be decided by a majority of the votes of the members present and voting on the question, and, in the event of an equality of votes, the question shall be postponed till a subsequent meeting at which all members are present.

(4) The chairman of each board shall have a deliberative vote only.

(5) Subject to this section, each board may regulate its own procedure.

Powers and functions of boards.

**6** Subject to the directions of the Minister, a board may, for the purposes of this Act—

- (a) purchase, hold, mortgage, lease, and dispose of, real and personal property;
- (b) establish, operate, and maintain—
  - (i) abattoirs, sale-yards, boiling-down establishments, and treatment-plants;
  - (ii) pens, shelters, sheds, and ramps;
  - (iii) water-troughs and drinking places;
  - (iv) grazing paddocks and feeding places;
  - (v) stables, cattle-sheds, garages, and workshops; and

- (vi) such other conveniences and appurtenances (including offices, residences for employees, roads, and watercourses) as may be necessary or convenient for the efficient use and operation of any of the things specified in the foregoing provisions of this paragraph;
- (c) do all such acts and things as it may consider necessary or desirable in relation to the—
  - (i) transport and sale of animals;
  - (ii) slaughter of animals;
  - (iii) feeding and watering of animals;
  - (iv) handling, storage, transport, and disposal of meat, wool, hides, skins, bones, hair, hoofs, and offal; and
  - (v) inspection of meat;
- (d) let, and charge such fees as it thinks reasonable in respect of the use of any abattoirs or sale-yards established, operated, or maintained by the board pursuant to this Act;
- (e) instal, equip, maintain, and operate such machinery, implements, lighting, and other like facilities and equipment as it considers necessary for the efficient operation of any abattoirs, sale-yards, boiling-down establishments, or treatment plants established, operated, or maintained by the board pursuant to this Act;
- (f) appoint and employ such and so many employees as it thinks necessary;
- (g) with the approval of the Governor, and on such terms and conditions as he may approve—
  - (i) enter into contracts with any person for the operation by that person on behalf of the board of any abattoirs, sale-yards, boiling-down establishments, treatment plants, or other works or undertakings established by the board pursuant to this Act; or
  - (ii) lease or sell the same to any person; and
- (h) generally, do all such acts and things, erect such buildings, and enter into such contracts, as it considers necessary or desirable for carrying out or giving effect to the provisions of this Act.

**7—(1)** No person shall, at any abattoirs established, operated, or maintained by a board pursuant to this Act, slaughter any animal or present any animal for slaughtering, unless that animal has first been examined and inspected by an inspector. inspection  
of animals.

Penalty: Ten pounds.

(2) Upon examining and inspecting any animal proposed to be slaughtered at any such abattoirs, an inspector may brand or mark the animal for the purpose of enabling the carcass thereof to be identified after the animal is slaughtered, and, upon the animal being slaughtered, the inspector shall examine and inspect the carcass thereof.

(3) An inspector may—

(a) condemn, as being unfit for human consumption;  
or

(b) pass, as being fit for human consumption,

the whole or any part of any meat inspected by him, and shall stamp or mark with an appropriate stamp or mark all meat so passed.

(4) All meat condemned by an inspector as being unfit for human consumption shall become the property of the board and may be disposed of as the board thinks fit.

(5) Except as provided by subsection (6) of this section, the provisions of this section shall not affect the operation of any provisions of any Act relating to public health or of any regulations or by-laws made thereunder or of any by-laws relating to the regulation of slaughter houses or abattoirs, the killing of livestock for human consumption, or the inspection of carcasses or meat, made under the *Local Government Act 1906\**; but this section shall be construed as additional to, and not in derogation of, the provisions of any such Act, regulations, or by-laws.

(6) Notwithstanding anything contained in the *Local Government Act 1906\** or in any by-law made thereunder a board shall not be required to obtain any licence for, or to pay any fee in respect of, the establishment by it of any abattoirs or sale-yards pursuant to this Act.

Power of  
Treasurer  
to borrow  
£100,000.

**8** For the purposes of this Act, the Treasurer may borrow any sums of money, not exceeding in the whole the sum of £100,000 and may apply the moneys so borrowed in accordance with the provisions of this Act.

Advances  
to Boards.

**9—(1)** A board may requisition the Treasurer for any moneys required by it for the purposes of any works of a capital nature, and the Treasurer may, out of the moneys borrowed under the authority of section eight, advance to the board any moneys so requisitioned, but the amount which may be so advanced to either board shall not exceed, in the aggregate, the sum of £40,000.

(2) The Treasurer may, out of the moneys borrowed under the authority of section eight, advance to a board such sums of money (not exceeding £10,000 in the case of either board) as the board may require for working capital.

\* 6 Edw. VII. No. 31. For this Act, as amended to 1936, see Reprint of Statutes, Vol. V., p. 15. Subsequently amended by 2 Geo. VI. Nos. 8 and 33, 4 Geo. VI. No. 46, 5 Geo. VI. Nos. 20 and 42, 6 Geo. VI. Nos. 26 and 62, 7 & 8 Geo. VI. No. 88, 8 Geo. VI. No. 17, 9 Geo. VI. No. 12, 11 Geo. VI. Nos. 5 and 61, and No. 22 of 1949.

(3) Each board shall, while any part of the moneys advanced to it by the Treasurer under subsection (1) or subsection (2) of this section remains owing to the Treasurer, pay to the Treasurer quarterly on account of the Consolidated Revenue interest on the amount for the time being remaining owing to the Treasurer.

(4) The interest referred to in subsection (3) of this section shall be payable on the last days of September, December, March, and June respectively in each financial year and shall be calculated at the State rate, as defined in section twenty-four of the *Hydro-Electric Commission Act 1944\**.

**10**—(1) As soon as practicable after the close of each financial year, each board shall cause to be prepared, in respect of that financial year—

Accounts  
to be kept  
by boards.  
Cf. 7 Geo.  
VI. No. 5,  
ss. 10, 11.

- (a) a trading account;
- (b) a profit and loss account;
- (c) a profit and loss appropriation account; and
- (d) a balance-sheet,

in such form and containing such particulars as the Auditor-General may direct.

(2) The accounts of a board shall be subject to the provisions of the *Audit Act 1918†* in the same manner and to the same extent in all respects as if the board were a local authority, and those accounts shall be submitted to the Auditor-General for examination and certification on or before the thirty-first day of August in each year.

**11** A board may, unless the Governor otherwise directs, retain all profits arising from the activities of the board under this Act and apply the same for the purposes of this Act, other than for the purposes of expenditure on works of a capital nature.

Application  
of profits.  
*Ibid.*, s. 12.

**12**—(1) On or before the thirty-first day of October in each year, each board shall submit to the Minister a report of its operations during the financial year ended on the preceding thirtieth day of June.

Annual  
Report.  
*Ibid.*, s. 13.

(2) The Minister shall cause a copy of the report to be laid on the table of each House of Parliament within the first fourteen sitting days of such House after the report is received by him.

\* 8 & 9 Geo. VI. No. 22. Subsequently amended by 8 & 9 Geo. VI. No. 61, 10 Geo. VI. Nos. 2 and 33, 11 & 12 Geo. VI. No. 82, and No. 9 of 1948. See also 10 Geo. VI. No. 46.

† 9 Geo. V. No. 3. For this Act, as amended to 1936, see Reprint of Statutes, Vol. I, p. 237. Subsequently amended by 1 Geo. VI. No. 63, 3 Geo. VI. No. 37, 11 Geo. VI. No. 70, and No. 54 of 1949.