



Australian Capital Territory

Meat Act 1931 No 13

Republication No 5

Republication date: 28 February 2002

Last amendment made by Act 2001 No 44

Amendments incorporated to 12 September 2001

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Meat Act 1931* as in force on 28 February 2002. It includes any amendment, repeal or expiry affecting the republished law to 12 September 2001 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.

Amendments incorporated to
12 September 2001



Australian Capital Territory

Meat Act 1931

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Amendments incorporated to
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Australian Capital Territory

Meat Act 1931

An Act to control slaughtering and the sale of meat

1 Short title

This Act may be cited as the *Meat Act 1931*.

4 Definitions for Act

In this Act:

Note A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

abattoir means premises used for, or in connection with, the slaughter of animals for meat that is intended for human consumption.

animal means abattoir animal within the meaning of the *Meat Inspection Act 1983* (Cwlth).

chief health officer means the chief health officer under the *Public Health Act 1997*.

identity card, in relation to a public health officer, means the identity card issued to the officer under the *Public Health Act 1997*.

meat includes a carcase, or portion of a carcase of any animal, bones, edible offal, and blood for human consumption, but does not include tinned or canned goods, bacon, cooked meat, sausage meat, sausages, or small goods.

premises includes—

- (a) any part of a building or structure; and
- (b) any area of land, whether enclosed or not.

public health officer, in relation to a function under this Act, means—

- (a) a public health officer under the *Public Health Act 1997* who is authorised in writing by the chief health officer to exercise that function; or
- (b) the chief health officer.

vehicle includes vessel.

6 Sale etc of unmarked meat

- (1) A person shall not sell, expose for sale or have in his or her possession for sale—
- (a) a carcass not marked in accordance with the *Meat Inspection Act 1983* (Cwlth); or
 - (b) meat from such a carcass.

Maximum penalty: 50 penalty units.

- (2) Subsection (1) does not apply to any carcass, or meat from a carcass, that is—
- (a) marked in accordance with the law of a State or a Territory to which the *Meat Inspection Act 1983* (Cwlth) does not extend; and
 - (b) imported into the ACT in accordance with that Act.

7A Bringing of meat into ACT

A person shall not, except as authorised under the regulations, bring meat into the ACT, or cause meat to be brought or sent into the ACT, for sale or of a business carried on by him or her or by another person.

Maximum penalty: 50 penalty units.

8 Slaughtering elsewhere than at an abattoir

A person shall not, without the consent in writing of the chief health officer, slaughter an animal in the ACT otherwise than at an abattoir.

Maximum penalty: 50 penalty units.

9 Notification of decision

- (1) Where the chief health officer makes a decision under section 8 not to consent to the slaughter of an animal, the chief health officer shall, by notice in writing, inform a person whose interests are affected by the decision of the making of the decision.

- (2) A notice under subsection (1) shall be in accordance with the requirements of the code of practice in force under the *Administrative Appeals Tribunal Act 1989*, section 25B (1).

9A Review of decision

Application may be made to the administrative appeals tribunal for a review of a decision by the chief health officer under section 8 not to consent to the slaughter of an animal.

10 Slaughter of animals for private use

Notwithstanding anything contained in section 8, any person may slaughter on his or her own premises, if the premises are outside the city area, any animal for consumption by his or her own family or persons employed by him or her.

11 Power to condemn meat

- (1) A public health officer may condemn—
- (a) any carcase or portion of a carcase or any organ that is in his or her opinion diseased or unfit for human consumption; and
 - (b) any meat that has suffered deterioration by exposure to flies, dust or weather conditions, or by contact with unclean surfaces, or that is in a state of putrefaction or decomposition; and
 - (c) a carcase not marked in accordance with the *Meat Inspection Act 1983* (Cwlth) or meat from such a carcase.
- (2) Subsection (1) (c) does not apply to any carcase, or meat from a carcase, that is—
- (a) marked in accordance with the law of a State or a Territory to which the *Meat Inspection Act 1983* (Cwlth) does not extend; and
 - (b) imported into the ACT in accordance with that Act.
- (3) Any meat condemned by an a public health officer under this section shall become the property of the Territory.

- (4) A public health officer may seize and destroy or otherwise dispose of any meat so condemned, and the person who was the owner of the meat immediately before it was so condemned shall render reasonable assistance in the disposal thereof.
- (5) Any person who sells or offers for sale or uses for human consumption any organ, carcase or portion of a carcase so condemned commits an offence.

Maximum penalty: 50 penalty units.

15 Powers of Minister to engage in certain processes

- (1) The Minister shall have the exclusive right to engage in any of the following processes:
 - (a) fat melting or tallow extracting;
 - (b) bone grinding or manure manufacturing;
 - (c) blood boiling or drying;
 - (d) glue making;
 - (e) soap or candle making;
 - (f) gut scraping;
 - (g) tripe cleaning or tripe cooking;
 - (h) fellmongering or tanning; or
 - (i) any other trade that the Minister declares ,in writing, to be a noxious process.

- (2) A declaration under subsection (1) (i) is a notifiable instrument.

Note A notifiable instrument must be notified under the *Legislation Act 2001*.

- (3) The Minister may grant permission on the terms he or she thinks fit to any person to engage in any of the processes set out in subsection (1).

- (4) Any person, who, without the permission of the Minister (proof of which shall lie on the person) engages in any of the processes set out in this section commits an offence.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (5) The Minister may dispose of the products from any such process in the manner as he or she thinks fit.

18 Powers of public health officers

- (1) For this Act, a public health officer may—
- (a) at any reasonable time, and at all times when work is being performed, enter any butcher's shop, meat store, or place where meat is prepared for sale; and
 - (b) where he or she has reason to believe that there is in any vehicle meat intended for sale—
 - (i) stop and search the vehicle; or
 - (ii) stop the vehicle and require it to be taken to another place in the ACT where a search may conveniently be carried out; and
 - (c) where he or she has reason to believe that meat in any vehicle or package is intended for sale—inspect that meat; and
 - (d) cut into or divide or remove the carcase, or portion of the carcase, of any animal for the purpose of inspection; and
 - (e) at any time, with the assistance he or she thinks necessary, enter on any premises where he or she has reason to believe a contravention of this Act is being committed.

Note A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including regulations (see *Legislation Act 2001*, s 104).

- (2) Where a public health officer enters any premises or place under subsection (1) (a) or (e), stops a vehicle or requires a person to take the action referred to in subsection (1) (b) (ii), the officer shall, if requested by the occupier or person in charge of the premises or place, or the person in charge of the vehicle, produce his or her identity card.
- (3) A public health officer may require any person whom he or she reasonably suspects of having committed an offence against this Act to state his or her full name and usual place of residence.
- (4) Where a public health officer makes a requirement of a person under subsection (3), the officer shall produce his or her identity card.
- (5) If a public health officer fails to comply with subsection (2) or (4)—
- (a) if the officer has entered any premises or place—he or she is not authorised to remain there; or
 - (b) if the officer has stopped a vehicle—he or she is not authorised to search the vehicle; or
 - (c) if the officer has made a requirement of a person under subsection (1) (b) (ii) or subsection (3)—the person is not obliged to comply with the requirement.
- (6) Subject to subsections (2) and (4), a person who, without reasonable excuse—
- (a) obstructs or hinders a public health officer in the exercise of his or her powers under this section; or
 - (b) who refuses or fails to comply with a requirement made of him or her under this section by a public health officer;
- commits an offence.

Maximum penalty:

- (a) for paragraph (a)—50 penalty units, imprisonment for 6 months or both; or
- (b) for paragraph (c)—50 penalty units.

19A Evidence in proceedings for certain offences

- (1) In any proceedings under this Act against any person, the presence of meat—
 - (a) in a vehicle used by that person in the business of selling meat shall be prima facie evidence that he or she has that meat in possession for sale, that the meat is intended for sale and that he or she has exposed the meat for sale; or
 - (b) on premises where that person is engaged (whether as principal or employee) in the business of selling meat shall be prima facie evidence that he or she has that meat in possession for sale, that he or she has exposed or offered that meat for sale and that the premises are a place where meat is prepared for sale.
- (2) In any proceedings for an offence against this Act, the court shall presume that a document that purports to have been signed by a public health officer, the chief health officer or an authorised medical officer under the *Public Health Act 1997*, was so signed, but that presumption is rebuttable.

19B Determination of fees

- (1) The Minister may, in writing, determine fees for this Act.

Note The *Legislation Act 2001* contains provisions about the making of determinations and regulations relating to fees (see pt 6.3).

- (2) A determination is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

20 Regulation-making power

- (1) The Executive may make regulations for this Act.

Note Regulations must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

- (2) The regulations may make provision in relation to—
 - (a) the regulation of—
 - (i) public abattoirs and slaughtering places; and
 - (ii) the slaughter of animals; and
 - (iii) the transport of meat; and
 - (b) the granting of permits or licences in connection with slaughtering or the preparation or sale of meat or meat products for human consumption.
- (3) The regulations may also prescribe offences for contraventions of the regulations and prescribe maximum penalties of not more than 10 penalty units for offences against the regulations.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnotes.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
ins = inserted/added	renum = renumbered
LA = Legislation Act 2001	reloc = relocated
LR = legislation register	R[X] = Republication No
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
num = numbered	sdiv = subdivision
No = number	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced

3 Legislation history

The *Meat Act 1931* was originally the *Meat Ordinance 1931*. It became an ACT Act on self-government (11 May 1989).

Before 11 May 1989, ordinances commenced on their notification day unless otherwise stated (see *Seat of Government (Administration) Act 1910* (Cwlth), s 12).

After 11 May 1989 and before 10 November 1999, Acts commenced on their notification day unless otherwise stated (see *Australian Capital Territory (Self-Government) Act 1988* (Cwlth) s 25).

Legislation before self-government

Meat Ordinance 1931 No 13

notified 23 July 1931

commenced 1 August 1931 (Cwlth Gaz 1931)

as amended by

Meat Ordinance 1933 No 5

notified 16 March 1933

commenced 16 March 1933

Meat Ordinance 1940 No 6

notified 2 May 1940

commenced 2 May 1940

Meat Ordinance 1950 No 12

notified 16 November 1950

commenced 16 November 1950

Meat Ordinance 1953 No 6

notified 26 March 1953

commenced 26 March 1953

Ordinances Revision (Decimal Currency) Ordinance 1966 No 19

notified 23 December 1966

commenced 23 December 1966

Meat Ordinance 1968 No 32

notified 19 December 1968

commenced 19 December 1968

Endnotes

3 Legislation history

Ordinances Revision (Health Commission) Ordinance 1975 No 17

notified 1 July 1975
commenced 1 July 1975

Meat Ordinance 1976 No 37

notified 27 August 1976
commenced 27 August 1976

Ordinances Revision Ordinance 1978 No 46

notified 28 December 1978
commenced 28 December 1978

Ordinances Revision (Penalties) Ordinance 1979 No 26

notified 31 August 1979
commenced 31 August 1979

Meat (Amendment) Ordinance 1985 No 26

notified 28 June 1985
commenced 1 July 1985 (s 2 and Cwlth Gaz 1985 No S233)

Meat (Amendment) Ordinance 1988 No 19

notified 4 May 1988
commenced 4 May 1988

**Community and Health Service (Consequential Provisions)
Ordinance 1988 No 29**

notified 30 June 1988
commenced 2 July 1988 (s 2)

**Self-Government (Consequential Amendments) Ordinance 1989
No 38 sch 1**

notified 10 May 1989 (Cwlth Gaz 1989 No S164)
s 1, s 2 commenced 10 May 1989 (s 2 (1))
sch 1 commenced 11 May 1989 (s 2 (2) and see Cwlth Gaz 1989
No S164)

Legislation after self-government

Health Services (Consequential Provisions) Act 1990 No 63 sch 1

notified 28 December 1990 (Gaz 1990 No S102)
s 1, s 2 commenced 28 December 1990 (s 2 (1))
sch 1 commenced 31 January 1991 (s 2 (2) and see Gaz 1991 No S4)

Health (Consequential Provisions) Act 1993 No 14 sch 1

notified 1 March 1993 (Gaz 1993 No S23)
commenced 1 March 1993 (s 2)

Administrative Appeals (Consequential Amendments) Act 1994 No 60 sch 1

notified 11 October 1994 (Gaz 1994 No S197)
s 1, s 2 commenced 11 October 1994 (s 2 (1))
sch 1 commenced 14 November 1994 (s 2 (2) and see Gaz 1994 No S250)

Statute Law Revision (Penalties) Act 1994 No 81 sch

notified 29 November 1994 (Gaz 1994 No S253)
s 1, s 2 commenced 29 November 1994 (s 2 (1))
sch commenced 29 November 1994 (s 2 (2) and Gaz 1994 No S269)

Statutory Offices (Miscellaneous Provisions) Act 1994 No 97 sch pt 1

notified 15 December 1994 (Gaz No S280)
s 1, s 2 commenced 15 December 1994 (s 2 (1))
sch pt 1 commenced 15 December 1994 (s 2 (2) and Gaz 1994 No S293)

Public Health (Miscellaneous Provisions) Act 1997 No 70 sch 1, notes

notified 9 October 1997 (Gaz 1997 No S300)
ss 1-3 commenced 9 October 1997 (s 2 (1))
sch 1, notes commenced 13 August 1998 (s 2 (2) and Gaz 1998 No S185)

Statute Law Revision (Penalties) Act 1998 No 54 sch

notified 27 November 1998 (Gaz 1998 No S207)
s 1, s 2 commenced 27 November 1998 (s 2 (1))
sch commenced 9 December 1998 (s 2 (2) and Gaz 1998 No 49)

Law Reform (Miscellaneous Provisions) Act 1999 No 66 sch 3

notified 10 November 1999 (Gaz 1999 No 45)
sch 3 commenced 10 November 1999 (s 2)

Legislation (Consequential Amendments) Act 2001 No 44 pt 244

notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
pt 244 commenced 12 September 2001 (s 2 and Gaz 2001 No S65)

Endnotes

4 Amendment history

4 Amendment history

Commencement

s 2 om 1985 No 26

Repeal

s 3 om 1985 No 26

Definitions for Act

s 4 am 1950 No 12; 1953 No 6; 1968 No 32; 1975 No 17; 1978 No 46; 1985 No 26; 1988 No 19; 1988 No 29; 1990 No 63; 1993 No 14; 1994 No 97; 1997 No 70

Appointment of authorised persons

s 5 am 1985 No 26
om 1994 No 97

Identity card

s 5A ins 1988 No 19
om 1994 No 97

Sale etc of unmarked meat

s 6 sub 1968 No 32
am 1975 No 17
sub 1985 No 26
am 1994 No 81; 1998 No 54

Meat to be branded

s 7 sub 1953 No 6
am 1966 No 19; 1979 No 26
om 1985 No 26

Bringing of meat into ACT

s 7A ins 1953 No 6
am 1966 No 19; 1979 No 26; 1994 No 81; 1998 No 54

Slaughtering elsewhere than at an abattoir

s 8 am 1976 No 37
sub 1985 No 26
am 1988 No 19; 1988 No 29; 1990 No 63; 1994 No 81; 1997 No 70; 1998 No 54

Notification of decision

s 9 am 1966 No 19; 1975 No 17; 1979 No 26
om 1985 No 26
ins 1988 No 19
am 1988 No 29; 1989 No 38; 1990 No 63; 1994 No 60; 1997 No 70

Review of decision

s 9A ins 1988 No 19
am 1988 No 29; 1990 No 63; 1997 No 70

Slaughter of animals for private use

s 10 am 1985 No 26

Power to condemn meat

s 11 am 1950 No 12; 1966 No 19; 1979 No 26; 1985 No 26; 1989 No 38; 1994 No 81; 1994 No 97; 1997 No 70; ss renum R5 LA

Objects of scientific interest, how dealt with

s 12 om 1985 No 26

Salting hides and drying skinss 13 am 1975 No 17
om 1985 No 26**Viscera and offal, how dealt with**

s 14 om 1985 No 26

Powers of Minister to engage in certain processes

s 15 am 1966 No 19; 1979 No 26; 1985 No 26; 1994 No 81; 2001 No 44 amdts 1.2810-1.2812

Minister not responsible for loss or damage to meat etc

s 16 om 1985 No 26

Minister to fix fees etcs 17 sub 1933 No 5
om 1985 No 26**Powers of public health officers**

s 18 am 1985 No 26; 1988 No 19; 1994 No 97; 1997 No 70; 1998 No 54; 2001 No 44 amdts 1.2813-1.2815; pars and ss renum R5 LA

Power of Minister to delegate his or her powers under Act

s 19 om 1985 No 26

Delegations by the director-generals 19AA ins 1968 No 32
am 1975 No 17
om 1985 No 26**Evidence in proceedings for certain offences**s 19A ins 1940 No 6
am 1985 No 26; 1988 No 19; 1990 No 63; 1997 No 70; 1999 No 66 sch 3**Determination of fees**s 19B ins 1985 No 26
sub 2001 No 44 amdt 1.2816**Fees payable**s 19C ins 1985 No 26
am 1989 No 38
om 2001 No 44 amdt 1.2816

Endnotes

5 Earlier republications

Regulation-making power

s 20 am 1966 No 19; 1979 No 26; 1989 No 38; 1994 No 81; 2001 No 44 amdts 1.2817-1.2820

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	Act 1990 No 63	31 August 1991
2	Act 1993 No 14	31 August 1993
3	Act 1994 No 97	28 February 1995
4	Act 1998 No 54	30 April 1999

Authorised when accessed at www.legislation.act.gov.au or in authorised printed form

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