

New Zealand.



ANALYSIS.

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| <p style="text-align: center;">Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Interpretation. 3. Council to have power to carry on works and business. 4. Minister to approve plans and site of milk-station. 5. Completion of a milk-station to be notified. 6. Testing milk at a milk-station. 7. Milk not to be sold unless tested. 8. Council to have power to undertake sale and distribution of milk, and to prohibit sale and distribution by private individuals. | <ol style="list-style-type: none"> 9. Council to have power to appoint servants, and to construct buildings, plant, machinery, &c. 10. Council may establish and equip freezing-chambers, &c. 11. Auction sales of fish at markets. 12. Fish to be inspected at a market. 13. Expense of establishing milk-stations, &c. 14. Special loan for establishing milk-stations, &c. 15. Penalties. 16. Appointment of Inspectors. 17. Council may fix fees. 18. Recovery of fees, charges, &c. 19. By-laws. 20. Mode of making by-laws. |
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1914, No. 10.—*Local and Personal.*

Title.

AN ACT to empower the Corporation of the City of Christchurch to undertake the Sale and Distribution of Milk and to control and regulate the Milk-supply of the said City, to establish and maintain Milk-stations in connection therewith, and also to establish, equip, and maintain Markets, Refrigerating-chambers, and Chambers for the Cool Storage of Meat and other Articles intended for Human Food, and to borrow and expend Money for all or any of such Purposes. [2nd November, 1914.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Christchurch Milk-supply and Markets Act, 1914.

Interpretation.

2. In this Act—

“The city” means the City of Christchurch :

“The Council” means the Christchurch City Council :

“To test” means and includes to analyse for detection of added water, preservatives, or other adulterants, to examine for percentage of butter-fat contents and for purity, and to adopt such other processes as may from time to time be prescribed by any by-law of the Council.

3. It shall be lawful for the Council to do all or any of the following things :—

Council to have power to carry on works and business.

- (a.) To establish and maintain within or adjacent to the city one or more milk-stations for testing, treating, and distributing the milk-supply of the city, or for any one or more of such purposes :
- (b.) To buy and sell milk and cream ; to manufacture and sell butter, and other products of milk, and ice :
- (c.) To provide for the storage in cool chambers or otherwise of milk, butter, and other products of milk :
- (d.) Generally to carry on the business of a dealer in milk and the products of milk.

4. The Council shall not proceed to establish any milk-station until the site and plans thereof have been submitted to and approved by the Minister of Public Health.

Minister to approve plans and site of milk-station.

5. On completion of a milk-station the Council shall, by advertisement published in some newspaper circulating within the city, publicly notify that such milk-station will be available for the testing of milk on and after a date to be specified in such advertisement, being not sooner than fourteen nor later than twenty-eight days after the first publication thereof, and shall in such advertisement define the area within the city for which the milk-station shall be available for testing milk ; and it shall be the duty of the Council to have such milk-station available accordingly, and thereafter to so maintain it.

Completion of a milk-station to be notified.

6. (1.) No milk shall be passed at a milk-station as fit for sale which does not come within the definition of or reach the standard prescribed by the regulations made under the Sale of Food and Drugs Act, 1908.

Testing milk at a milk-station.

(2.) If any milk tested be found by the responsible officer³ in charge of a milk-station to be unfit for human consumption, it shall be destroyed or disposed of as the Council may think fit, but no such milk shall be sold or used for human consumption.

(3.) If, on testing, any milk shall be found not to reach the specified standard, but to be in no other way unfit for human consumption, it shall be separated. The cream shall be the property of the owner of the milk, and the balance of the milk shall be destroyed or disposed of as the Council shall think fit.

7. No person shall, while a milk-station is available for testing milk, receive for storage or for sale, sell, offer or expose for sale in the area defined under the provisions of section five hereof milk which has not been tested and passed at such milk-station as fit for sale.

Milk not to be sold unless tested.

8. (1.) It shall be lawful for the Council from time to time, by special order, to undertake the distribution and sale of milk within the city, or within any part or parts thereof specified in such order.

Council to have power to undertake sale and distribution of milk, and to prohibit sale and distribution by private individuals.

(2.) In exercise of the power conferred by the foregoing subsection the Council may either sell and distribute milk by means of its own servants and workpeople, or may contract with other persons for the sale and distribution thereof, or may resort to both such ways.

9. For the purposes of this Act the Council may from time to time, in such manner and on such terms as it thinks fit,—

Council to have power to appoint servants, and to construct buildings, plant, machinery, &c.

- (a.) Appoint managers, engineers, agents, workmen, servants, and inspectors :

(b.) Construct, erect, lease, or purchase any buildings, plant, machinery, railway-sidings, and other fixed or movable appliances or works of any description, and sell or otherwise dispose of the same when no longer required :

(c.) Maintain and work any and every such milk-station building, plant, machinery, railway-siding, or other fixed or movable appliance as may be required.

Council may establish and equip freezing-chambers, &c.

10. The Council may establish and equip with all necessary or convenient machinery and appliances, as well outside of as within the boundaries of the city, such freezing-chambers and chambers for cool storage as it may from time to time deem necessary to provide for the storage and preservation by means of the refrigerating process, or any other like process which may from time to time be invented or brought into use, of meat, fish, poultry, game, butter, cheese, milk, vegetables, fruit, and all articles intended for human food.

Auction sales of fish at markets.

11. If at any time hereafter the Council, in exercise of the powers in that behalf contained in the Municipal Corporations Act, 1908, provides any one or more markets or market-places within the city, the Council may, by special order, require that, from and after a date to be fixed in and by the same special order, all sales of fish in wholesale quantities and all sales of fish by auction shall be held in such markets or market-places, or in a market or market-place to be named in the said order; and thereafter it shall not be lawful for any one to sell fish wholesale or by auction within the city save at such markets or market, or market places or place :

Provided that any wholesale fishmonger or fish-auctioneer who shall be carrying on business as such within the city at the date of such special order may continue to carry on such business, any such special order notwithstanding.

Fish to be inspected at a market.

12. At any time after the Council shall have provided any such market or market-place as aforesaid no person shall sell, or expose or offer for sale, within the city or for consumption within the city any fish for human food until he shall have caused the same to be inspected by an Inspector appointed by the Council, nor unless such Inspector shall have certified that such fish is fit for human consumption.

Expense of establishing milk-stations, &c.

13. The Council may, out of its general funds, defray the cost of establishing every and any such milk-station, market, market-place, freezing-chamber, and chamber for cool storage aforesaid, including the cost of acquiring land, erecting buildings and appurtenances, plant, machinery, and appliances for, and generally equipping and maintaining, the same.

Special loan for establishing milk-stations, &c.

14. The establishment of every such milk-station, market, market-place, freezing-chamber, and chamber for cool storage respectively as aforesaid, including the equipping the same respectively with all necessary or convenient machinery and appliances, and the cost of such land and buildings as aforesaid, but not the maintenance or management thereof, shall be deemed to be a public work within the meaning of the Local Bodies' Loans Act, 1913; and the Council may from time to time raise money by way of special loan under the said Act.

15. Every person is liable to a fine not exceeding ten pounds who directly or indirectly, by himself, his agent or servant,—

Penalties.

- (a.) Resists or wilfully obstructs any officer under this Act in the performance of his duty ; or
- (b.) Refuses to give information, or gives false information, in answer to any inquiry made by any such officer in the performance of his duty ; or
- (c.) Commits any breach of any of the provisions of this Act.

16. The Council may from time to time appoint one or more Inspectors, who shall, so far as relates to the milk-supply of the city and to all other articles of food, have the powers of an officer within the meaning of the Sale of Food and Drugs Act, 1908.

Appointment of Inspectors.

17. The Council may fix such fees and charges as it thinks fit for, or in respect of,—

Council may fix fees.

- (a.) Testing milk at a milk-station :
- (b.) The separation at a milk-station of milk :
- (c.) Cleansing milk utensils at a milk-station :
- (d.) Bottling and canning milk in sealed bottles and sealed cans at a milk-station :
- (e.) The storage of milk or milk-products at a milk-station.

18. If default is made in the due payment of any charges made or payable under the authority of this Act, the Council, or any person appointed or authorized by it in that behalf, may at any time after such default recover the charges by action in any Court of competent jurisdiction or by distress and sale of any goods in any milk-station, market, freezing-chamber, or chamber for cool storage, and belonging to the person by whom the said charges are payable.

Recovery of fees, charges, &c.

19. The Council may make by-laws for all or any of the following purposes :—

By-laws.

- (a.) Prescribing any fees authorized to be fixed by this Act :
- (b.) Regulating the conduct and management of milk-stations, markets, market-places, freezing-chambers, and chambers for cool storage, and fixing the fees to be charged for use of the same :
- (c.) Regulating the method of testing and passing milk for sale within the city :
- (d.) Prescribing and regulating the bottling and canning of milk in sealed bottles and sealed cans, the storage of milk and milk-products at milk-stations and cool-storage chambers, milk-shops, milk-houses, dairy factories, and other places where milk is collected, deposited, treated, separated, prepared, or manufactured, or is sold, or offered or exposed for sale :
- (e.) Regulating generally the sale and distribution of milk within the city.

20. The power to make by-laws vested in the Council by the provisions of this Act shall be in addition to all powers which are now or may hereafter be vested in the Council under or by virtue of the Municipal Corporations Act, 1908, or any other Act, and shall be exercised in the manner prescribed by the said Municipal Corporations Act, 1908.

Mode of making by-laws.