



## ANALYSIS

Title	4. Delegation
1. Short Title	5. Cancellation of registration
2. Establishment of abattoirs	6. Cost of abattoir
3. Combination of local authorities	7. Use of slaughterhouse

---

1961, No. 134

**An Act to amend the Meat Act 1939**

[1 December 1961]

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

**1. Short Title**—This Act may be cited as the Meat Amendment Act 1961, and shall be read together with and deemed part of the Meat Act 1939 (hereinafter referred to as the principal Act).

**2. Establishment of abattoirs**—(1) The principal Act is hereby amended by repealing section 7, and substituting the following section:

“7. (1) Subject to the provisions of this Act, the Council of every borough and the Council of every town district shall establish and maintain an abattoir for the purposes of its district unless—

“(a) The Council is exempted, under subsection (4) of this section, from the provisions of this subsection; or

“(b) The Council is a local authority which, under section 14 of this Act, has combined with another local authority for the purpose of establishing or maintaining a common abattoir; or

“(c) The Council has delegated its power to establish or to maintain its abattoir under section 16 of this Act.

“(2) An abattoir that has been heretofore established and is being maintained at the commencement of this section shall, for the purposes of this Act, be deemed to have been established thereunder.

“(3) If, at the commencement of this section, any local authority that is required by subsection (1) of this section to establish an abattoir has not established an abattoir, it shall, unless it has within twelve months after the commencement of this section or within such extended time (if any) as the Minister may allow been exempted or excused in accordance with this Act from doing so, establish an abattoir.

“(4) The Minister may by notice in writing exempt, subject to such terms and conditions as may be prescribed in the notice, the Council of any borough or of any town district from the provisions of this section requiring the Council to establish or maintain an abattoir.”

(2) Section 8 and subsection (1) of section 9 of the principal Act are hereby repealed.

**3. Combination of local authorities**—Section 14 of the principal Act is hereby amended by adding the following subsection:

“(3) Notwithstanding the provisions of this section, in any case where local authorities have combined under this section for the purpose of establishing or maintaining a common abattoir, the local authorities may appoint a committee consisting of such number of their members as the local authorities may by resolution determine, and the committee shall be the controlling authority of the abattoir for the purposes of this Act.”

**4. Delegation**—The principal Act is hereby further amended by repealing section 16, and substituting the following section:

“16. (1) Any local authority that by this Act is required to establish or to maintain an abattoir, or any local authority that, in accordance with section 9 of this Act, has made a special order for the establishment of an abattoir, or any committee appointed under subsection (3) of section 14 of this Act as the controlling authority of an abattoir may, with the approval of the Minister, from time to time delegate to any fit person (including a company) its power to establish or to maintain the abattoir.

“(2) Any local authority or committee authorised under subsection (1) of this section to delegate its power to establish or to maintain an abattoir may, with the approval of the Minister, make two or more separate and concurrent delegations of any such power, and the provisions of this section shall apply to every such delegation.

“(3) Any local authority that has delegated its powers under this section may, with the approval of the Minister, establish or maintain an abattoir in all respects as if its power to do so had not been delegated.

“(4) Where any committee appointed under subsection (3) of section 14 of this Act has made a delegation under this section to a company in which all the shares are held or of which all the liabilities are guaranteed by the local authorities appointing the committee, the company may itself delegate all the powers and authorities delegated to it in all respects as if the company were the committee making the original delegation.

“(5) Notwithstanding anything to the contrary in any enactment, any local authority that is a party to the appointment of a committee under subsection (3) of section 14 of this Act may subscribe for, acquire, and hold shares in or guarantee the liabilities of a company referred to in subsection (4) of this section and to which the committee intends to make or to which it has made a delegation under this section.

“(6) Every instrument of delegation under this section shall be by deed under the seal of the corporation or signed by or on behalf of the committee, as the case may require, and shall be signed by or on behalf of the person to whom the delegation is made. Where the delegation is by or to a company, the seal of the company shall be affixed to the instrument of delegation.

“(7) Every such instrument of delegation shall contain only such terms, conditions, and provisions as the Minister may approve, and shall operate as an agreement between the authority or committee making the delegation and the person to whom the delegation is made.

“(8) Where an abattoir is operated pursuant to an instrument of delegation, the controlling authority of the abattoir shall, while the instrument of delegation continues in force, be the person or company operating the abattoir under the instrument of delegation and the district of the abattoir shall be the district of the local authority by which the delegation was made or, in the case of a delegation by a committee or

a company delegating under subsection (4) of this section, the districts of the local authorities appointing the committee:

“Provided that where an abattoir is established or maintained for a defined part of any district or districts, the district of the abattoir shall be that defined part.

“(9) Every instrument of delegation under this section shall contain provisions for the termination of the delegation if the person to whom the delegation is made fails to establish the abattoir, or to maintain its efficiency (having regard to the requirements of the district) or for any other sufficient reason. In the event of the termination of a delegation by a local authority, any obligation of the local authority to establish an abattoir, or to maintain an abattoir, as the case may be, shall be immediately revived.”

**5. Cancellation of registration**—Section 17 of the principal Act is hereby amended by adding the following subsections:

“(5) The Minister on the application of a local authority may, in his discretion, cancel the registration of any abattoir maintained by the local authority if he is satisfied that the abattoir has become unnecessary for the requirements of the district of the local authority or that the local authority has made satisfactory alternative arrangements for the supply of inspected meat in its district.

“(6) Any cancellation under subsection (5) of this section may be made subject to such terms and conditions as the Minister thinks fit, including a condition that the obligation of the local authority to establish or maintain an abattoir shall be revived if any terms or conditions on which the cancellation is made are not complied with.

“(7) The provisions of subsection (4) of this section shall have no application to any cancellation under subsection (5) of this section.”

**6. Cost of abattoir**—Section 23 of the principal Act is hereby amended by adding the following subsection:

“(9) Notwithstanding the provisions of subsection (8) of this section, the provisions of this section shall, with the necessary modifications, apply with respect to any abattoir of which the controlling authority is a company referred to in subsection (4) of section 16 of this Act operating the abattoir pursuant to an instrument of delegation under that section in all respects as if the company were a local authority.”

**7. Use of slaughterhouse**—Section 42 of the principal Act is hereby amended by adding the following subsection:

“(3) It shall be unlawful to slaughter any poultry, or any animals other than stock, in any part of a slaughterhouse normally used for the slaughtering or processing of stock.”

---

This Act is administered in the Department of Agriculture.

---