



ANALYSIS

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1968, No. 38

An Act to amend the Meat Act 1964

[25 November 1968]

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 1968, and shall be read together with and deemed part of the Meat Act 1964 (hereinafter referred to as the principal Act).

2. Interpretation—Section 2 of the principal Act is hereby amended by inserting in subsection (1), in their appropriate alphabetical order, the following definitions:

“‘Custom-killing premises’ means premises in which, for fee or reward, stock is slaughtered on behalf of the owner of the stock by the person in occupation of the premises, with the intention that, except as provided in the proviso to subsection (2A) of section 46 of this Act, the meat derived therefrom will not be sold:

“‘Custom-killing premises licence’ means a licence granted under this Act in respect of custom-killing premises:

“‘Poultry’ means domestic fowls, ducks, geese, turkeys, and pheasants; and includes the carcass and every edible part of any slaughtered poultry; and also includes any bird which the Governor-General may by Order in Council declare to be poultry for the purposes of this Act:”.

3. Powers of Inspectors—The principal Act is hereby amended by repealing section 5, and substituting the following section:

“5. (1) In addition to any other powers or functions that may be conferred on Inspectors by or under this Act, every Inspector shall, for the purposes of his duties, have power to enter at any reasonable time on any premises registered, licensed, or approved under this Act or on any premises in which meat, game, fish, or poultry intended for sale is held, stored, or processed, and there inspect the premises or any stock, meat, game, fish, or poultry found therein:

“Provided that nothing in this subsection shall authorise an Inspector to inspect any premises or part of any premises used solely for the wholesale or retail sale in New Zealand of meat, game, fish, or poultry:

“Provided also that no Inspector shall enter into any dwellinghouse pursuant to this subsection, unless he is authorised in that behalf by a warrant under the hand of a Magistrate, who shall not grant such a warrant unless he is satisfied that the Inspector has reasonable grounds for requiring entry into the dwellinghouse.

“(2) Every Inspector shall, in accordance with regulations under this Act, have power to require the destruction or disposition of any stock, meat, game, fish, or poultry which, after inspection by the Inspector, is in his opinion diseased, defective, or otherwise unfit for human consumption.”

4. Inquiries as to abattoirs—The principal Act is hereby further amended by inserting, after section 6, the following section:

“6A. (1) In any case where—

“(a) Any person under the authority of this Act—

“(i) Proposes to establish an abattoir; or

“(ii) Proposes to construct, reconstruct, or make substantial alterations to an abattoir; or

“(b) The Minister considers that, in order to make an abattoir suitable or adequate for the requirements of the district, it should be reconstructed or substantial structural alterations should be made thereto,—

the Minister may appoint a Committee for the purposes of conducting an inquiry under this section.

“(2) Every such Committee shall consist of three persons of whom one shall be appointed by the Minister as Chairman.

“(3) The controlling authority of the abattoir or proposed abattoir, as the case may be, may nominate one person to be a member of the Committee, and the Minister shall appoint the person so nominated to be a member accordingly.

“(4) When holding an inquiry under this section, the Committee shall take into consideration—

“(a) Whether or not there is any economic need or justification for the proposed work;

“(b) The extent to which abattoirs and abattoir facilities are available to persons carrying on the business of purveyors of meat in the district, the adequacy of any such premises or facilities for the purposes of any such persons, and the difficulties which any such persons will experience in obtaining adequate supplies of inspected meat if the proposed work is not proceeded with;

“(c) Any representations made by the Minister, the controlling authority of the abattoir or proposed abattoir, and other interested persons;

“(d) Such other matters as the Committee considers relevant.

“(5) Every such Committee shall be deemed to be a Commission of Inquiry under the Commissions of Inquiry Act 1908, and, subject to this Act, sections 3, 4, 4A, and 5 to 10 of that Act shall apply accordingly.

“(6) The Chairman of the Committee or any other member purporting to act by direction or with the authority of the Chairman, may issue summonses requiring the attendance of witnesses before the Committee and the production of

documents, or may do any other acts preliminary or incidental to the hearing of any matter by the Committee.

“(7) Subject to any regulations under this Act, any such Committee may regulate its procedure in such manner as it thinks fit.

“(8) There may be paid to members of any such Committee out of money appropriated by Parliament for the purpose remuneration by way of fees or allowances and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and that Act shall apply accordingly as if the Committee were a statutory Board within the meaning of that Act.

“(9) Within such time as is fixed by the Minister, the Committee shall report its findings on any inquiry under this section to the Minister and to the controlling authority of the abattoir or proposed abattoir to which the inquiry relates. The Minister may from time to time extend the time for so reporting.

“(10) Where a Committee has been appointed to hold an inquiry under this section, no work in respect of which the inquiry is to be held shall be commenced or continued until the Committee has concluded the inquiry and reported its findings to the Minister.

“(11) The controlling authority of any abattoir or proposed abattoir in respect of which an inquiry has been held under this section shall have regard to the findings of the Committee in respect of the abattoir and, notwithstanding the provisions of this Act, may decline to proceed with any work to which the inquiry relates if the Committee recommends that the work be not proceeded with.”

5. Delivery of uninspected meat into an abattoir district or inspected meat area—Section 22 of the principal Act is hereby amended by inserting, after subsection (2), the following subsection:

“(2A) No person carrying on business as a purveyor of meat in any place that is not situated in an abattoir district or inspected meat area shall deliver or cause to be delivered into an abattoir district or inspected meat area any meat derived from stock slaughtered elsewhere than in an abattoir or export slaughterhouse if the meat is intended for human consumption.”

6. Export of pig meat—Section 31 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection:

“(2) Where an export slaughterhouse licence or the renewal of any such licence is applied for in respect of premises that are used or intended to be used for the slaughter of pigs only, the licence may be granted or renewed without the Minister requiring evidence that any part of the meat derived from pigs slaughtered in the slaughterhouse is intended for export.”

7. Rural slaughterhouses—Section 40 of the principal Act is hereby amended by repealing paragraph (c) of subsection (1), and substituting the following paragraph:

“(c) That the situation of the premises to which the application relates is not objectionable, and that the construction of the premises, the equipment, the accommodation available for stock, and means of disposal of refuse and effluent are satisfactory in all respects.”

8. Custom-killing premises—(1) The principal Act is hereby further amended by inserting, after section 41, the following heading and section:

“Custom-killing Premises”

“41A. (1) Any local authority may, subject to the provisions of this Act, issue in respect of premises situated within its district a custom-killing premises licence.

“(2) On receipt of an application for a licence in respect of any premises in its district that are intended to be used as custom-killing premises, the local authority shall proceed to consider the same, and may, in its discretion, issue a custom-killing premises licence if, after such inquiry and investigation as it thinks necessary, it is satisfied that a licence should be issued.

“(3) Every such licence shall, unless revoked or surrendered, continue in force until the thirtieth day of June next after the date on which the licence begins to take effect.

“(4) The local authority may from time to time, in its discretion, renew any such licence for a period ending on the thirtieth day of June next after the date on which the renewal takes effect.

“(5) Every application for such a licence and every licence shall be in a form provided by the local authority for the purpose.

“(6) Every application for such a licence or for a renewal of such a licence shall be accompanied by such fee (if any) as the local authority fixes from time to time.

"(7) The local authority may revoke any such licence at any time on such grounds as it considers sufficient.

"(8) Within one month after the issue, renewal, revocation, or surrender of any such licence, the local authority shall give notice thereof in writing to the Director-General, specifying the full name of the licensee and the address of the premises.

"(9) Every licensed custom-killing premises shall be constructed, maintained, and operated in accordance with regulations made under this Act."

(2) Section 45 of the principal Act is hereby amended by adding the following subsection:

"(3) In this section the term 'slaughterhouse' does not include custom-killing premises."

(3) Section 46 of the principal Act is hereby amended by adding to paragraph (c) of subsection (1) the word "or", and by adding to that subsection the following paragraph:

"(d) Licensed custom-killing premises."

(4) Section 46 of the principal Act is hereby further amended by repealing subsection (2), and substituting the following subsections:

"(2) Except as provided by section 47 of this Act or by the proviso to subsection (2A) of this section, it shall not be lawful for any person to sell for human consumption or to have in his possession for sale for human consumption any meat that is derived from stock that is slaughtered elsewhere than in a registered abattoir, a licensed export slaughterhouse, or a licensed rural slaughterhouse.

"(2A) It shall not be lawful for any person to sell for human consumption or to have in his possession for sale for human consumption any meat derived from stock that is slaughtered in any licensed custom-killing premises:

"Provided that any meat derived from stock slaughtered in licensed custom-killing premises on behalf of the owner of the stock may, if he is a bona fide farmer, be sold by him to any person who is employed by him in connection with farming operations on any farm in the owner's occupation for use by that person and not for the purposes of sale."

(5) Section 47 of the principal Act is hereby amended by adding to paragraph (a) of subsection (1) the following proviso:

"Provided that section 46 of this Act shall apply where the person in occupation is not the owner of the stock and the stock is slaughtered, for fee or reward, on behalf of the owner of the stock:".

(6) The principal Act is hereby further amended—

- (a) By omitting from the definition of the term "slaughterhouse" in subsection (1) of section 2 the words "or a rural slaughterhouse", and substituting the words "a rural slaughterhouse, or custom-killing premises":
- (b) By inserting in subsection (1) of section 42, after the words "rural slaughterhouse licence", the words "or a custom-killing premises licence":
- (c) By inserting in paragraph (c) of subsection (1) of section 44, after the word "slaughterhouse", the words "or custom-killing premises".

(7) This section shall come into force on the first day of July, nineteen hundred and sixty-nine.

9. Manufacture of certain meat—Section 48 of the principal Act is hereby amended by inserting, after subsection (3), the following subsection:

"(3A) No person shall use any premises for the manufacture of minced meat or sausage meat, or of sausages, whether the sausages are cooked or raw, for sale by wholesale for consumption in New Zealand, unless he is the holder of a domestic packing house licence issued under this Act in respect of the premises:

"Provided that nothing in this subsection shall apply to any premises in which minced meat, sausage meat, or sausages are manufactured for sale by wholesale if the sale is restricted solely to persons who subject the meat or sausages to cooking or to further cooking for the purpose of preparing the meat or sausages for resale, whether as part of a meal or otherwise."

10. Equipment in licensed premises—Section 53 of the principal Act is hereby amended by omitting from paragraph (b) of subsection (1) the words "the construction of the premises and their equipment", and substituting the words "and the construction of the premises".

11. Renewal of export packing house licence—Section 54 of the principal Act is hereby amended by adding, as subsections (2) and (3), the following subsections:

"(2) Notwithstanding anything in subsection (3) of section 53 of this Act, the Minister may withhold his consent to the renewal of any export packing house licence in respect of any premises, if he is of opinion that the premises, while being licensed as an export packing house, have not at any time during the period of two years immediately preceding

the making of the application for renewal been used for the packaging of meat for export.

“(3) In any case to which subsection (2) of this section applies, the Minister, if he is satisfied that the premises comply with the provisions of this Act and any regulations under this Act relating to domestic packing houses, shall grant without further application a domestic packing house licence in respect of the premises.”

12. New Part IV A inserted—The principal Act is hereby further amended by inserting, after Part IV, the following Part:

“PART IV A

“POULTRY PROCESSING HOUSES

“61A. Poultry processing houses to be licensed—(1) Subject to subsection (2) of this section, no person shall, after a date specified in that behalf by the Governor-General, by Order in Council, use any premises for the slaughter, processing, or canning of poultry intended for sale for human consumption, unless he is the holder of a poultry processing house licence issued under this Act in respect of those premises.

“(2) This section shall apply only to any premises in which more than ten head of poultry are slaughtered or processed or canned during any day on which the premises are in operation.

“(3) Where the definition of the term ‘poultry’ is extended in accordance with this Act, regulations under this Act may apply special provisions in respect of premises used for the processing or canning of poultry to which this Part for the time being applies.

“(4) For the purposes of this Part of this Act, the term ‘processing’, in relation to poultry, means slaughtering, dressing, or packaging poultry for human consumption; and the term ‘packaging’ has, in relation to poultry, the same meaning as it has in relation to meat or meat products pursuant to subsection (1) of section 2 of this Act.

“61B. Licences to be issued by local authorities—(1) Every licence in respect of a poultry processing house shall be issued by the local authority of the district in which the premises used or intended to be used as a poultry processing house are situated.

“(2) No such licence shall be issued without the consent of the Minister.

"61c. Provisions as to new premises—(1) Where any person proposes to erect any premises, or to reconstruct or adapt any premises, with the intention that they shall be used as a poultry processing house, he shall, before the work is commenced, submit to the Minister, in a form approved by him, the plans and specifications thereof, and shall at the same time give to the local authority concerned notice that the plans and specifications have been so submitted.

"(2) If the Minister is satisfied with the plans and specifications, he may in his discretion undertake to give his consent to the issue by the local authority of the appropriate licence in respect of the premises if the premises are completed in accordance with the approved plans and specifications and the licence is duly applied for within twelve months after the date of the Minister's undertaking, or within such extended time as the Minister may allow.

"61d. Notice of intention to apply for licence—(1) Before making application to a local authority for a poultry processing house licence in respect of any premises, the intending applicant shall, by advertisement published at least once in each week for two successive weeks in a newspaper circulating in the district in which the premises are situated, give notice of his intention to apply for a licence in respect of those premises.

"(2) The last of any such advertisements shall be published not earlier than fourteen days and not later than seven days before the date of the application.

"61e. Application for licence—(1) Every application for a poultry processing house licence shall be made to the appropriate local authority on a form provided by the Director-General for the purpose, and shall be accompanied by an adequate plan and description of the premises to which the application relates.

"(2) Every such application shall also be accompanied by such fee as may be prescribed, which shall be payable to the local authority.

"61f. Grant and renewal of licences—(1) On receipt of an application for a poultry processing house licence in respect of any premises, the local authority shall consider the application, and shall, with the consent of the Minister but not otherwise, issue a licence if, after such inquiry and investigation as it thinks necessary, it is satisfied—

"(a) That the requirements of this Act in relation to the application have been complied with:

“(b) That the situation of the premises to which the application relates is not objectionable, and that, in respect of drainage and sanitation and the disposal of refuse and trade wastes, the construction of the premises is satisfactory.

“(2) Every such licence shall be on a form provided by the Director-General for the purpose, and shall, unless sooner cancelled or surrendered, continue in force until the close of the thirtieth day of June next after the date on which the licence takes effect.

“(3) Subject to the provisions of this Act, every such licence may from time to time be renewed on payment to the local authority of such fee as may be prescribed.

“(4) The renewal of every such licence shall be for the period ending with the thirtieth day of June next after the date on which the renewal takes effect.

“61c. Minister may withhold consent—Subject to section 61c of this Act, the Minister may withhold his consent to the issue or renewal of any poultry processing house licence if he is of opinion that—

“(a) The construction of the premises or their equipment is not satisfactory; or

“(b) The licensee has been convicted of an offence against this Act in respect of the licensed premises or in respect of any other premises licensed under this Act.

“61H. Alteration of certain premises—(1) No licensee of a poultry processing house shall make or begin to make, or cause or permit to be made, any addition to or structural alteration of the premises in respect of which the licence was issued, except in accordance with plans and specifications approved by the Minister. When submitting plans and specifications to the Minister for the purposes of this subsection, the licensee shall at the same time give to the local authority concerned notice that the plans and specifications have been so submitted.

“(2) No licensee of a poultry processing house shall make any addition to or alteration of its plant, fittings, or equipment whereby, in the opinion of the Minister, the hygienic conditions of the premises or the facilities for inspection therein may be affected, without the prior approval of the Minister.

“(3) Every licensee to whom this section applies commits an offence and shall be liable to a fine not exceeding two

hundred dollars who contravenes or fails to comply in any respect with the provisions of this section.

"61i. Sanitary conditions of certain premises—(1) Every licensee of a poultry processing house shall maintain the poultry processing house in a sanitary condition to the satisfaction of the Inspector.

"(2) Every licensee commits an offence against this Act who contravenes or fails to comply in any respect with the provisions of this section.

"61j. Inspector may prohibit use of insanitary premises—

(1) If an Inspector is of opinion that any premises in respect of which a poultry processing house licence is for the time being in force are, by reason of their insanitary condition or for any other reason, unsuitable for the purpose of processing poultry, he may, by notice in writing to the licensee, order the removal therefrom of any poultry, and may prohibit the use of the premises for that purpose, either absolutely or until the defective condition has been remedied to his satisfaction. Any order or prohibition under this subsection may be expressed to take effect as from a date to be specified therein by the Inspector.

"(2) If any person fails to comply with any order under this section or does any act prohibited under this section, he commits an offence against this Act.

"61k. Conditions with respect to poultry processing houses—(1) The Minister may at any time during the currency of a poultry processing house licence, by notice under his hand given to the licensee, fix, with respect to any period or periods to be specified in that behalf in the notice, the maximum number of head of poultry that may be processed in the poultry processing house during any such period.

"(2) Any such notice may at any time in like manner be amended or revoked.

"(3) No notice shall be given under subsection (1) of this section unless the Minister is of the opinion that, having regard to the capacity and equipment of the poultry processing house, it is necessary to limit the number of head of poultry to be processed in order to ensure that the hygienic conditions of the premises and the quality of the product are not detrimentally affected.

"(4) The licensee of any poultry processing house in which any head of poultry are processed contrary to the terms of any notice under this section commits an offence against this Act.

"61L. Keeping of records—(1) The licensee of every poultry processing house shall keep at the poultry processing house a record book in which shall be entered daily the following particulars relating to all poultry slaughtered at the poultry processing house during the day, namely:

- “(a) The number, species, and sex of the poultry;
- “(b) The name, occupation, and address of the owner of the poultry or, if the licensee is the owner, of any person from whom the poultry was purchased or obtained, and the date of taking delivery;

“(c) Such other particulars as may be prescribed.

“(2) If the licensee of any poultry processing house fails on any day to make in the record book any entry required to be made under this section or knowingly makes any false entry therein, he commits an offence and is liable to a fine not exceeding twenty dollars.

“(3) The record book shall at all times during working hours be open to inspection by any Inspector or member of the Police.

"61M. Regulations—Such regulations may be made under this Act with respect to poultry and poultry processing houses as may be made under this Act with respect to meat, meat products, or stock or, as the case may be, other premises required to be licensed under this Act.”

13. Licences to exporters of fish—Section 77 of the principal Act is hereby amended by inserting, after subsection (1A) (as inserted by section 2 of the Meat Amendment Act 1966), the following subsections:

“(1B) Any such regulations may—

“(a) Require exporters of fish to be licensed by the Minister, and may prescribe conditions under which such licences may be held, renewed, transferred, surrendered, or cancelled:

“(b) Apply to exporters of fish such of the provisions of this Act, with such modifications as the Governor-General thinks fit, as may be prescribed in the regulations.

“(1C) For the purpose of this section, all fish which is taken or received into premises that have been approved for the purposes of regulations made pursuant to this section shall be deemed to be in those premises for the purpose of being processed or packaged for export.”

14. Regulations—(1) Section 83 of the principal Act is hereby amended by inserting in subsection (1), after paragraph (d), the following paragraph:

“(dd) Providing for the withdrawal, in whole or in part, of inspection services provided by the Department of Agriculture in any abattoir or in any premises licensed or approved under this Act in such circumstances as are specified in the regulations:”.

(2) Section 83 of the principal Act is hereby further amended by inserting in subsection (1), after paragraph (h), the following paragraph:

“(hh) Providing for the approval of premises intended for the slaughter of animals to provide food for dogs or cats or to provide materials for the manufacture of food specially prepared for dogs or cats or intended for the manufacture of any such food, and prescribing the conditions under which any such animals may be slaughtered or any such food may be manufactured:”.

(3) Section 83 of the principal Act is hereby further amended by inserting in subsection (1), after paragraph (n), the following paragraph:

“(nn) Providing, in respect of meat or meat products intended for export, power to specify and verify the nature and quality of ingredients used in the formulation of processed or canned meat or meat products, requiring information to be supplied as to the nature and quantity of such ingredients, and prescribing the information to be shown on labels of such meat or meat products:”.

(4) Section 83 of the principal Act is hereby further amended by inserting in subsection (1), after paragraph (u), the following paragraph:

“(uu) Prescribing information to be supplied and returns to be made by controlling authorities of meat export stores, or of premises intended for the processing of casings, or for the manufacture of food for dogs or cats, or for the manufacture of margarine:”.

15. Application of Food and Drugs Act 1947—Section 85 of the principal Act is hereby amended by adding the following proviso:

"Provided that nothing in the Food and Drugs Act 1947 shall apply with respect to meat, fish, game, or poultry or any product which includes meat, fish, game, or poultry, if that meat, fish, game, poultry, or product is packed exclusively for export and is not sold in New Zealand except in the course or for the purpose of export."

This Act is administered in the Department of Agriculture.
