

# MEAT EXPORT CONTROL AMENDMENT BILL

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## EXPLANATORY NOTE

**THIS** Bill amends the Meat Export Control Act 1921-22.

*Clause 1* relates to the Short Title.

*Clause 2* extends the principal functions of the Market Development Committee established by section 3 of the Meat Export Control Amendment Act 1966. An additional function of the Committee will be to consider the need for freezing works to provide additional facilities for ageing, conditioning, and cutting lambs for export.

*Clause 3* inserts a new section 11A in the Meat Export Control Amendment Act 1966 authorising the New Zealand Meat Producers Board to require freezing companies to provide such ageing, conditioning, and cutting facilities as will enable them to meet adequately the requirements of all meat exporters, and to give such directions to meat exporters as will ensure that those facilities are adequately used.

*Clause 4* amends section 12 of the Meat Export Control Amendment Act 1966, which provides for payment of a market development levy by persons who fail to comply with any directions of the Board under section 11, which relates to the lamb diversification scheme. Under section 12, the rate of the levy is fixed by the Board and payment of the levy will to that extent absolve that person from compliance with the directions of the Board in respect of which the levy was payable. The Board is not bound to demand payment if it considers that payment is not justified in the circumstances.

This clause provides that where a freezing company does not provide additional facilities as directed by the Board and meat exporters as a consequence are unable to meet the conditions of the lamb diversification scheme, the Board may impose liability on the freezing company to pay the levy, or part of it, that would have been incurred by the meat exporters.

*Clause 5* gives a right of appeal to a freezing company from which the Board has demanded payment of a market development levy under the amendment proposed by *clause 4*. The company may appeal on the ground that under the circumstances it was not reasonable that the company should be required to pay the levy.

*Hon. Mr Carter*

## MEAT EXPORT CONTROL AMENDMENT

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### ANALYSIS

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| Title  | 3. Board may require provision of facilities for conditioning, ageing, and cutting of lamb |
| 1. Short Title                               | 4. Market development levy   |
| 2. Functions of market development committee | 5. Appeals   |

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### A BILL INTITULED

#### An Act to amend the Meat Export Control Act 1921–22

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

1. **Short Title**—This Act may be cited as the Meat Export Control Amendment Act 1970, and shall be read together with and deemed part of the Meat Export Control Act 1921–22\*.
- 10 2. **Functions of Market Development Committee**—Section 10 of the Meat Export Control Amendment Act 1966 is hereby amended by adding to subsection (1) the following paragraph:

\*1957 Reprint, Vol. 9 p. 489  
Amendments: 1959, No. 52; 1960, No. 71; 1962, Nos. 85, 142; 1965, No. 33; 1966, No. 47; 1968, No. 92; 1969, No. 95

“(h) To consider the necessity for the provision of additional facilities at export slaughterhouses for the conditioning, ageing, and cutting of lamb, having regard to the demand for such facilities to enable exporters of lamb to carry out their obligations under this Act.” 5

**3. Board may require provision of facilities for conditioning, ageing, and cutting of lamb**—The Meat Export Control Amendment Act 1966 is hereby further amended by inserting, after section 11, the following section: 10

“11A. (1) The Board shall—

“(a) Give such directions to the owners, licensees, or operators of export slaughterhouses and make such arrangements as it considers necessary to ensure that export slaughterhouses have adequate facilities for the conditioning, ageing, and cutting of lamb to meet the demand for such facilities to enable exporters of lamb to carry out their obligations under this Act; and 15

“(b) Give such directions to exporters of lamb as it considers necessary to ensure, so far as is reasonably practicable, that such additional facilities are equitably used. 20

“(2) The powers conferred by this section may be exercised notwithstanding anything else in this Act.” 25

**4. Market development levy**—Section 12 of the Meat Export Control Amendment Act 1966 is hereby amended by adding to subsection (5) the following proviso:

“Provided that where a person has failed to comply with a direction of the Board given under this Act and that failure has been due to non-compliance by the owner, licensee, or operator of an export slaughterhouse with a direction given pursuant to section 11A of this Act, the Board may impose liability to pay the market development levy or a portion thereof upon the owner, licensee, or operator of the export slaughterhouse in exoneration, to the extent of the liability so imposed, of the first-mentioned person, and the owner, licensee, or operator shall be liable accordingly.” 30 35

**5. Appeals**—Section 13 of the principal Act is hereby amended by adding to subsection (6) the following paragraph:

5       “(c) That under the circumstances it was not reasonable that the appellant should be required to comply with the directions of the Board.”