

MEAT EXPORT CONTROL.

No. 36 of 1946.

An Act to amend the *Meat Export Control Act* 1935-1938, and for other purposes.

[Assented to 14th August, 1946.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Meat Export Control Act* 1946. Short title
and citation.

(2.) The *Meat Export Control Act* 1935-1938* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Meat Export Control Act* 1935-1946.

2. This Act shall commence on a date to be fixed by Proclamation. Commencement.

3. Section four of the Principal Act is repealed and the following section inserted in its stead:—

“ 4. In this Act, unless the contrary intention appears— Definitions.

‘edible offal’ means any edible portion, other than the flesh, of cattle, sheep or pigs;

‘meat’ means the flesh, whether fresh or preserved, of cattle, sheep or pigs;

‘meat product’ means food prepared from or containing meat, and includes canned meat;

‘member’ means a member of the Board;

‘producer’ means a person engaged in the raising or fattening of cattle, sheep, lambs or pigs intended for the production of beef, veal, mutton, lamb or pork for human consumption;

‘owner of stock’ means a person who is the owner or occupier of the land on which he bred or fattened the stock consigned for slaughter, treatment and submission for export;

‘the Board’ means the Australian Meat Board constituted in pursuance of this Act;

‘the Chairman’ means the Chairman of the Board;

‘the Fund’ means the Meat Export Fund established under this Act.”

4.—(1.) Section five of the Principal Act is repealed and the following section inserted in its stead:—

“ 5.—(1.) For the purposes of this Act, there shall be an Australian Meat Board. Australian
Meat Board.

* Act No. 52 of 1935 as amended by No. 7, 1936, and No. 19, 1938.

“(2.) The Board shall consist of—

- (a) three members to represent the lamb producers of Australia ;
- (b) one member to represent the mutton producers of Australia ;
- (c) two members to represent the beef producers of Australia ;
- (d) one member to represent the pig producers of Australia ;
- (e) two members to represent meat exporting companies of Australia ;
- (f) one member to represent publicly owned abattoirs and freezing works which deal with meat or meat products for export from Australia ;
- (g) one member to represent employees engaged in the slaughter and preparation of meat or meat products for export ; and
- (h) one member to represent the Commonwealth Government.

“(3.) The members of the Board shall be appointed by the Governor-General in accordance with the provisions of this section.

“(4.) Each member appointed to represent the lamb producers of Australia shall be a lamb producer, and the member appointed to represent the mutton producers of Australia shall be a mutton producer, appointed from persons nominated by the Graziers Federal Council of Australia or the Australian Wool and Meat Producers Federation or any other body approved by the Minister.

“(5.) Each member appointed to represent the beef producers of Australia shall be a beef producer appointed from persons nominated by the Graziers Federal Council of Australia or the Australian Wool and Meat Producers Federation or any other body approved by the Minister.

“(6.) The member appointed to represent the pig producers of Australia shall be a pig producer appointed from persons nominated by any association or body of pig producers approved by the Minister.

“(7.) Each member appointed to represent the meat exporting companies of Australia shall be a person nominated by the Minister after consulting, wherever practicable, representative associations or bodies of meat exporters.

“(8.) The member appointed to represent employees engaged in the slaughter and preparation of meat or meat products for export shall be a person nominated by the Minister after consulting, wherever practicable, the Federal Council of the Meat Industry Employees Union.

“(9.) A nomination (other than a nomination by the Minister) in pursuance of this section shall be in writing and shall be forwarded to the Minister so as to be received by him on or before a date fixed by the Minister by notice in the *Gazette*.

“(10.) Where—

- (a) no nomination ; or
- (b) a less number of nominations than the prescribed number of members to represent any particular producers referred to in sub-section (2.) of this section,

is received by the Minister on or before the date so fixed, the Governor-General may appoint such persons, in addition to any persons appointed from those nominated in accordance with this section, as he thinks fit to ensure that those producers will be represented by the prescribed number of members.

“(11.) Members of the Board, other than the Chairman and the member appointed to represent publicly owned abattoirs and freezing works which deal with meat or meat products for export from Australia, shall hold office for a period of three years and shall be eligible for re-appointment.

“(12.) The member appointed to represent publicly owned abattoirs and freezing works which deal with meat or meat products for export shall hold office during the pleasure of the Governor-General.

“(13.) The member appointed to represent the Commonwealth Government shall be Chairman of the Board and shall hold office for such period as the Governor-General directs :

Provided that the Governor-General may, on the recommendation of the Minister, remove the Chairman from his office for incapacity, incompetence or misbehaviour.

“(14.) A member of the Board, other than the Chairman, may be removed from office by the Governor-General on the recommendation of the Board.

“(15.) On the occurrence of any vacancy in the membership of the Board by reason of the death, resignation or removal from office of any member, the Governor-General may appoint a person to fill the vacancy and any person so appointed, other than the Chairman, shall hold office for the residue of the term of the member whose place became vacant :

Provided that where the member whose place has become vacant was appointed from persons nominated in pursuance of sub-section (4.), (5.), (6.) or (7.) of this section, the person appointed to fill the vacancy shall, subject to sub-section (10.) of this section, be appointed from persons so nominated.

“(16.) The exercise of the powers and functions of the Board shall not be affected by reason only of there being a vacancy in the membership of the Board.”.

(2.) Notwithstanding the repeal effected by sub-section (1.) of this section, the Australian Meat Board established under the Principal Act shall be preserved and continue in existence under and subject to the provisions of the Principal Act as amended by this Act, so that the corporate identity of the Australian Meat Board shall not be affected.

5. Section seven of the Principal Act is amended by omitting sub-section (2.) and inserting in its stead the following sub-sections :—

“(2.) Where the member who is ill or absent was appointed from persons nominated by an association or body of persons in pursuance of section five of this Act, the person appointed to be the deputy of that member shall be appointed from persons nominated in pursuance of that section.

Deputies of
Members of
Board.

"(3.) Where no person was so nominated by that association or body, or all the persons so nominated have been appointed members of the Board or deputies of members of the Board, the Governor-General may appoint such person as he thinks fit."

6. Section nine of the Principal Act is repealed and the following section inserted in its stead:—

Chairman to
preside at
meetings of
Board.

"9.—(1.) The Chairman shall preside at all meetings of the Board at which he is present.

"(2.) At any meeting of the Board at which the Chairman is not present, the members present shall appoint one of their number to preside at that meeting."

Meetings of
the Board.

7. Section ten of the Principal Act is amended—

(a) by omitting from sub-section (3.) the word "nine" and inserting in its stead the word "six";

(b) by omitting from sub-section (4.) the word "Chairman" and inserting in its stead the words "person presiding at that meeting"; and

(c) by inserting after sub-section (5.) the following sub-section:—

"(5A.) If the person presiding at a meeting of the Board dissents from any decision of the Board, signifies at the meeting to the other members present in person his intention to bring his dissent to the notice of the Minister and, within twenty-four hours after the close of the meeting, transmits to the Minister notice of his dissent together with full particulars of the decision, effect shall not be given to the decision unless the Minister approves of the decision (whether with or without variation) and, if the Minister approves of the decision subject to a variation, the decision so approved shall be deemed to be the decision of the Board."

Executive
Committee of
the Board.

8. Section eleven of the Principal Act is amended—

(a) by omitting from sub-section (1.) the word "six" and inserting in its stead the word "four";

(b) by omitting sub-section (2.) and inserting in its stead the following sub-section:—

"(2.) Not less than two members of the Executive Committee shall be representative of producers and not less than one member shall be representative of meat exporting companies."; and

(c) by omitting from sub-section (4.) the word "four" and inserting in its stead the word "three".

9. Section twelve of the Principal Act is repealed and the following section inserted in its stead:—

State
Committees

"12.—(1.) In order to assist the Board in carrying out its functions under this Act, the Minister may appoint for each State a Meat Advisory Committee.

"(2.) The members of the Meat Advisory Committee for a State shall be appointed by the Minister and shall comprise representatives of such sections of the meat industry in the State as, in the opinion of the Minister, will constitute a Committee adequately representative of that industry.

“(3.) The members of any such Committee shall hold office during the pleasure of the Minister and shall be paid fees and allowances at such rates as the Minister determines.”.

10. Section thirteen of the Principal Act is amended—

Fees, salaries
and expenses.

(a) by inserting in sub-section (1.), after the word “Board” (second occurring), the words “(other than the Chairman and the member appointed in pursuance of section five of this Act to represent employees engaged in the slaughter or preparation of meat and meat products for export)”;

(b) by inserting after sub-section (1.) the following sub-section :—
“(1A.) The Chairman and the member appointed in pursuance of section five of this Act to represent employees engaged in the slaughter or preparation of meat and meat products for export, shall receive such salaries and expenses as are prescribed.”; and

(c) by inserting in sub-section (2.), after the word “fees”, the words “or salary”.

11. Section fourteen of the Principal Act is repealed and the following section inserted in its stead :—

“14.—(1.) The Board may appoint a person or persons approved by the Minister to represent the Board in London.

London
representation.

“(2.) The representative or representatives of the Board in London shall hold office on such terms and conditions as the Board determines.”.

12. Section fifteen of the Principal Act is amended by omitting sub-section (4.) and inserting in its stead the following sub-section :—

Appointment
of officers.

“(4.) Where an officer appointed in pursuance of this section was, immediately before his appointment, an officer of the Public Service of the Commonwealth, his service as an officer of the Board shall, for the purpose of determining his existing and accruing rights, be taken into account as if it were service in the Public Service of the Commonwealth, and the *Officers' Rights Declaration Act 1928-1940* shall apply to that officer in like manner as if this Act and section were specified in the Schedule to that Act.”.

13. After section fifteen of the Principal Act the following section is inserted :—

“15A.—(1.) The Governor-General may arrange with the Governor in Council of any State for the performance, on behalf of the Board, by any officers in the Public Service of the State or in the service of any authority (including a local governing authority) of the State, of any work or services under this Act.

Service for
the Board by
State
Government
or other
authorities.

“(2.) In any such case the Governor-General may, by agreement with the Governor in Council of the State, make arrangements for determining—

(a) the rate of payment (if any) to be made by or on behalf of the Board for the work or services to be performed; and

(b) any matter relating to the performance of the work or services.”.

Power of
Board.

14. Section sixteen of the Principal Act is amended by inserting after paragraph (d) the following word and paragraph :—

“; and (e) on behalf of the Commonwealth and subject to any directions of the Minister—

- (i) to purchase any meat, meat product or edible offal ;
- (ii) to sell any meat, meat product or edible offal ; or
- (iii) to manage and control all matters connected with the handling, storage, protection, treatment, transfer and shipment of any meat, meat product or edible offal purchased by the Commonwealth.”.

Power to
control export
of meat.

15. Section seventeen of the Principal Act is amended by adding at the end of sub-section (1.) the following sub-section :—

“(1A.) The conditions referred to in the last preceding sub-section shall include a condition that, where an owner of stock so requests, a person who holds a licence issued under this section shall slaughter and treat stock, or cause stock to be slaughtered and treated, on account of the owner on a weight and grade basis for submission for export, at the rates and on the conditions specified from time to time by the Board by notice in writing to that person.”.

16. After section nineteen of the Principal Act the following section is inserted :—

Finance.

“ 19A.—(1.) The Board shall open and maintain, with the Commonwealth Bank of Australia, or with such other bank as the Minister approves, an account or accounts, into which shall be paid—

- (a) all moneys received in the exercise of the powers and functions of the Board under this Act ;
- (b) all moneys appropriated by the Parliament for use by the Board on behalf of the Commonwealth ; and
- (c) all moneys advanced by the Treasurer to the Board for the purpose of the exercise of the powers and functions of the Board under this Act.

“(2.) The Minister may arrange with the Commonwealth Bank of Australia for the making by that Bank of advances to the Commonwealth for use by the Board on behalf of the Commonwealth for the purposes of this Act and may guarantee to the Bank the repayment, out of moneys made available by the Parliament, of any advances made by the Bank in pursuance of the arrangement.”.

17. Section twenty-one of the Principal Act is repealed and the following inserted in its stead :—

Application of
moneys paid
into accounts.

“ 21. The moneys paid into any account or accounts opened by the Board in pursuance of section nineteen A of this Act or into the Fund shall be applied by the Board—

- (a) in payment of purchases of meat, meat products or edible offal ;
- (b) in payment of the expenses and other charges incurred by the Board or for which the Board may become liable in the course of its business ;

- (c) in payment of the prescribed salaries and allowances of officers of the Board ;
- (d) in payment of travelling allowances, fees or other remuneration to members of the Board, to members of the Meat Advisory Committee for a State or of the representative or representatives of the Board in London ;
- (e) in repayment to the Commonwealth of any moneys advanced to the Board ;
- (f) in investment in any securities of, or guaranteed by, the Government of the Commonwealth or of a State ; and
- (g) in payment of any costs or expenses incurred in connexion with any experiment, act or thing undertaken or done in pursuance of any arrangement made by the Board under the powers conferred by paragraph (d) of section sixteen of this Act."

18. The Schedule to the Principal Act is repealed.

**Repeal of
Schedule.**