

MEAT INSPECTION ARRANGEMENTS.

No. 100 of 1964.

An Act providing for Arrangements with the States and State Meat Authorities with respect to Meat Inspection.

[Assented to 20th November, 1964.]

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

Short title.

1. This Act may be cited as the *Meat Inspection Arrangements Act* 1964.

Commence-
ment.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Interpretation.

3.—(1) In this Act, unless the contrary intention appears—
“officer” means officer of the Public Service of the Commonwealth;

- “ person employed by the Commonwealth ” means an officer or temporary employee;
- “ State meat authority ” means an authority that is constituted by or under a State Act and is vested with powers and functions in relation to the slaughtering of live-stock;
- “ State meat inspector ” means a person who is employed as a meat inspector by a State or a State meat authority or holds an appointment as a meat inspector under a State Act;
- “ temporary employee ” means a person employed under Division 10 of Part III. of the Public Service Act;
- “ the Board ” means the Public Service Board constituted under the Public Service Act;
- “ the Public Service Act ” means the *Public Service Act 1922-1964*.

(2.) For the purposes of this Act, a person who, with the authority of the Board given under section eight of this Act, is employed under the Public Service Act in a temporary capacity, shall be deemed to be employed under this Act.

4. The provisions of this Act relating to the appointment of persons to the Public Service of the Commonwealth, and the employment of persons in a temporary capacity by the Commonwealth, are incorporated and shall be read as one with the Public Service Act.

Incorporation with Public Service Act.

5.—(1.) The Commonwealth may enter into an arrangement with a State or with a State meat authority with respect to the inspection of meat for or on behalf of the State or the State meat authority, or under a State Act, by persons employed by the Commonwealth.

Arrangements between Commonwealth and States and State meat authorities.

(2.) Without prejudice to the generality of the last preceding sub-section, an arrangement under that sub-section with a State or with a State meat authority may make provision for or in relation to—

- (a) the transfer of State meat inspectors to the Public Service of the Commonwealth or to employment by the Commonwealth in a temporary capacity;
- (b) the payments to be made by the State or the State meat authority, as the case may be, to the Commonwealth for or in respect of the performance of work under the arrangement by persons employed by the Commonwealth; and
- (c) any other matter incidental to or relating to the performance of work under the arrangement by persons employed by the Commonwealth.

Notice to meat inspectors of right to elect to be employed by the Commonwealth.

6.—(1.) For the purpose of giving effect to an arrangement entered into under the last preceding section, the Board may, by notice in writing addressed to a person who is a State meat inspector—

- (a) inform the person that he may elect to be appointed to the Public Service of the Commonwealth; or
- (b) inform the person that he may elect to be employed under the Public Service Act in a temporary capacity as a meat inspector in such Department of State of the Commonwealth as is specified in the notice.

(2.) An election in pursuance of a notice given under the last preceding sub-section shall be in writing addressed to the Board and shall be delivered to the Secretary of the Board within the period of twenty-one days after the date of the notice or within such further period as the Board, within that period of twenty-one days, allows.

(3.) A notice under sub-section (1.) of this section shall include particulars of the proposed appointment or employment.

Appointment to Commonwealth Public Service of State meat inspectors.

7. Where a person elects, in pursuance of a notice given under the last preceding section, to be appointed to the Public Service of the Commonwealth, the Board may (notwithstanding anything contained in the Public Service Act, except in paragraphs (a), (c) and (d) of section thirty-four of that Act) appoint him accordingly.

Temporary employment by Commonwealth of State meat inspectors.

8.—(1.) Where a person elects, in pursuance of a notice given under section six of this Act, to be employed under the Public Service Act in a temporary capacity in a Department of State of the Commonwealth, the Board may authorize his employment under Division 10 of Part III. of the Public Service Act accordingly.

(2.) Sub-sections (1.) and (2.) of section eighty-two of the Public Service Act do not apply in relation to any employment authorized by the Board under the last preceding sub-section.

Accrued recreation and sick leave.

9.—(1.) Subject to the next succeeding sub-section, a person appointed or employed under this Act preserves his eligibility for the grant of leave of absence for recreation or for sickness that had accrued immediately prior to his being so appointed or employed.

(2.) Where the eligibility of a person for the grant of leave of absence for recreation is for a number of days in excess of thirty, such number of those days as exceeds thirty shall be disregarded for the purposes of the last preceding sub-section.

Furlough.

10. For the purposes of the application of the *Commonwealth Employees' Furlough Act 1943–1959* in relation to a person appointed or employed under this Act (including the application

of that Act by virtue of paragraph (b) of section seventy-five of the Public Service Act), any State meat authority that—

- (a) is not a local governing body; and
- (b) is not an authority declared by the Treasurer by instrument in writing to be an authority to which this section does not apply,

shall be deemed to be and at all relevant times to have been an authority of a State as defined by section three of the *Commonwealth Employees' Furlough Act 1943-1959*.

11.—(1.) In the case of a person appointed or employed under this Act who, immediately before being so appointed or employed, was employed in a State Public Service and was a contributor to a State Fund— **Superannuation.**

- (a) section one hundred and nine of the Superannuation Act does not apply;
- (b) Part VII. of that Act, but not including sub-section (4.) of section one hundred and two, applies as if he were a State employee for the purposes of that Part and, for that purpose, section one hundred and two shall be deemed to have no application in relation to reserve units of pension for which he was contributing to the State Fund; and
- (c) if he is a person employed under this Act, he may make an election and payment in accordance with section one hundred and two of the Superannuation Act as if he had become an employee for the purposes of that Act on the date of the commencement of his employment under this Act, and, upon making such an election and payment, he shall be deemed to have become an employee for the purposes of that Act on that date.

(2.) Nothing in sub-section (1.) of section one hundred and two of the Superannuation Act affects the obligation of a person who is appointed or employed under this Act and makes an election and payment in accordance with that section to contribute, in accordance with the provisions of the Superannuation Act, for a number of units of pension in excess of the number specified in the certificate issued in respect of the person under that sub-section.

(3.) If—

- (a) a person referred to in the last preceding sub-section is, by virtue of that sub-section, required to contribute for a number of initial units of pension in excess of the number specified in the certificate issued in respect of him under sub-section (1.) of section one hundred and two of the Superannuation Act;

(b) he had, before his appointment or employment under this Act, attained the age of forty years; and

(c) he has not made an election under sub-section (5.) of this section,

he may, not later than six months after the date of that appointment or employment, elect to reduce the number of initial units of pension for which he is required to contribute to a number that is not less than the number of units of pension specified in the certificate referred to in paragraph (a) of this sub-section.

(4.) Where—

(a) a person appointed or employed under this Act makes an election and payment in accordance with section one hundred and two of the Superannuation Act;

(b) he was not contributing to the relevant State Fund for the maximum pension for which he could have been so contributing;

(c) he is, by virtue of sub-section (2.) of this section, required to contribute for a number of initial units of pension in excess of the number specified in the certificate issued in respect of him under sub-section (1.) of section one hundred and two of the Superannuation Act; and

(d) he had, before his appointment or employment under this Act, attained the age of forty years,

then, subject to the next succeeding sub-section, the number of initial units of pension for which he contributes shall not exceed the number of units of pension specified in the certificate referred to in paragraph (c) of this sub-section, increased by the number, if any, by which the number of initial units of pension for which, but for this sub-section, he would, by virtue of sub-section (2.) of this section, be required to contribute exceeds the number of units of pension that the actuarial member of the Superannuation Board certifies to be the number that would have been specified in the certificate referred to in paragraph (c) of this sub-section if the person had been contributing to the State Fund for the maximum pension for which he could have been so contributing.

(5.) Where—

(a) a person to whom the last preceding sub-section applies satisfies the Superannuation Board within a period of six months after the date of his appointment or employment under this Act that he is not suffering from any physical or mental defect likely to render him incapable of performing his duties before attaining the maximum age for retirement; and

(b) he has not made an election under sub-section (3.) of this section,

he may, within that period of six months, elect to contribute (as from the date of the election or, if that date is not a pay-day, as from the pay-day next following that date) for the whole or any part of the units for which, by virtue of the last preceding sub-section, he would not, but for the election, be entitled to contribute.

(6.) For the purposes of section twenty of the Superannuation Act, the number of years of prospective service of a person appointed or employed under this Act who makes an election and payment in accordance with section one hundred and two of the Superannuation Act is the number of complete years between the date upon which his service in the State Public Service commenced (being service that is continuous with his service in the Public Service of the Commonwealth) and the date upon which he will attain the age that, for the purposes of section twenty of the Superannuation Act, is his selected retiring age.

(7.) Where a person employed under this Act—

(a) was, immediately before being so employed, employed in a State Public Service; and

(b) is not entitled by virtue of this section to make an election and payment in accordance with section one hundred and two of the Superannuation Act or, being so entitled, does not make such an election and payment, the period of his service in the State Public Service that is continuous with his service in the Public Service of the Commonwealth shall, for the purposes of sub-section (5.) of section four of the Superannuation Act, be deemed to have been a period of employment by the Commonwealth otherwise than in a permanent capacity.

(8.) The Treasurer may, by instrument in writing, direct that, for the purposes of the last preceding sub-section, such service of a person in the employment of a State meat authority as is specified in the instrument shall be deemed to be service in a State Public Service.

(9.) In this section—

“ State Fund ” has the same meaning as in Part VII. of the Superannuation Act;

“ State Public Service ” has the same meaning as in Part VII. of the Superannuation Act;

“ the Superannuation Act ” means the *Superannuation Act* 1922-1963;

“ unit of pension ” includes a fraction of a unit of pension.