

# NORTHERN TERRITORY OF AUSTRALIA

## ABATTOIRS AND SLAUGHTERING ACT

As in force at 1 July 1996

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 1 July 1996

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## ABATTOIRS AND SLAUGHTERING ACT

**An Act relating to Abattoirs, Slaughtering of Stock and Poultry and the transportation of product obtained from the slaughtering of stock or poultry**

### **Part I Preliminary**

#### **1 Short title**

This Act may be cited as the *Abattoirs and Slaughtering Act*.

#### **2 Commencement**

This Act shall come into operation on such date as is fixed by the Administrator by notice published in the *Gazette*.

#### **3 Repeal and savings**

- (1) The Ordinances specified in the Schedule are repealed.
- (2) Notwithstanding the repeal made by subsection (1):
  - (a) the appointment of a person as Chief Inspector of Abattoirs or Inspector of Abattoirs under the repealed Ordinances and in force immediately before the date of commencement of this Act continues in force, subject to this Act, as if made under this Act;
  - (b) an area that was, immediately before that date, prescribed as a Government Abattoirs District or a Licensed Abattoirs Area within the meaning of the repealed Ordinances continues as a Government Abattoirs District or a Licensed Abattoirs Area, as the case may be, for the purposes of this Act as if prescribed by this Act;
  - (c) an abattoir that was, immediately before that date, a Government abattoir or a licensed abattoir within the meaning of the repealed Ordinances continues under this Act as a Government abattoir, or a licensed abattoir according to the tenor of its licence, as the case may be; and

- (d) a buffalo slaughtering licence granted under the repealed Ordinances and in force immediately before that date remains in force, according to its tenor under the repealed Ordinances, as if granted under this Act.
- (3) Regulations made under the repealed Ordinances and in force immediately before the date of commencement of this Act continue in force so far as they are not inconsistent with this Act as if made under this Act, but any such regulation may be amended or repealed by regulations under this Act.

## 5 Interpretation

In this Act, unless the contrary intention appears:

**abattoir** means any premises or place used, or intended to be used, for the slaughtering of stock or poultry for human consumption, and includes the land surrounding any building or place used in, or in connection with, that slaughtering.

**Chief Inspector** means the Chief Inspector of Stock appointed under the *Stock Diseases Act*.

**Court** means the Local Court.

**disease** means:

- (a) in relation to a human being – a disease prescribed as a disease affecting human beings;
- (b) in relation to stock – a disease prescribed as a disease affecting stock; and
- (c) in relation to poultry – a disease pre-scribed as a disease affecting poultry.

**drover** means a person in charge of stock or poultry being travelled in accordance with the *Stock Routes and Travelling Stock Act* or the *Stock Diseases Act*.

**Government abattoir** means an abattoir that is a Government abattoir under Part II.

**Inspector** means an Inspector of Abattoirs appointed under section 6, and includes the Chief Inspector and an inspector appointed under the *Stock Diseases Act* except where the Minister has otherwise directed under section 11 of that Act.

**licence** means a licence granted under this Act, and **licensee** has a corresponding meaning.

**licensed abattoir** means an abattoir in respect of which there is a licence granted under section 10.

**licensed poultry abattoir** means an abattoir in respect of which there is a licence granted under section 11.

**meat** means the product of stock that has been slaughtered, whether the product is fresh, frozen, chilled, preserved, salted or processed in any other way.

**offal** means the part of the carcass of slaughtered stock that is not normally consumed by human beings.

**officer** means an officer of the Public Service of the Commonwealth or an employee as defined in the *Public Sector Employment and Management Act*.

**owner**, in relation to any premises, means the person having the management or control of the premises and, in relation to stock, means the owner or a person authorized in writing by him to be his agent.

**poultry** includes a domestic fowl, domestic duck, domestic goose, domestic turkey and any other domesticated bird ordinarily bred for consumption of its flesh, but does not include a game bird.

**poultry flesh** means the carcass of poultry or flesh obtained from the slaughtering of poultry or the product of that carcass or flesh whether fresh, frozen, chilled, preserved, salted or processed in any way.

**repealed Ordinances** means all or any of the Ordinances repealed by section 3.

**slaughtering** includes the:

- (a) processing (including the production of smallgoods); and
- (b) storage,

however done, of meat or poultry flesh, or a carcass or part of a carcass.

**stock** means cattle, sheep, swine, buffaloes, goats and any animals that are prescribed to be stock for the purposes of this Act.

## 6 Inspectors

The Minister may appoint such persons as the Minister thinks fit to be Inspectors of Abattoirs.

**6A Identity cards**

- (1) The Chief Inspector shall issue to each Inspector appointed under section 6 an identity card containing a photograph and the signature of the Inspector verified by the signature of the Chief Inspector.
- (2) An Inspector issued with an identity card under subsection (1) shall, on the termination of the Inspector's appointment, surrender the identity card to the Chief Inspector.

**Part II Abattoirs****7 Government Abattoirs District**

The regulations may provide that an area described in the regulations is, for the purposes of this Act, a Government Abattoirs District.

**8 Government Abattoirs**

- (1) The Minister may cause to be erected in a Government Abattoirs District such abattoirs as he considers to be necessary.
- (2) An abattoir so erected is a Government abattoir.

**9 Licensed Abattoirs Area**

The regulations may provide that an area described in the regulations is, for the purposes of this Act, a Licensed Abattoirs Area.

**10 Licensed abattoirs within a Licensed Abattoirs Area**

The Chief Inspector may, in accordance with this Part, grant a licence to conduct premises within a Licensed Abattoirs Area as a licensed abattoir.

**11 Licensed poultry abattoir**

The Chief Inspector may, in accordance with this Part, grant a licence to conduct premises as a licensed poultry abattoir.



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**12 Alteration or extension of licensed abattoirs**

- (1) The owner of a licensed abattoir or licensed poultry abattoir shall not alter or extend the premises of the abattoir unless:
  - (a) he has received notice in writing from the Chief Inspector of the grant of permission to do so in accordance with this section; and
  - (b) the alteration or extension is in accordance with the plans and specifications a copy of which accompanied the application for permission under this section.

Penalty: \$400.

- (2) The owner of a licensed abattoir may apply to the Chief Inspector for permission to alter or extend the abattoir.
- (3) An application made under this section shall be in writing and be accompanied by a copy of the plans and specifications of the abattoir as proposed to be altered or extended.
- (4) The Chief Inspector shall:
  - (a) if he is satisfied that the abattoir as so proposed to be altered or extended will comply with the prescribed standards of capacity, equipment and construction – grant permission for the alteration or extension; or
  - (b) if he is not so satisfied – refuse permission for the alteration or extension.
- (5) If the Chief Inspector refuses permission under this section, the applicant may appeal against the refusal to the Court.
- (6) The Court shall hear and determine such an appeal.
- (7) The Court shall:
  - (a) if it is satisfied that, if the abattoir were altered or extended as proposed, the abattoir will comply with the prescribed standards of capacity, equipment and construction – allow the appeal and order the grant of permission; or
  - (b) if it is not so satisfied – disallow the appeal.
- (8) On the hearing of an appeal under this section, the Court may make such order as to costs as it thinks fit.

## **Part III            Slaughtering**

### **Division 1        General**

#### **13            Slaughtering to which Act does not apply**

This Act does not apply with respect to the slaughtering of stock or poultry for the obtaining of meat or poultry flesh for use and consumption:

- (a) by the owner of the stock or poultry or the members of his family or his employees; or
- (b) by a drover or his employees.

#### **14            Slaughtering of stock in Government Abattoirs District**

A person shall not slaughter stock in a Government Abattoirs District, being stock the meat of which is intended to be used for human consumption, except at a Government abattoir.

Penalty:        \$200.

#### **15            Slaughtering of stock in Government Abattoir**

The Minister may:

- (a) authorize the Chief Inspector to engage in the slaughtering of stock in a Government abattoir; or
- (b) subject to such conditions and for such periods as are prescribed or, in the absence of being prescribed, as he determines:
  - (i) lease a Government abattoir for use in the slaughtering of stock; or
  - (ii) otherwise permit other persons to use a Government abattoir, or part of a Government abattoir, for the slaughtering of stock.

#### **16            Prohibition of slaughtering stock outside Government Abattoirs District except at licensed abattoir**

Except as otherwise permitted by this Act, a person shall not slaughter stock outside a Government Abattoirs District, being stock the meat of which is intended to be used for human consumption, except at a licensed abattoir.

Penalty:        \$400.

**17 Slaughtering of poultry**

A person shall not:

- (a) within a radius of 60 kilometres of the Darwin Post Office; or
- (b) elsewhere, within a radius of 60 kilometres of a licensed poultry abattoir,

slaughter poultry for the purpose of selling the poultry flesh unless the poultry is slaughtered in a licensed poultry abattoir.

Penalty: \$400.

**Division 2 Slaughtering, &c., in abattoirs for owners**

**18 Duties of licensed abattoirs to slaughter, &c., stock for owners**

The holder of a licence in respect of an abattoir in a Licensed Abattoirs Area shall, subject to this Act and the regulations, at the request of the owner of stock:

- (a) slaughter stock belonging to the owner for the purpose of producing meat for consumption, or other disposal, by the owner in the Licensed Abattoirs Area; and
- (b) hold, on behalf of that owner and in a chilling room or cold storage room, meat so produced until the expiration of the period of 48 hours after it has been so produced, or until the owner takes delivery of the meat, whichever first occurs.

**19 Duties of licensed poultry abattoirs to slaughter, &c., poultry for owners**

The holder of a licence in respect of a licensed poultry abattoir shall, subject to this Act and the regulations, at the request of the owner of poultry:

- (a) slaughter poultry belonging to the owner for the purpose of producing poultry flesh for consumption, or other disposal, by the owners; and
- (b) hold on behalf of that owner, and in a chilling room or cold storage room, poultry flesh so produced until the expiration of the period of 48 hours after it has been so produced, or until the owner takes delivery of the poultry flesh, whichever first occurs.

**20 Court order against refusal, &c., by licensee**

- (1) Where a licensee refuses or fails to slaughter as requested under section 18 or 19, the owner may apply to the Court for an order directing the licensee to comply with the request or pay damages for having refused or failed to slaughter the stock as requested.
- (2) The Court may in an order under subsection (1):
  - (a) specify such terms as it thinks fit with respect to:
    - (i) the numbers and classes of stock, or poultry, as the case may be, to be slaughtered;
    - (ii) the times at which and the periods within which the slaughtering is to be done; and
    - (iii) any other matter necessary or convenient for ensuring that the owner receives reasonable facilities for having the slaughtering done at the licensee's abattoirs; and
  - (b) order the licensee to pay such damages as the court thinks fit for having refused or failed to slaughter as requested or order the licensee to carry out the slaughtering and pay those damages.
- (3) Where a licensee refuses or fails to hold meat or poultry flesh on behalf of an owner as requested under section 18 or 19, as the case may be, the owner may apply to the Court for an order directing the licensee to pay such damages in respect of the refusal or failure, as the Court thinks fit.
- (4) The Court has jurisdiction to hear applications and make orders under this section.

**21 Rates of payment and conditions for slaughter**

- (1) Slaughtering in pursuance of section 18 or 19 shall be carried out at such rates of payment and on such conditions as:
  - (a) if a determination under this Division is in force – are specified in that determination; or
  - (b) in any other case – are determined by the licensee.
- (2) The licensee shall publish a notice by displaying it at all times, in a conspicuous place at the abattoir in respect of which the licence is held setting out the rates and conditions, when they come into force and whether they were determined by him or by the court.

**22 Appeal**

The Chief Inspector or a person who is aggrieved by a determination by a licensee under section 21 may, within 28 days after the publication of the determination, appeal against the determination to the court.

**23 Duration of determination**

Rates and conditions determined by the Court remain in force for a period of 12 months after the determination, unless sooner varied.

**24 Variations of rates and conditions**

- (1) A licensee may make an application to the Court for an order varying a determination of rates of payment or conditions made under section 21.
- (2) A licensee who intends to make an application under subsection (1) shall, not less than 14 days before making the application, publish a notice of his intention so to apply and setting out the proposed variation by displaying the notice at all times before making the application in a conspicuous place at the abattoir of which he is the licensee.
- (3) The licensee shall cause a copy of the notice and of the application to be served personally or by post on the Chief Inspector.
- (4) An application under subsection (1) shall be in writing accompanied by a copy of the notice.

**25 Hearing of appeal by the Court and parties**

- (1) The Court shall hear an appeal under section 22 or an application under section 24 and shall determine such rates of payment and conditions as it considers fair and reasonable.
- (2) The Chief Inspector, the licensee and the appellant are parties to the appeal or application.

**26 Notice of appeal**

Where a person has a right of appeal under this Division, he shall commence the appeal:

- (a) by giving notice in writing of appeal, specifying the grounds of appeal to other parties to the appeal; and
- (b) by lodging a copy of the notice of appeal in the Court.

**28 Practice and procedure**

- (1) At the hearing of an appeal or an application to vary a determination, the Court is not bound by any rule of evidence but may inform itself on any matter in such manner as it thinks fit.
- (2) The practice and procedure in relation to appeals and applications to vary determinations under this Division are as prescribed or, if not prescribed, as the Court directs.

**29 Costs in appeals**

The Court may award such costs in respect of an appeal under this Division as it thinks just.

**Division 3 Slaughtering of buffaloes**

**30 Requirement of licence to slaughter buffalo**

A person shall not slaughter a buffalo for the purpose of selling its meat for human consumption unless the buffalo is slaughtered in pursuance of a licence to slaughter buffaloes granted by the Chief Inspector.

Penalty: \$400.

**Division 4 Control of slaughtering**

**31 Regulations**

- (1) The regulations may make provision with respect to the control of slaughtering, and in particular, with respect to:
  - (a) the standards to be complied with in relation to the capacity, equipment and construction of abattoirs;
  - (b) the manner in which the slaughtering of stock or poultry is to be carried out;
  - (c) the cleansing and disinfecting of abattoirs and machinery and utensils used in abattoirs;
  - (d) the removal or disposal of blood, offal or filth from abattoirs;
  - (e) the treatment to which offal is to be subjected before it is fed to swine;

- (f) the preservation of carcasses, skins, hides and feathers of stock or poultry, as the case may be, slaughtered in abattoirs until an Inspector authorizes their destruction or other disposal;
- (g) the inspection of animals, carcasses, meat and poultry flesh by an Inspector;
- (h) the destruction or other disposal of such meat or poultry flesh as is, or was, infected with disease;
- (i) the destruction or other disposal of meat or poultry flesh that, in the opinion of an Inspector, is unfit for human consumption;
- (j) the giving, in specified cases, of notice of intention to commence slaughtering;
- (k) the making or application of tests for the detection of disease in stock or meat or poultry or poultry flesh;
- (l) the records to be kept, and the returns to be made, in respect of stock or poultry slaughtered at abattoirs;
- (m) the construction and situation of pigsties at or near abattoirs;
- (n) the keeping of swine and poultry at or near abattoirs;
- (o) the treatment and sustenance of stock or poultry held at abattoirs before they are slaughtered;
- (p) the treatment, sale and other disposal of the by-products of slaughtering;
- (q) the manner in which meat or poultry flesh is to be stored at the abattoir at which it was slaughtered until it is removed from that abattoir;
- (r) the destruction or other disposal of meat or poultry flesh that has been produced or dealt with in contravention of the regulations;
- (s) the prohibition of the slaughtering of stock or poultry included in a specified class of stock or poultry;
- (t) the prohibition of the treatment or dressing, at an abattoir, of the carcass, or part of the carcass, of an animal not slaughtered at the abattoir;
- (u) the maintenance of hygienic conditions in abattoirs;

- (v) the exclusion from abattoirs of animals included in a specified class of animals;
  - (w) persons engaged at, appointed to, coming to, or frequenting abattoirs;
  - (x) a specified disease being a disease affecting human beings;
  - (y) a specified disease being a disease affecting animals;
  - (z) the fees payable under this Act and the regulations; and
  - (za) the recovery of the expenses of Inspectors incurred under this Act and the regulations.
- (2) Regulations made under subsection (1) may be expressed to apply either in whole or in part in relation to all or any of the following:
- (a) Government abattoirs;
  - (b) licensed abattoirs;
  - (c) licensed poultry abattoirs;
  - (d) Government Abattoirs Districts;
  - (e) Licensed Abattoirs Areas; and
  - (f) such portion of the Territory as is not within:
    - (i) a Government Abattoirs District;
    - (ii) a Licensed Abattoirs Area; or
    - (iii) a Government Abattoirs District or a Licensed Abattoirs Area.

## **32 General powers of inspectors**

An Inspector may:

- (a) at all reasonable times, enter an abattoir and inspect the abattoir and any machinery or tools used in the abattoir;
- (b) inspect any stock or poultry found at an abattoir; and
- (c) take samples of meat (including offal) or poultry flesh (including poultry offal) at an abattoir or the water or any other article used in connection with the slaughtering of stock or poultry at an abattoir.



**33 Powers of inspector in relation to diseased stock or poultry**

- (1) Where an Inspector finds at an abattoir any stock or poultry that, in his opinion, is infected with a disease, the Inspector may, by writing under his hand, then or as soon as possible after the finding:
  - (a) order the owner of the abattoir to remove the diseased stock or poultry to a specified place; or
  - (b) if satisfied that the diseased stock or poultry can be destroyed at the abattoir without danger to the public health or without affecting the wholesomeness of the meat at the abattoir - order the owner of the abattoir to destroy the stock or poultry in accordance with the requirements of the order.
- (2) Stock or poultry removed in accordance with an order given under subsection (1)(a) shall be dealt with in accordance with the *Stock Diseases Act* as though the stock or poultry were stock ordered by an Inspector under that Act to be destroyed.

**34 Powers of inspector in relation to persons suffering from disease**

- (1) Where an Inspector has reason to believe that a person who is at, or is employed at, a poultry or other abattoir, is suffering from a disease, the Inspector may, by writing under his hand, order the person or employee to remove himself, or remain away, from the abattoir and to submit himself to a medical practitioner for examination by the medical practitioner.
- (2) Where, upon an examination in pursuance of subsection (1), the medical practitioner is of the opinion that, on account of a disease, it is in the interests of the public health that the person or employee remain away from the abattoir, the medical practitioner may, by writing under his hand, order the person or employee to remain away from the abattoir until the medical practitioner certifies that the person or employee is in a fit state of health to be at, or be employed at, the abattoir.

**35 Contaminated Water**

Where an Inspector is of the opinion that water being used in an abattoir in connection with the slaughtering of stock or poultry is contaminated, the Inspector shall, by writing under his hand, order the owner of the abattoir:

- (a) to cease the slaughtering; and

- (b) not to recommence the slaughtering of stock or poultry until the Inspector certifies that the water at the abattoir is no longer contaminated.

**36 Condemnation of meat unfit for human consumption**

Where an Inspector is of the opinion that meat or poultry flesh found at an abattoir is unfit for human consumption, the Inspector shall order the owner of the abattoir to destroy, or otherwise dispose of, the meat or poultry flesh in the prescribed manner.

**37 Prohibition of slaughtering of diseased stock**

Except in accordance with the instructions of an Inspector, the owner of an abattoir shall not slaughter stock or poultry that the owner has reason to believe is infected with, or is affected by, a disease.

Penalty: \$200.

**38 Prohibition of person with disease**

- (1) A person who has reason to believe that he is infected with, or affected by, a disease shall not enter, or be on, an abattoir.
- (2) The owner of an abattoir who has reason to believe that a person is infected with, or affected by, a disease shall not permit that person to enter, or be on, the abattoir.

Penalty: \$200.

**Part IV Licences**

**39 Application for licence as licensed abattoir**

The owner of premises who intends to use the premises as an abattoir for the slaughtering of stock for human consumption may apply, in accordance with the prescribed form, to the Chief Inspector for the grant of a licence to conduct the premises as a licensed abattoir.

**40 Application for licence as licensed poultry abattoir**

The owner of premises who intends to use the premises as an abattoir for the slaughtering of poultry for human consumption may apply, in accordance with the prescribed form, to the Chief Inspector for the grant of a licence to conduct the premises as a licensed poultry abattoir.

**41 Further requirements for applicants for licensing of abattoirs**

- (1) Before an application is made under section 39 or 40, the applicant shall publish, in a newspaper circulating in the locality in which it is proposed that the abattoir be situated, a notice, in accordance with the prescribed form, stating his intention to make the application on or before a specified date.
- (2) An application under section 39 or 40 shall:
  - (a) be lodged, in duplicate, with the Chief Inspector on or before the date specified in the notice published under subsection (1);
  - (b) subject to section 52, be accompanied by:
    - (i) a copy of the newspaper in which that notice was published; and
    - (ii) 2 copies of plans and specifications of the building intended to be used in the operation of the abattoir and a description of the location of the abattoir; and
  - (c) where the applicant has applied under the *Special Purposes Leases Act* for a lease of land for abattoir purposes, be accompanied by a certificate under the hand of the appropriate Minister that the applicant has so applied and the appropriate Minister approves the granting of the lease.
- (3) The Chief Inspector shall not deal with an application under this section until the expiration of the period of 28 days immediately after the date specified in the notice referred to in subsection (1).
- (4) The Chief Inspector shall cause a copy of an application and the plans and specifications accompanying the application to be available for inspection at his office, during office hours, for a period commencing at the date of lodgement of the application and ending on the expiration of the period of 21 days immediately after the date specified in the notice referred to in subsection (1).

**42 Objections**

- (1) A person may, within 28 days after the date specified in the notice referred to in section 41(1), lodge with the Chief Inspector a written objection, in duplicate, to the grant of a licence on any of the following grounds:
  - (a) that the applicant is not a fit and proper person to hold the licence;

- (b) that the premises described in the plans and specifications do not meet the prescribed standards of construction;
  - (c) where the licence applied for is a licensed abattoir within a Licensed Abattoirs Area – that the premises do not make reasonable provisions for the slaughtering of stock of a class likely to be required to be slaughtered in the Licensed Abattoirs Area when the abattoir commences operation; or
  - (d) that the operation of an abattoir at the place described in the application would be contrary to a planning instrument within the meaning of the *Planning Act*, if applicable.
- (2) As soon as practicable after lodging such an objection, the objector shall serve on the applicant a copy of the objection.

**43 Grant or refusal of licence as licensed abattoir or licensed poultry abattoir**

- (1) Where the Chief Inspector is satisfied:
- (a) that the applicant for a licence to conduct premises as a licensed abattoir or licensed poultry abattoir is a fit and proper person to hold the licence;
  - (b) that the premises described in the plans and specifications meet the prescribed standards of construction;
  - (c) where the licence applied for is in respect of premises in a Licensed Abattoir Area – that the premises make reasonable provision for the slaughtering of stock of a class likely to be required to be slaughtered in the Licensed Abattoirs Area when the abattoir commences operation; and
  - (d) that the operation of an abattoir at the place described in the application would not be contrary to a planning instrument within the meaning of the *Planning Act*, if applicable,
- he shall, subject to this section, grant such a licence, but, if he is not so satisfied, he shall refuse to grant such a licence.
- (2) Where the application is in relation to proposed premises, the Chief Inspector shall not consider the application until the completion of the premises.
- (3) Where the Chief Inspector considers an application on completion of proposed premises, he shall grant such a licence if he is satisfied as to the matters specified in subsection (1) but he shall refuse the grant of such a licence if he is not so satisfied.

- (4) Where, in pursuance of this section, the Chief Inspector refuses the grant of a licence, he shall specify in writing the grounds of his refusal.
- (5) The Chief Inspector shall cause his decision under this section to be published in the *Gazette*.

**44 Grounds for refusal of renewal of licence as licensed abattoir or licensed poultry abattoir**

Where the Chief Inspector is satisfied:

- (a) that the holder of a licence to conduct premises as a licensed abattoir or licensed poultry abattoir no longer is a fit and proper person to hold such a licence;
- (b) that the licensed premises no longer meet the prescribed standards of construction;
- (c) that the holder of the licence has failed to perform a duty that he is required to perform under Division 2 of Part III; or
- (d) that the licensed premises have become unsanitary or are otherwise unsuited for use as an abattoir,

he shall refuse to renew the licence but, where he is not so satisfied, he shall renew the licence.

**45 Conditions of licence as licensed abattoir or licensed poultry abattoir**

- (1) A licence to conduct premises as a licensed abattoir or a licensed poultry abattoir:
  - (a) shall be in accordance with the prescribed form;
  - (b) takes effect from the twenty-eighth day after the date of the grant of the licence or, if there is an appeal against the refusal of a grant of the licence, the date on which the appeal is allowed; and
  - (c) expires:
    - (i) if it was granted on or before 30 September in a year – on the last day of that year; or
    - (ii) if it was granted after that date in a year – on 31 December of the next following year.

- (2) On the renewal of such a licence, the renewed licence takes effect from the day on which it would expire if not renewed and expires on 31 December of the calendar year for which it is renewed.
- (3) The renewed licence shall be in accordance with the prescribed form.

#### **46 Application for licence to slaughter buffaloes**

- (1) The occupier of premises who uses, or intends to use, the premises in connection with slaughtering buffaloes, may apply, in writing, to the Chief Inspector for the grant of a licence to slaughter buffaloes.
- (2) Subject to subsection (3), the application shall contain such information concerning the premises and any buildings erected, or to be erected, on the premises as the applicant considers relevant.
- (3) The Chief Inspector may require an applicant under this section to provide such additional information concerning the premises and any such buildings as the Chief Inspector deems necessary for the purpose of considering the application.

#### **47 Conditions of licence to slaughter buffaloes**

A licence or renewed licence to slaughter buffaloes:

- (a) is subject to such conditions, including a condition as to the payment of fees, as the Chief Inspector specifies in the licence;
- (b) subject to this Part, is in force for 12 months; and
- (c) subject to this Act and the regulations, entitles the holder of the licence to slaughter buffaloes the meat of which is intended to be used for human consumption.

#### **48 Renewal of licence**

- (1) The holder of a licence may, after 30 September in the calendar year it is to expire, apply in writing to the Chief Inspector for a renewal of the licence for the ensuing calendar year.
- (2) Subject to this Part, the Chief Inspector may renew the licence or may refuse to renew the licence.

**49 Suspension or cancellation of licence**

Where the Chief Inspector is satisfied that:

- (a) the licensee has been found guilty on not less than 2 occasions of an offence against this Act or the regulations or against another law in force in the Northern Territory relating to the cleanliness or sanitation of premises;
- (b) that the licensee has failed to comply with a condition of the licence; or
- (c) in the case of a licence to conduct premises as a licensed abattoir or licensed poultry abattoir, that one or more of the grounds specified in section 44(1) exists,

he may, by notice in writing to the holder of the licence, suspend the licence for a period specified in the notice or cancel the licence.

**50 Transfer of licence**

- (1) A licensee, or, if the licensee has ceased to be entitled to possession of the premises in respect of which he is licensed, the person entitled to possession of the premises, may apply to the Chief Inspector to transfer the licence to another person.
- (2) An application for the transfer of a licence shall be in writing and be signed by the transferor and the proposed transferee and, subject to section 52, shall be lodged with the Chief Inspector.
- (3) The Chief Inspector may, in his discretion but subject to subsection (4), grant an application for transfer.
- (4) If the Chief Inspector is satisfied that the proposed transferee:
  - (a) is not a fit and proper person to hold the licence; or
  - (b) is, for any reason, unlikely to carry out the duties of the holder of a licence under this Part,

he shall refuse the application to transfer the licence.

**51 Appeals against refusals, &c., to grant licences**

- (1) A person who is aggrieved by the grant or refusal of a licence or of a renewal or transfer of a licence or the refusal of or by the suspension or cancellation of a licence may, within 28 days after the grant, refusal, renewal, transfer, suspension or cancellation, appeal against the decision to the Court.

- (2) A person who is aggrieved by the grant of a licence includes a person who has objected to the grant of a licence.

**52            Fee**

An application for the grant, renewal or transfer of a licence shall be accompanied by the prescribed fee.

**Part V            Miscellaneous**

**53            Sale of meat for human consumption**

- (1) Subject to subsection (2), a person shall not, in a Government Abattoirs District or Licensed Abattoirs Area:

- (a) sell or offer for sale;
- (b) supply or offer to supply;
- (c) buy or offer to buy;
- (d) receive or offer to receive; or
- (e) have, or suffer to remain, on premises of which he is the owner,

fresh, frozen or chilled meat intended to be used for human consumption unless the meat has been marked as being fit for human consumption:

- (f) in the case of meat slaughtered in a State or another Territory – in the manner required by the law in force in that State or Territory; or
- (g) in the case of meat slaughtered elsewhere – as required by the regulations.

Penalty:        \$400.

- (2) Subsection (1) does not require the marking of meat intended for human consumption where that meat is produced in an abattoir but is so packed in a carton or any other package that the meat is suitable for sale by retail without further packing.
- (3) An Inspector may at all reasonable times enter on and inspect premises on, or in relation to which, he has reasonable grounds for believing that an offence against this section is or may be committed.



(4) In this section, ***premises*** means:

- (a) a building where meat is ordinarily sold or offered for sale; or
- (b) a cold storage room, chilling room or refrigerated space from which meat is ordinarily taken to such a building.

**54 Prohibition of sale of certain poultry flesh**

- (1) A person shall not sell poultry flesh that has been produced from poultry slaughtered within an area referred to in section 17 unless the slaughtering took place in a licensed poultry abattoir.
- (2) A person shall not sell poultry flesh that has been imported into the Territory from a State or another Territory unless it has been packed for sale for human consumption in accordance with the law of that State or other Territory.
- (3) A person shall not, within an area referred to in section 17, sell poultry flesh produced from poultry that has been slaughtered in the Territory outside such an area.

Penalty: \$400.

**55 Prohibition of sale of certain buffalo meat**

- (1) A person shall not sell buffalo meat for human consumption unless the meat:
  - (a) has been imported into the Territory; or
  - (b) has been produced from a buffalo slaughtered in pursuance of a licence.

Penalty: \$400.

- (2) A person shall not sell meat produced for a use other than for human consumption unless the meat has been treated or marked in accordance with the regulations.

Penalty: \$400.

**55A General power of inspector to inspect vehicles**

An Inspector may, in accordance with the regulations, inspect a vehicle transporting meat or poultry flesh.

**56 Offences**

A person shall not:

- (a) obstruct an Inspector in the exercise of his powers or the performance of his duties in pursuance of this Act and the regulations;
- (b) fail to comply with an order given by an Inspector or a medical practitioner in pursuance of this Act or the regulations;
- (c) when required by an Inspector to do so, refuse or fail to produce to the Inspector a record that the person is required by the regulations to keep;
- (d) fail to give a notice, or render a return, that he is required by this Act or the regulations to give or render, as the case may be; or
- (e) when required by an Inspector to do so, refuse or fail to produce a carcass, skin or hide or feathers, being a carcass, skin or hide or feathers that the person is required by this Act or the regulations to produce.

Penalty: \$200.

**56A Regulatory offences**

An offence of contravening or failing to comply with section 12, 55 or 56(c), (d) or (e) is a regulatory offence.

**57 Evidence**

In a prosecution for an offence against this Act or the regulations other than section 55(2), any meat or poultry flesh shall, unless the contrary is proved, be deemed to be meat or poultry flesh intended for use for human consumption.

**58 Regulations**

- (1) The Administrator may make regulations, not inconsistent with this Act, prescribing all matters that are required or permitted to be prescribed by this Act or are necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (2) Without limiting the generality of subsection (1), the regulations may provide for:
  - (a) the standards to be complied with in relation to the transportation of meat and poultry flesh;

- (b) the duties and functions of Inspectors; and
  - (c) a penalty not exceeding \$5,000 for an offence against the regulations.
- (3) The regulations may apply, adopt or incorporate by reference either wholly or in part and with or without modification, a standard as in force at a particular time or as in force from time to time, prescribed or published by an authority or body, whether or not it is a Territory authority or body.
- (4) A standard applied, adopted or incorporated under this section may refer to another standard and require anything referred to in the first-mentioned standard to be in accordance with the other standard referred to.
- (5) The Minister shall cause a copy of every standard applied, adopted or incorporated under this section, and every standard referred to in a standard applied, adopted or incorporated under this section, to be available for inspection (without charge) by members of the public during normal business hours at the offices of the Department of Primary Industry and Fisheries in Alice Springs, Darwin, Katherine and Tennant Creek in the Northern Territory.

**Schedule**

section 3

Ordinances Repealed

*Abattoirs and Slaughtering Ordinance 1955*  
*Abattoirs and Slaughtering Ordinance 1956*  
*Abattoirs and Slaughtering Ordinance 1957*  
*Abattoirs and Slaughtering Ordinance 1959*  
*Abattoirs and Slaughtering Ordinance 1962*  
*Abattoirs and Slaughtering Ordinance 1968*  
*Abattoirs and Slaughtering Ordinance 1970*

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**ENDNOTES**
**1****KEY**

Key to abbreviations

<b>amd = amended</b>	<b>od = order</b>
<b>app = appendix</b>	<b>om = omitted</b>
<b>bl = by-law</b>	<b>pt = Part</b>
<b>ch = Chapter</b>	<b>r = regulation/rule</b>
<b>cl = clause</b>	<b>rem = remainder</b>
<b>div = Division</b>	<b>renum = renumbered</b>
<b>exp = expires/expired</b>	<b>rep = repealed</b>
<b>f = forms</b>	<b>s = section</b>
<b>Gaz = Gazette</b>	<b>sch = Schedule</b>
<b>hdg = heading</b>	<b>sdiv = Subdivision</b>
<b>ins = inserted</b>	<b>SL = Subordinate Legislation</b>
<b>lt = long title</b>	<b>sub = substituted</b>
<b>nc = not commenced</b>	

**2****LIST OF LEGISLATION*****Abattoirs and Slaughtering Ordinance 1973 (Act No. 46, 1973)***

Assent date	18 July 1973
Commenced	26 September 1973

***Abattoirs and Slaughtering Ordinance 1974 (Act No. 88, 1974)***

Assent date	7 November 1974
Commenced	1 January 1975

***Transfer of Powers (Self-Government) Ordinance 1978 (Act No. 54, 1978)***

Assent date	1 July 1978
Commenced	1 July 1978, (see s 8)

***Statute Law Revision Act 1978 (Act No. 95, 1978)***

Assent date	5 September 1978
Commenced	5 September 1978

***Statute Law Revision Act (No. 3) 1979 (Act No. 37, 1980)***

Assent date	24 April 1980
Commenced	24 April 1980

***Statute Law Revision Act 1980 (Act No. 6, 1981)***

Assent date	9 January 1981
Commenced	9 January 1981

***Abattoirs and Slaughtering Amendment Act 1981 (Act No. 104, 1981)***

Assent date	21 December 1981
Commenced	1 May 1982

***Criminal Law (Regulatory Offences) Act 1983 (Act No. 68, 1983)***

Assent date	28 November 1983
Commenced	1 January 1984

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**Local Courts (Consequential Amendments) Act 1989 (Act No. 14, 1989)**

Assent date 5 June 1989  
Commenced s 6: 5 June 1989; rem: 1 January 1991

**Abattoirs and Slaughtering Amendment Act 1990 (Act No. 10, 1990)**

Assent date 12 April 1990  
Commenced 9 May 1990

**Statute Law Revision Act 1990 (Act No. 33, 1990)**

Assent date 11 June 1990  
Commenced 11 June 1990

**Public Sector Employment and Management (Consequential Amendments) Act 1993 (Act No. 28,1993)**

Assent date 30 June 1993  
Commenced 1 July 1993

**Abattoirs and Slaughtering Amendment Act 1995 (Act No. 51, 1995)**

Assent date 28 December 1995  
Commenced 21 February 1996

**Sentencing (Consequential Amendments) Act 1996 (Act No. 17, 1996)**

Assent date 19 April 1996  
Commenced s 7: 19 April 1996; rem: 1 July 1996

**3 LIST OF AMENDMENTS**

It	amd No. 6, 1981, s 4; No. 51, 1995, s 4
s 1	amd No. 58, 1978, s 4; No. 6, 1981, s 4
ss 2 – 3	amd No. 6, 1981, s4
s 4	rep No. 88, 1974, s 4
s 5	amd No. 6, 1981, s 4; No. 14, 1989, s 7; No 10, 1990, s 4; No. 28, 1993, s 3; No. 51, 1995, s 5
s 6	amd No. 54, 1978, s 4; No. 6, 1981, s 4; No. 104, 1981, s 3; No 54, 1978, s 4; sub No. 10, 1990, s 5
s 6A	ins No. 10, 1990, s 5
s 7	amd No. 6, 1981, s 4
s 8	amd No. 54, 1978, s 4
s 9	amd No. 6, 1981, s 4
ss 12 – 14	amd No. 6, 1981 s 4
s 15	amd No. 54, 1978, s 4
ss 16 – 17	amd No. 6, 1981, s 4
s 18	amd No. 88, 1974, s 5; No. 6, 1981, s 4
s 19	amd No. 6, 1981, s 4
s 20	amd No. 6, 1981, s 4; No. 14, 1989, s 7
s 27	rep No. 14, 1989, s 7
s 30	amd No. 6, 1981, s 4
s 31	amd No. 6, 1981, s 4; No. 51, 1995, s 6
s 33	amd No. 6, 1981, s 4
ss 37 – 38	amd No. 6, 1981, s 4
s 41	amd No. 54, 1978, s 4; No. 6, 1981, s 4
ss 42 – 43	amd No. 37, 1980, s 2
s 45	amd No. 33, 1990, s 9
s 47	amd No. 6, 1981, s 4
s 48	amd No. 33, 1990, s 9
s 49	amd No. 6, 1981, s 4; No. 17, 1996, s 6
ss 53 – 55	amd No. 6, 1981, s 4

## ENDNOTES

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s 55A	ins No. 51, 1995, s 7
s 56	amd No. 6, 1981, s 4
s 56A	ins No. 68, 1983, s 57
s 57	amd No. 6, 1981, s 4
s 58	amd No. 95, 1978, s 4; No. 6, 1981, s 4; No. 51, 1995, s 8