

MEAT INDUSTRY.

No. 7 of 1964.

An Act relating to the Meat Industry.

[Assented to 6th May, 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 :—

PART I.—PRELIMINARY.

1. This Act may be cited as the *Meat Industry Act 1964*. Short title.
2. This Act shall come into operation on a date to be fixed by Proclamation. Commencement.

- Parts.** **3.** This Act is divided into Parts, as follows:—
Part I.—Preliminary (Sections 1–6).
Part II.—The Australian Meat Board (Sections 7–22).
Part III.—Functions and Powers of the Board (Sections 23–28).
Part IV.—Export Control (Sections 29–30).
Part V.—Finance (Sections 31–38).
Part VI.—Miscellaneous (Sections 39–43).
- Repeal.** **4.** The following Acts are repealed:—
Meat Export Control Act 1935;
Meat Export Control Act 1936;
Meat Export Control Act 1938;
Meat Export Control Act 1946;
Meat Export Control Act 1953;
Meat Export Control Act 1960;
Meat Export Control Act (No. 2) 1960;
Meat Industry Control Act 1946.
- Objects.** **5.—(1.)** The objects of this Act are—
(a) to promote and control the export and the sale and distribution after export of meat from Australia;
(b) to promote trade and commerce in meat among the States, between States and Territories and within the Territories; and
(c) to encourage the production and consumption of meat in the Territories,
and this Act shall be construed and administered accordingly.
(2.) The Board shall not perform its functions or exercise its powers except for the purpose of achieving an object specified in the last preceding sub-section.
- Definitions.** **6.** In this Act, unless the contrary intention appears—
“ approved bank ” means the Reserve Bank of Australia or another bank approved by the Treasurer for the purposes of the provision in which the expression occurs;
“ edible offal ” means any edible portion, other than the flesh, of cattle, buffaloes, sheep, lambs or other prescribed animals;
“ meat ” means the flesh, whether fresh or preserved, of cattle, buffaloes, sheep, lambs or other prescribed animals, and includes meat products and edible offal;

- “meat producer” means a person engaged in the raising or fattening of cattle, sheep or other prescribed animals intended for the production of meat for human consumption;
- “meat product” means food prepared from or containing meat, and includes canned meat;
- “member” means a member of the Board and includes the Chairman;
- “Territory” means a Territory of the Commonwealth;
- “the Board” means the Australian Meat Board continued in existence by this Act;
- “the Chairman” means the Chairman of the Board;
- “the Deputy Chairman” means the Deputy Chairman of the Board;
- “the Selection Committee” means the body of persons for the time being comprising the Australian Meat Board Selection Committee, being the body of that name established by its constitution adopted on the twenty-seventh day of February, One thousand nine hundred and sixty-four.

PART II.—THE AUSTRALIAN MEAT BOARD.

7.—(1.) The Australian Meat Board that was, immediately before the commencement of this Act, in existence by virtue of the *Meat Export Control Act 1935-1960* is, by force of this section and subject to this Act, continued in existence for the purposes of this Act.

Australian
Meat Board.

(2.) The Chairman and members of the Australian Meat Board holding office immediately before the date of the commencement of this Act shall, on that date, cease to hold office, but the corporate identity of the Board is preserved.

(3.) The Board—

- (a) is a body corporate with perpetual succession;
- (b) shall have a common seal;
- (c) is capable of acquiring, holding and disposing of real and personal property; and
- (d) may sue and be sued in its corporate name.

(4.) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Board affixed to a document and shall presume that it was duly affixed.

8.—(1.) The Board shall consist of nine members, namely:—

- (a) a Chairman;
- (b) five members to represent Australian meat producers;
- (c) two members to represent Australian meat exporters; and
- (d) one member to represent the Commonwealth.

Membership
of the Board.

(2.) Each member shall be appointed by the Minister in accordance with this Part for the period specified in this Part that is appropriate to that member.

(3.) Subject to this Part, a member holds office for the period of his appointment, but is eligible for re-appointment.

(4.) The performance of the functions or the exercise of the powers of the Board is not affected by reason only of there being a vacancy or vacancies in the membership of the Board.

(5.) The appointment of the Chairman or any other member is not invalidated and shall not be called in question by reason of a defect or irregularity in or in connexion with his appointment.

Chairman.

9.—(1.) The Chairman shall be appointed after consultation with the Selection Committee.

(2.) The Chairman shall, subject to section thirteen of this Act, be appointed for three years but is eligible for re-appointment.

**Members
representing
meat producers.**

10.—(1.) Each member to represent Australian meat producers shall be appointed from amongst persons whose names are included in a list of names submitted to the Minister by the Selection Committee.

(2.) Where the Selection Committee has submitted to the Minister a list of names for the purpose of the last preceding sub-section, the Minister may, if he thinks fit, request the Selection Committee to submit to him the names of additional persons for inclusion in the list.

(3.) Of the five members to represent Australian meat producers first appointed—

- (a) one shall be appointed for one year;
- (b) two shall be appointed for two years; and
- (c) two shall be appointed for three years.

(4.) After the appointment of the five members to represent Australian meat producers first appointed, each subsequent appointment of a member to represent Australian meat producers shall, subject to section thirteen of this Act, be for three years.

**Members
representing
meat exporters.**

11.—(1.) Each member to represent Australian meat exporters shall be appointed from amongst persons whose names are included in a list of the names of not less than four persons submitted to the Minister by The Australian Meat Exporters Federal Council.

(2.) Where The Australian Meat Exporters Federal Council has submitted to the Minister a list of names for the purposes of the last preceding sub-section, the Minister may, if he thinks fit, request that Council to submit to him the names of additional persons for inclusion in the list.

(3.) Of the two members to represent Australian meat exporters first appointed—

- (a) one shall be appointed for two years; and
- (b) one shall be appointed for three years.

(4.) After the appointment of the two members to represent Australian meat exporters first appointed, each subsequent appointment of a member to represent Australian meat exporters shall, subject to section thirteen of this Act, be for three years.

12. The member to represent the Commonwealth shall, subject to the next succeeding section, be appointed for three years.

Member representing the Commonwealth.

13. If a member ceases to hold office before the expiration of the period of his appointment, another person may, in accordance with this Part, be appointed in his place for the remainder of the period.

Appointments to fill casual vacancies.

14.—(1.) The Board shall appoint a member, other than the Chairman, to be Deputy Chairman of the Board.

Deputy Chairman.

(2.) The Board may at any time remove a Deputy Chairman from office.

(3.) A member appointed as Deputy Chairman holds office as such until he ceases to be a member.

(4.) Where a member appointed as Deputy Chairman is, upon ceasing to be Deputy Chairman by virtue of the expiration of the period of his appointment as a member, re-appointed as a member, he is eligible for re-appointment as Deputy Chairman.

15.—(1.) If the Chairman is granted leave of absence under section eighteen of this Act or the office of Chairman is vacant, the Deputy Chairman shall, subject to the next succeeding sub-section, act as Chairman during the period of the absence or vacancy.

Acting Chairman.

(2.) The Board may appoint a member other than the Chairman or the Deputy Chairman to act as Chairman during any period when—

- (a) the Chairman is absent on leave of absence granted under section eighteen of this Act or the office of Chairman is vacant; and
- (b) the Deputy Chairman is absent on leave of absence granted under that section or the office of Deputy Chairman is vacant.

(3.) The Deputy Chairman or a member appointed to act as Chairman under the last preceding sub-section has, when acting as Chairman, all the powers, functions and duties conferred by this Act on the Chairman.

(4.) An appointment of a member as the Deputy Chairman or the appointment of a member to act as Chairman under sub-section (2.) of this section, and any act done by a member so appointed, shall not be questioned in any proceedings on the ground that the occasion for his appointment had not arisen or had ceased.

Deputies of members.

16.—(1.) A member other than the Chairman or the member representing the Commonwealth may, with the approval of the Board, appoint a person other than another member to be his deputy, and may revoke any such appointment.

(2.) The Minister may appoint a person other than a member to be the deputy of the member representing the Commonwealth and may revoke any such appointment.

(3.) A deputy of a member is, in the event of the absence of that member from a meeting of the Board, entitled to attend that meeting and shall, when so attending, be deemed to be a member.

(4.) An appointment of a deputy of a member, and any act done by a deputy of a member, shall not be questioned in any proceedings on the ground that the occasion for his appointment had not arisen or had ceased.

Remuneration and allowances.

17.—(1.) Subject to section forty of this Act, members and deputies of members shall be paid such remuneration and allowances as the Governor-General determines.

(2.) A person invited by the Board to attend a meeting of the Board may be paid in respect of that attendance such fees and allowances as the Board, with the approval of the Minister, determines.

Leave of absence.

18. The Board may grant leave of absence to a member upon such terms and conditions—

- (a) as to remuneration as the Governor-General determines; and
- (b) as to other matters as the Board determines.

Removal of members and deputies.

19. The Minister may remove a member or the deputy of a member from office for misbehaviour or inability to carry out the duties of his office.

Resignation of member and deputy.

20.—(1.) A member may resign his office by writing under his hand delivered to the Minister.

(2.) The deputy of a member may resign his office by writing under his hand given to the Board.

21.—(1.) If a member—

- (a) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit;
- (b) is absent, except on leave granted by the Board, from three consecutive meetings of the Board; or
- (c) fails to comply with his obligations under the next succeeding sub-section,

Vacation of office.

the Minister shall, by notice published in the *Gazette*, remove the member from office.

(2.) A member who is directly or indirectly interested in a contract made or proposed to be made by the Board, otherwise than as a member, and in common with other members, of an incorporated company consisting of not less than twenty-five persons, shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Board.

(3.) A disclosure under the last preceding sub-section shall be recorded in the minutes of the Board, and the member—

- (a) shall not take part after the disclosure in any deliberation or decision of the Board with respect to the contract; and
- (b) shall be disregarded for the purpose of constituting a quorum of the Board for any such deliberation or decision.

(4.) The preceding provisions of this section (other than paragraph (b) of sub-section (1.)) apply to and in relation to a deputy of a member in like manner as they apply to and in relation to a member.

(5.) If a member is appointed to be Chairman of the Board, he shall cease to be a member otherwise than as Chairman and, if the deputy of a member is appointed to be a member of the Board, he shall cease to be a deputy.

22.—(1.) Subject to this section, meetings of the Board shall be held at such times and places as the Board from time to time determines.

Meetings of the Board.

(2.) The Chairman, or where the Deputy Chairman is acting as Chairman by virtue of sub-section (1.) of section fifteen of this Act, the Deputy Chairman, may at any time convene a meeting of the Board.

(3.) In the event of—

(a) the absence of the Chairman on leave of absence granted under section eighteen of this Act or of a vacancy in the office of Chairman; and

(b) the absence of the Deputy Chairman on leave of absence granted under that section or of a vacancy in the office of Deputy Chairman,

another member may convene a meeting of the Board for the purpose of appointing a member under sub-section (2.) of section fifteen of this Act to act as Chairman.

(4.) The Chairman shall preside at all meetings of the Board at which he is present.

(5.) In the event of the absence of the Chairman from a meeting of the Board, the Deputy Chairman shall preside at that meeting.

(6.) In the event of the absence of both the Chairman and the Deputy Chairman from a meeting of the Board, the member, if any, acting as Chairman by virtue of sub-section (2.) of section fifteen of this Act shall preside at the meeting or, if there is no member so acting, the members present shall appoint one of their number to preside at the meeting.

(7.) At a meeting of the Board, five members constitute a quorum.

(8.) A question arising at a meeting of the Board shall be decided by a majority of the votes of the members present and voting.

(9.) At a meeting of the Board, the Chairman or other member who presides has a deliberative vote and, in the event of an equality of votes, also has a casting vote.

(10.) Where at a meeting of the Board at which a person is to be appointed as Deputy Chairman or to act as Chairman, there is more than one candidate for appointment, the Board shall hold an election for the purpose of determining which of the candidates is to be appointed, and voting at the election shall be by secret ballot.

(11.) The Board shall keep a record of its proceedings.

(12.) The Board may invite a person to attend a meeting of the Board for the purpose of advising or informing the Board on any matter.

PART III.—FUNCTIONS AND POWERS OF THE BOARD.**23. The functions of the Board are—**

Functions.

- (a) to make recommendations to the Minister—
 - (i) with respect to the making of regulations for the purposes of section twenty-nine of this Act; and
 - (ii) with respect to the making, under any other Act, of regulations prescribing a rate of levy on the slaughter of live-stock;
- (b) to make reports and suggestions to, and to formulate plans for the consideration of, the Minister with respect to—
 - (i) the quality standards and grading of any particular class or kind of meat to be exported from Australia; and
 - (ii) any other matter affecting the meat industry, including any other matter relating to the export of meat from Australia;
- (c) to encourage, assist and promote the export of meat from Australia and to promote the consumption and sale, both in Australia and overseas, of Australian meat; and
- (d) such other functions as are conferred on the Board by or under this Act.

24.—(1.) Subject to the next succeeding sub-section, the Board has power to do all things that are necessary or convenient to be done for or in connexion with the performance of its functions.

Powers generally.

(2.) Except with the approval of the Minister, the Board shall not enter into a contract or agreement in connexion with the purchase of real or personal property, not being meat, for an amount exceeding Twenty thousand pounds.

(3.) The powers of the Board in relation to the function of the Board referred to in paragraph (c) of the last preceding section extend to the doing of such things as the Board thinks fit in order to improve the quality of Australian meat and the methods of production, storage and transport of Australian meat.

25.—(1.) Without limiting the generality of the last preceding section, the Board may, for the purpose of increasing the quantity of Australian meat exported to places to which Australian meat is already exported or of commencing the export of Australian meat to another place—

Trading powers.

- (a) purchase meat;
- (b) export, or sell for export, meat owned by the Board; or

(c) undertake any other action for or in connexion with the exercise of the powers conferred by either of the last two preceding paragraphs that is, in the opinion of the Board, likely to achieve either of those purposes.

(2.) The powers conferred by the last preceding sub-section shall not be exercised except where, in the opinion of the Board after considering a report by the Committee referred to in sub-section (4.) of this section, a purpose referred to in the last preceding sub-section would not otherwise be achieved.

(3.) If the Board decides to exercise a power conferred by sub-section (1.) of this section otherwise than in accordance with the report referred to in the last preceding sub-section, the Board shall forward a copy of the report to the Minister, together with a statement of the reasons of the Board for its decision.

(4.) For the purposes of sub-section (2.) of this section, there is hereby constituted a committee consisting of—

- (a) the Chairman;
- (b) four of the other members of the Board; and
- (c) four members of The Australian Meat Exporters Federal Council.

(5.) A meeting of the Committee may be held consisting of the Chairman, such number of the other members of the Board as the Committee determines and an equal number of members of The Australian Meat Exporters Federal Council.

(6.) Subject to section forty of this Act, members of the Committee (other than members of the Board) shall be paid such remuneration and allowances as the Board, with the approval of the Minister, determines—

- (a) in respect of their attendance at meetings of the Committee; and
- (b) in respect of other time devoted, with the approval of the Board, to the business of the Committee.

(7.) In this section, “ the Committee ” means the Committee constituted by this section.

Other powers

26. Without limiting the generality of section twenty-four of this Act, the Board may—

- (a) for the purposes of or for purposes incidental to international undertakings to which the Commonwealth is a party and with the approval of the Minister, purchase meat and export, or sell for export, meat owned by the Board;
- (b) appoint agents, either in Australia or elsewhere; and
- (c) make arrangements conducive to the performance of its functions with persons, authorities or associations in Australia or elsewhere and, with the approval of the Minister, with a State.

27.—(1.) Subject to this section, the Board may employ ^{Staff.} either in Australia or elsewhere such persons as it thinks necessary for the purposes of this Act.

(2.) The terms and conditions of employment of persons employed under this section are such as are, subject to the approval of the Public Service Board, determined by the Board.

(3.) Where a person in the employment of the Board under this section was, immediately before his appointment under this Act or under an Act repealed by this Act, an officer of the Public Service of the Commonwealth—

- (a) he retains his existing and accruing rights;
- (b) for the purpose of determining those rights, his service under this section and under any Act repealed by this Act shall be taken into account as if it were service in the Public Service of the Commonwealth; and
- (c) the *Officers' Rights Declaration Act 1928-1959* applies as if this Act and this section had been specified in the Schedule to that Act.

(4.) The *Commonwealth Employees' Compensation Act 1930-1962* applies to persons employed by the Board as if they were employees within the meaning of that Act and as if references in that Act to the Commonwealth were references to the Board.

(5.) A person who, immediately before the date of the commencement of this Act, was appointed or employed under the *Meat Export Control Act 1935-1960* by the Australian Meat Board constituted under that Act shall, from and including that date, continue as an appointee, or in the employment (as the case may be), of the Board as continued in existence by this Act upon the same terms and conditions as were applicable to him under the *Meat Export Control Act 1935-1960* immediately before that date.

28.—(1.) The Board may either generally or in relation to a ^{Delegation.} matter or class of matters and either in relation to the whole of the Commonwealth or to a State, a Territory that forms part of the Commonwealth or a part of the Commonwealth, by writing under its common seal, delegate all or any of its powers and functions under this Act (except this power of delegation).

(2.) A power or function so delegated may be exercised or performed by the delegate in accordance with the instrument of delegation.

(3.) A delegation under this section is revocable at will and does not prevent the exercise of a power or the performance of a function by the Board.

PART IV.—EXPORT CONTROL.

Regulations
may prohibit
export except
on conditions

29.—(1.) For the purpose of enabling the Board effectively to control the export, and the sale and distribution after export, of meat, the regulations may prohibit the export from Australia of meat by a person other than the Board unless—

- (a) the person holds a licence granted, or to be deemed to be granted, under this section; and
- (b) the export is in accordance with such conditions and restrictions as are prescribed.

(2.) Regulations prescribing conditions or restrictions for the purposes of paragraph (b) of the last preceding sub-section shall not be made unless the conditions or restrictions have been recommended to the Minister by the Board.

(3.) The Minister, or a person authorized in writing by him, may grant a licence under this section to a person to export meat from Australia.

(4.) A licence referred to in the last preceding sub-section may be expressed to be subject to—

- (a) the condition that, where an owner of cattle, sheep or lambs so requests, the person who holds the licence shall slaughter and treat the cattle, sheep or lambs, or cause the cattle, sheep or lambs 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;
- (b) the condition that the person who holds the licence shall not export meat except in accordance with the directions (if any) in writing given to that person by the Minister or a person authorized in writing by the Minister after the Minister has consulted with the Board, as to the quantities of meat that may be exported by that first-mentioned person; and
- (c) such other conditions as the Minister determines.

(5.) The Minister shall cause notice of the granting of every licence under this section to be published in the *Gazette* within one month after the date on which the licence is granted.

(6.) Where an application for a licence under this section—

- (a) has been refused; or
- (b) has not been determined within one month after the date on which the application was made,

the Minister shall, if the applicant requests him in writing so to do, inform the applicant in writing of the reasons for the refusal or for the failure to determine the application.

(7.) Where the Minister is satisfied after report from the Board that a person who holds a licence granted, or to be deemed to be granted, under this section has contravened or failed to comply with—

- (a) a condition or restriction referred to in paragraph (b) of sub-section (1.) of this section; or
- (b) a condition to which the licence is expressed, or is to be deemed to be expressed, to be subject,

the Minister may cancel the licence.

(8.) A person shall not export meat from Australia in contravention of the regulations.

Penalty: Five hundred pounds.

(9.) The Meat Export Control (Licences) Regulations in force under the *Meat Export Control Act 1935-1960* immediately before the date of the commencement of this Act shall, except in so far as they are inconsistent with this Act, continue in force as regulations under this Act but may be amended or repealed by regulations made under this Act.

(10.) A licence in force under section seventeen of the *Meat Export Control Act 1935-1960* immediately before the date of the commencement of this Act shall, subject to this Act, be deemed to be a licence granted under this section and to be expressed to be subject to all terms and conditions that were applicable to it immediately before that date.

(11.) In this section, "owner", in relation to cattle, sheep or lambs, means an owner who caused the cattle, sheep or lambs to be bred or fattened on land owned or occupied by him.

30.—(1.) A contract for—

- (a) the carriage of meat by sea to a place beyond Australia;
or
- (b) the insurance against loss or deterioration of meat the subject of such a contract whilst awaiting transport or in transit or until disposed of,

shall not be made except—

- (c) by the Board or by the Board acting as the agent of the owner of the meat or of another person having authority to export the meat; or
- (d) in conformity with such conditions (if any) as are approved by the Board from time to time.

(2.) The conditions approved by the Board and in force under the corresponding provision of the *Meat Export Control Act 1935-1960* immediately before the commencement of this Act shall be deemed to have been approved by the Board under this section but may be varied or revoked by the Board under this section.

(3.) A contract referred to in sub-section (1.) of this section that is made otherwise than in accordance with this section is void.

Contracts for
shipment of
meat.

PART V.—FINANCE.

Payments to
the Board.

31.—(1) There shall be paid to the Board out of the Consolidated Revenue Fund, which is appropriated accordingly, amounts equal to—

- (a) the amounts of levy received by the Commonwealth under the *Live-stock Slaughter Levy Act 1964*, after deducting the amounts to be paid under the *Cattle and Beef Research Act 1960–1964* into the Cattle and Beef Research Trust Account established by that last-mentioned Act from the amounts so received; and
- (b) the amounts received by the Commonwealth under the *Meat Export Charge Act 1935–1954* and under that Act in its application in pursuance of sub-section (2.) of section three of the *Meat Export Charge Repeal Act 1964*.

(2.) The moneys and investments that, immediately before the commencement of this Act, constituted—

- (a) the Meat Export Fund established under the *Meat Export Control Act 1935–1960*; and
- (b) the Meat Industry Advancement Fund established under that Act,

shall be deemed to be moneys and investments of the Board.

Borrowing.

32.—(1.) The Board may, with the approval of the Treasurer, arrange with the Reserve Bank of Australia for the making by the Bank of advances to the Board for the use of the Board to provide working funds in connexion with the performance of its functions and the exercise of its powers under this Act.

(2.) Notwithstanding any other provision of this Act, the Board shall use for the purposes of the repayment of any advances made under the last preceding sub-section moneys received by it under sub-section (1.) of the last preceding section in priority to any other payment required or permitted to be made under this Act.

(3.) The Minister may, on behalf of the Commonwealth, guarantee to the Bank the repayment, out of moneys made available by Parliament, of advances made by the Bank under sub-section (1.) of this section.

(4.) The terms and conditions of guarantees given under the last preceding sub-section are subject to the approval of the Treasurer.

(5.) The Board shall not borrow otherwise than in accordance with this section.

Bank accounts.

33.—(1.) The Board shall open and maintain an account or accounts with an approved bank or approved banks and shall maintain at all times at least one such account.

(2.) The Board shall pay all moneys of the Board into an account referred to in this section.

(3.) Moneys standing to the credit of a bank account maintained under the *Meat Export Control Act 1935-1960* immediately before the commencement of this Act, shall be deemed to be standing to the credit of an account opened and maintained under this section.

34. The moneys of the Board may be applied—

- (a) for the purpose of making payments, including payments in or in connexion with the acquisition of real or personal property, in or in connexion with the performance of its functions or the exercise of its powers under this Act;
- (b) in payment of any remuneration, allowances or fees payable to any person (including a member) under this Act;
- (c) in satisfaction or payment of any liabilities, costs, charges or expenses incurred by the Board under the Acts repealed by this Act before the date of the commencement of this Act but not satisfied or paid before that date; and
- (d) in making any other payments that the Board is authorized or required to make under this Act,

Application of moneys by Board.

but not otherwise.

35. Moneys of the Board not immediately required for the purposes of the Board may be invested—

- (a) in securities of or guaranteed by the Commonwealth or a State;
- (b) on fixed deposit with an approved bank; or
- (c) in such other manner as the Treasurer approves.

Investment of moneys of the Board.

36. The Board shall keep proper accounts and records of its transactions and affairs and shall do all things necessary to ensure that all payments of moneys under its control are properly authorized and correctly made and that adequate control is maintained over its assets and the incurring by it of liabilities.

Proper accounts and records to be kept.

37.—(1.) The Auditor-General shall inspect and audit the accounts and records of financial transactions of the Board and shall forthwith draw the Minister's attention to any irregularity revealed by the inspection and audit that is, in the opinion of the Auditor-General, of sufficient importance to justify his so doing.

Audit.

(2.) The Auditor-General or an officer of the Public Service of the Commonwealth authorized by him is entitled at all reasonable times to full and free access to all accounts, records, documents and papers of the Board relating directly or indirectly

to the Fund or to the receipt or payment of moneys by the Board or to the acquisition, receipt, custody or disposal of assets of the Board.

(3.) The Auditor-General or an officer of the Public Service of the Commonwealth authorized by him may make copies of or take extracts from any such accounts, records, documents or papers.

(4.) The Auditor-General or an officer of the Public Service of the Commonwealth authorized by him may require a member of the Board or a member of the staff of the Board to furnish him with such information in the possession of that person or to which that person has access as the Auditor-General or authorized officer considers necessary for the purposes of an inspection or audit under this Act, and that person shall comply with the requirement.

Taxation.

38.—(1.) Subject to this section, the Board is subject to taxation (other than taxes on income) under the laws of the Commonwealth, but is not subject to taxation under a law of a State or Territory to which the Commonwealth is not subject.

(2.) Stamp duty imposed by or under the law of a State or Territory is payable by the Board in respect of instruments and documents executed by or on behalf of the Board.

PART VI.—MISCELLANEOUS.

Board may
require
information.

39.—(1.) The Board may by notice in writing served on a person require the person to furnish, within such time as is specified in the notice, any information or reports in relation to the meat industry or to meat owned by him or under his control, that is or are, in the opinion of the Board, required to enable it to perform its functions or exercise its powers under this Act.

(2.) A person shall not, without reasonable excuse, refuse or fail to comply with the requirements of a notice served under the last preceding sub-section.

Penalty: One hundred pounds.

Members of
Parliament
not to be paid
remuneration
under this Act.

40. Where a member, or the deputy of a member, of the Board, or a member of a committee established by or under this Act, is also a member of, or is a candidate for election to, the Parliament of the Commonwealth or of a State, he shall not be paid any remuneration or allowances provided for by this Act, but shall be reimbursed such expenses as he reasonably incurs as a member or the deputy of a member of the Board, or as a member of the committee, as the case may be.

Annual report
of Board.

41.—(1.) The Board shall, as soon as practicable after each thirtieth day of June, prepare and furnish to the Minister a report on the operation of this Act during the year ended on that date, together with financial statements in respect of that year in such form as the Treasurer approves.

(2.) Before furnishing the financial statements to the Minister, the Board shall submit them to the Auditor-General, who shall report to the Minister—

- (a) whether the statements are based on proper accounts and records;
- (b) whether the statements are in agreement with the accounts and records and show fairly the financial operations and the state of the affairs of the Board;
- (c) whether the receipt, expenditure and investment of moneys, and the acquisition and disposal of assets, by the Board during the year have been in accordance with this Act; and
- (d) as to such other matters arising out of the statements as the Auditor-General considers should be reported to the Minister.

(3.) The Minister shall cause the report and financial statements of the Board, together with the report of the Auditor-General, to be laid before each House of the Parliament within fifteen sitting days of that House after their receipt by the Minister.

(4.) The first such report shall include a report generally on the operation of the *Meat Export Control Act 1935-1960* in respect of the period from the end of the year in relation to which the Board last made a report under the corresponding provision of that Act to the date of the commencement of this Act.

42. Nothing in this Act or the regulations restricts the operation of the *Customs Act 1901-1963* or the *Commerce (Trade Descriptions) Act 1905-1950* or the regulations in force under either or both of those Acts.

Operation of certain Acts not restricted.

43. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, prescribing penalties not exceeding a fine of Fifty pounds for offences against the regulations.

Regulations.