

Meat Industry

No. 57 of 1969

An Act to amend the *Meat Industry Act 1964–1966* in relation to the Membership of the Australian Meat Board and to the grant, cancellation and suspension of Licences to export Meat.

[Assented to 2 September 1969]

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

1.—(1.) This Act may be cited as the *Meat Industry Act 1969*.

Short title
and citation.

(2.) The *Meat Industry Act 1964–1966** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Meat Industry Act 1964–1969*.

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

Commencement.

3.—(1.) Section 8 of the Principal Act is amended—

Membership
of the Board.

(a) by omitting from sub-section (1.) the word “ nine ” and inserting in its stead the word “ ten ”; and

(b) by omitting from paragraph (b) of sub-section (1.) the word “ five ” and inserting in its stead the word “ six ”.

(2.) Notwithstanding sub-section (3.) of section 10 of the Principal Act as amended by this Act, the appointment of a member of the Australian Meat Board to the vacancy in the membership of the Board resulting from the amendments of the Principal Act effected by the last preceding sub-section shall be for the period from and including the first day of December, One thousand nine hundred and sixty-nine, to and including the thirtieth day of June, One thousand nine hundred and seventy-one.

4. Section 10 of the Principal Act is amended by omitting sub-sections (3.) and (4.) and inserting in their stead the following sub-section:—

Members
representing
meat producers.

“ (3.) The appointment of a member to represent Australian meat producers shall, subject to section thirteen of this Act, be for three years.”.

5. Section 11 of the Principal Act is amended by omitting sub-sections (3.) and (4.) and inserting in their stead the following sub-section:—

Members
representing
meat exporters.

“ (3.) The appointment of a member to represent Australian meat exporters shall, subject to section thirteen of this Act, be for three years.”.

* Act No. 7, 1964, as amended by No. 77, 1965; and No. 93, 1966.

Delegation.

6. Section 28 of the Principal Act is amended by inserting in sub-section (1.), after the word “except”, the words “its powers under sections twenty-nine and twenty-nine A of this Act and”.

Regulations may prohibit export except on conditions.

7. Section 29 of the Principal Act is amended—

(a) by omitting sub-section (3.) and inserting in its stead the following sub-section:—

“(3.) The Board may grant a licence under this section to a person to export meat from Australia.”;

(b) by inserting in sub-section (4.), after the word “expressed”, the words “, and, if the Minister so directs, shall be expressed.”;

(c) by omitting sub-sections (5.), (6.) and (7.) and inserting in their stead the following sub-sections:—

“(5.) The Board 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 the Board refuses an application for a licence under this section, the Board shall forthwith inform the applicant in writing of the refusal.

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

(a) has been refused by the Board; or

(b) has not been determined within one month after the date on which the application was made,

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

“(7A.) Where the Board has refused an application for a licence under this section, the applicant may request the Minister in writing to review the decision of the Board and, if such a request is made, the Minister shall, within ninety days after the request was made, review the decision and either—

(a) confirm the decision; or

(b) direct the Board to grant a licence under this section to the applicant.

“(7B.) Where the Board has not determined an application for a licence under this section within ninety days after the application was made, the applicant may request the Minister in writing to determine the application and, if such a request is made, the Minister shall, within ninety days after the request was made, unless the Board has, in the intervening time, granted the licence, determine the application and either—

(a) direct the Board to grant a licence under this section to the applicant; or

(b) direct the Board not to grant a licence under this section to the applicant.

“(7c.) Where the Minister confirms a decision of the Board refusing an application for a licence or directs the Board not to grant a licence, the Minister shall forthwith inform the applicant in writing that he has confirmed the decision or given the direction and, if the applicant requests him in writing so to do, shall forthwith inform the applicant in writing of the reasons for his confirming the decision or giving the direction.”; and

(d) by omitting sub-section (10.).

8. After section 29 of the Principal Act the following sections are inserted:—

“29A.—(1.) Where the Board is satisfied that a person who holds a licence granted under the last preceding section has contravened or failed to comply with—

Cancellation
and suspension
of licences to
export meat.

(a) a condition or restriction referred to in paragraph (b) of sub-section (1.) of that section; or

(b) a condition to which the licence is expressed to be subject,

the Board may cancel the licence on and from such date as it thinks fit or may suspend the licence on and from such date, and for such period, as it thinks fit.

“(2.) Where the Board has cancelled or suspended a licence, the Board shall forthwith inform the person who held or holds the licence in writing of the cancellation or suspension and, if that person requests the Board in writing so to do, shall forthwith inform him in writing of the reasons for the cancellation or suspension.

“(3.) Where the Board has cancelled or suspended a licence under this section, the person who held or holds the licence may request the Minister in writing to review the decision of the Board.

“(4.) Upon the Minister being requested under the last preceding sub-section to review a decision of the Board cancelling or suspending a licence, the cancellation or suspension ceases to have effect until the Minister gives a decision on the review.

“(5.) The Minister shall, within ninety days after a request is made for him to review a decision of the Board cancelling a licence, review the decision of the Board and—

(a) confirm the decision;

(b) revoke the cancellation; or

(c) revoke the cancellation and suspend the licence on and from such date, and for such period, as he thinks fit.

“(6.) The Minister shall, within ninety days after a request is made for him to review a decision of the Board suspending a licence, review the decision of the Board and—

(a) confirm the decision, or confirm the decision subject to the period of suspension being increased or reduced to such extent as he specifies, and direct that the period of the suspension, or that

period as increased or reduced, as the case may be, less any period for which the suspension of the licence by the Board previously had effect, shall take effect on and from such date as he specifies; or

(b) revoke the suspension.

“(7.) Where the Minister reviews a decision of the Board cancelling or suspending a licence, the Minister shall forthwith inform the person who held or holds the licence in writing of his decision on the review.

“(8.) Where, in pursuance of a request under sub-section (3.) of this section, the Minister takes action under paragraph (a) or paragraph (c) of sub-section (5.), or paragraph (a) of sub-section (6.), of this section, the Minister shall, if the person who made the request requests him in writing so to do, forthwith inform the person in writing of the reasons for his taking the action.

Power of
Minister to
appoint persons
to examine
requests.

“29B. For the purpose of considering a request made under sub-section (7A.) or sub-section (7B.) of section twenty-nine, or sub-section (3.) of section twenty-nine A, of this Act, the Minister may, if he thinks it desirable so to do, appoint a person or persons to examine the matter to which the request relates and make a recommendation to him in relation to that matter.”

Saving of
existing
licences.

9. A licence granted, or deemed to be granted, under section 29 of the Principal Act and in force immediately before the date of commencement of this Act shall, subject to the Principal Act as amended by this Act, be deemed to be a licence granted by the Board under section 29 of that Act as so amended and to be expressed to be subject to all the conditions to which it was expressed, or was deemed to be expressed, to be subject immediately before that date.