**ABATTOIRS ACT AMENDMENT BILL 1938**

House of Assembly**, 15 November 1938, pages 2430-2**

Second reading

**The Hon. M. McINTOSH (Albert—Minister of Local Government**)—The purpose of this Bill is to facilitate the establishment of abattoirs in country areas. It was particularly requested by the Mount Gambier district. The Bill makes a number of amendments to the Abattoirs Act, 1911. That Act applies to districts outside the metropolitan area and contains provisions which are substantially similar to those of the Metropolitan and Export Abattoirs Act. The scheme of the 1911 Act provides that an abattoirs area may be established to comprise any municipality or district council district or to comprise two or more municipalities or districts or parts thereof. An abattoirs area is constituted by proclamation which can only be made after the presentation of a petition to the council or councils concerned and after a poll of the ratepayers in favour of the project has been carried in the areas in question. On the establishment of an abattoirs area a board is set up which has the duty of constructing an abattoir. When the abattoir is constructed and is available for slaughtering, the slaughtering of cattle is forbidden at any place other than at the abattoir and cattle slaughtered outside the area can only be brought into the area subject to certain restrictions. Exemptions are made in favour of abattoirs and slaughterhouses for the slaughter of stock for the purpose of export. Provision is also made for the payment of compensation to owners of slaughterhouses which are closed down by the operation of the board’s abattoir. This, substantially, is the scheme now operating in the metropolitan area under the Metro­politan and Export Abattoirs Act.

Since the passing of the Act in 1911, however, no abattoirs area has been established under the Act although in some localities, notably Mount Gambier and Port Pirie, the councils concerned for some time have had under consideration the question of the application of the Act to their areas. It has been suggested, on behalf of the Mount Gambier Corporation and the Mount Gambier District Council that certain amendments are desirable to be made to the Act and these amendments are made by the Bill. The councils concerned have not only suggested the amendment, but also have seen a copy of the proposed Bill and concur therewith. A number of the amendments are of a minor nature and none of the amendments makes any vital change in policy.

The principal amendments made by the Bill are as follows:—Under section 13 of the principal Act it is provided that, where an abattoirs area consists of the whole of a local government area, the council is to constitute the abattoirs board.. Where the area is constituted from two or more local government areas it is provided that the proclamation establishing the abattoirs area is to set out the constitution of the board. Clause 4 provides that the provisions relating to two or more areas are to apply to a case where the abattoirs area consists of one municipality or district council district, so that the proclamation will, in all cases, lay down the constitution of the board. It is felt that it may not be advisable that the council as such should necessarily be the board, but that the board should be so constituted as is thought desirable at the time of making the proclamation. It would then be possible for representation on the board to be given to business interests concerned. The clause therefore provides that, before an abattoirs area is proclaimed, arrangements must be made as to the constitution of the board and the financial matters connected with the establishment of the abattoirs and that these arrangements must ba approved by the Minister.

Section 26 of the principal Act deals with the term of office of members of the board and provides that the term of office is to be two years and that one-half of the members are to retire annually. It has been suggested that this term of office should be extended to three years, as it is thought that the present term is too short to enable members to become fully efficient in the exercise ,of their duties. Clause 3 therefore provides that members of a board shall hold office for three years, with one-third of their members retiring annually. Clause 8 deals with the appointment of the auditor of the board. Section 40 of the principal Act requires the appointment of two auditors. At the time the principal Act was passed two auditors were required to be appointed for local governing bodies; under the present provisions of the Local Government Act, only one auditor is appointed but he must hold a local government auditor’s certificate. Clause 8 provides that one auditor only is to be appointed by the board but, in, order to secure that the auditor will be properly, qualified, it is pro­vided that he must hold a local government auditor’s certificate.

Clause 10 provides that an abattoir for any area may be established on land held by the council if not inconsistent with any trusts affecting the land. There is no power at present for the council to make available land held by it for the purposes of the erection of an abattoir. Subsection (2) of section 46 provides that, for the purpose of constructing any abattoir and incidental works, a , council may borrow money under the Local Government Act and declare a special rate, but before this can be done the usual poll of ratepayers may be demanded. Before the abattoir can be established there must have been a poll of the ratepayers concerned in favour of the proposition so that it would appear unnecessary to have a further poll to deal with the borrowing pro­posal which in the normal case would be inherent in the proposal to establish an abattoir. Clause 11 therefore enacts the subsection so as to give the council power to borrow and declare the necessary special rates and provides that no further poll shall be necessary to enable this to be done.

Clause 12 deals with the duty of the board as regards its revenue derived from the abattoir. The present section 48 provides that the board is to establish a sinking fund sufficient to repay all the moneys expended in plant and machinery within a period of not more than 15 years and other borrowed moneys within a period of not more than 42 years. Profits are to be distributed amongst the constituent councils, but one-third of the profits may be carried to a reserve fund. Clause 12 proposes to limit the sinking fund to the repayment of borrowed moneys within a period of 42 years. This is the present time laid down under the Local Government Act within which all borrowings must be retired. In addition, it is provided that the whole or any part of the profits made may be placed to a reserve and need not therefore be distributed among the constituent councils. It is obviously desirable that a board should be given the power to build up proper reserves and depreciation on plant and machinery should be provided for out of a reserve fund of this nature. Section 65 of the principal Act provides that if, after the abattoir is slaughtered, any stock dies within the abattoir area or is slaughtered within the abattoir area, the carcass is to be conveyed to the abattoir of the area or an inspector is to give leave to bury the carcass. Such a provision is entirely suitable within the metropolitan area but is not suitable to country districts. It is therefore provided that the obligation either to bring the carcass to the abattoir or obtain the leave of the inspector to bury the carcass is only to apply when, on the slaughter of stock, it is apparent that the stock is diseased. Clause 20 re-enacts the provisions of section 74 and provides that it is to be the duty of the board to cause carcasses slaughtered outside the area and brought to the abattoir for examination to be examined by an inspector upon payment of a reasonable fee. In addition, the clause provides that an inspector of the abattoir area may also be appointed an inspector for the purpose of inspecting bacon factories outside the metropolitan area under the Metropolitan and Export Abattoirs Act, 1936-1937. Section 76 of the Metropolitan and Export Abattoirs Act provides that in certain circumstances small goods, etc., derived from swine slaughtered outside the metropolitan area may be brought into the metropolitan area and further provides for the appointment of inspectors to inspect bacon factories outside the metropolitan area. The intention of clause 20 is to enable the one inspector to carry out his functions under the principal Act and under the Metropolitan and Export Abattoirs Act as regards the inspection of these bacon factories. The remaining clauses of the Bill deal with matters of minor importance which do not require special comment. The Bill has been to the Produce Department and to the Abattoirs Board and whilst not being in itself of very great moment it will enable abattoirs to be established with greater facility than would otherwise be the case, and I think the House will agree that we ought to give power to local governing bodies to establish them if they so desire. I move the second reading.

The Hon. E. S. EICHAEDS secured the adjournment of the debate.