

**PIG INDUSTRY COMPENSATION.**

10° Elizabeth II. No. II.

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**No. 2 of 1961.**

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**AN ACT to amend the Pig Industry Compensation Act, 1942-1957.**

[Assented to 10th October, 1961.]

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Pig Industry Compensation Act Amendment Act, 1961.*

Short title  
and citation.

(2) In this Act the Pig Industry Compensation Act, 1942-1957, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Pig Industry Compensation Act, 1942-1961.

S. 3  
amended.

2. Section three of the principal Act is amended by adding after the interpretation, "Prescribed" the following interpretation:—

"Processing Company" means a company whose business is or includes the purchasing of pigs or carcasses from owners thereof for the purpose of processing meat; .

S. 14  
amended.

3. Section fourteen of the principal Act is amended—

- (a) by adding after the word, "subsection" where last appearing in line two of subsection (1) the passage, "or except an owner or the agent of that owner who is exempted from complying with those requirements by virtue of such a permit issued to a processing company under the provisions of section fourteen A of this Act";
- (b) by adding after the word, "section", being the last word in paragraph (a) of subsection (3), the passage, "or subsection (1) of section fourteen A of this Act"; and
- (c) by adding after the word, "section" in line one of paragraph (c) of subsection (3), the passage, "or section fourteen A of this Act".

S. 14A  
added.

4. The principal Act is amended by adding after section fourteen a section as follows:—

14A. (1) A processing company may apply in writing to the Minister for a permit—

- (a) exempting an owner or his agent who has sold pigs or carcasses or both to the company from complying with the requirements of subsection (1) of section fourteen of this Act;
- (b) authorising the company, while the permit is effective, to lodge instead of the owner or his agent returns of purchase money paid by the company to the owner or his agent on the sale

Permit to  
processing  
company  
exempting  
owners and  
agents from  
compliance  
with section  
fourteen.

of pigs or carasses or both to the company by the owner during any period of any duration fixed by the Minister; and

- (c) authorising the company to pay to the Minister, on behalf of the owner or his agent, the amount of duty payable under section fifteen of this Act in respect of the purchase money included in each return.

(2) The provisions of paragraphs (b), (c), (d), (e) and (f) of subsection (1a) of section fourteen of this Act apply to an application made under and a permit issued under subsection (1) of this section.

(3) A processing company that is the holder of a valid and current permit issued under this section shall, before it pays to the owner or his agent any purchase money for pigs or carcasses sold to it by the owner, apply and thereafter shall pay to the Minister in accordance with the permit so much of that money as equals the amount of duty payable under this Act in respect of that money, in payment of the duty to the Minister whose acknowledgment of receipt of the payment of the amount is a discharge to the agent of the liability to pay the amount to the owner or any person claiming through the owner, and is a discharge to the owner or his agent for liability to pay that amount of duty.

(4) Any amount that a processing company is required by subsection (3) of this section to pay to the Minister is, until so paid, a debt owing by the company to the Minister and may be recovered from the company in a court of competent jurisdiction at the suit of the Commissioner of Stamps; but until such time as any amount of duty for which an owner is liable under this Act has been paid, the amount

is a debt owing by the owner to the Minister and may without prejudice to the foregoing be so recovered from the owner by the Commissioner.

(5) A processing company that fails to comply with any of the conditions included in a permit issued under subsection (1) of this section is guilty of an offence against this Act and is punishable notwithstanding any subsequent alteration of the conditions of, or cancellation of, the permit and notwithstanding section eleven of the Criminal Code.

(6) Where a processing company that holds an effective permit issued under this section compiles, in accordance with that permit, returns of purchase moneys paid by it to an owner or his agent on the sale of pigs or carcasses or both to the company by the owner, it shall post to the owner, within seven days of the sale, a notice in writing setting out the particulars of the sale and stating that as the holder of the permit it has included the particulars of the sale in a return compiled pursuant to the permit.

S. 15  
amended.

5. Section fifteen of the principal Act is amended—

(a) by adding after the word, “fourteen” in line four of subsection (1), the passage, “or subsection (1) of section fourteen A”; and

(b) by adding after the word, “fourteen” in line four of paragraph (a) of the second proviso to subsection (2), the passage, “or subsection (1) of section fourteen A”.

S. 18  
amended.

6. Subsection (2) of section eighteen of the principal Act is amended by adding after the word, “fourteen” in line four, the passage, “or subsection (2) of section fourteen A”.