



Western Australia

Western Australian Meat Industry Authority Act 1976

**Western Australian Meat
Industry Authority
Regulations 1985**

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Western Australia

Western Australian Meat Industry Authority Regulations 1985

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Western Australian Meat Industry Authority Regulations 1985

Part I — Preliminary

1. Citation

These regulations may be cited as the *Western Australian Meat Industry Authority Regulations 1985* ¹.

2. Commencement

These regulations shall come into operation on the day on which the *Acts Amendment (Western Australian Meat Industry Authority) Act 1984* is proclaimed to come into operation ¹.

3. Terms used

- (1) In these regulations, unless the contrary intention appears —
- approved* means approved by the Authority;
 - Aus-Meat* means AUS-MEAT Limited (ABN 44 082 528 881);
 - intended for small goods manufacture* means identified for use in smallgoods manufacture by an approved ticket;
 - lamb* means a sheep that has not cut a permanent incisor tooth;
 - meat inspection service* means a service established for the purpose of the inspection of meat and approved by the Authority for the purposes of these regulations;

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Muchea Livestock Centre or ***Centre*** means the facility called the Livestock Centre, Muchea, and declared under section 16(1)(d)(i) of the Act to be a replacement for Midland Saleyard;

stock agent has the meaning given in regulation 25.

- (2) In these regulations a reference to stock that is yarded for transshipment is a reference to stock that is yarded at the Muchea Livestock Centre for the purpose of being transported from the Centre to another place without being offered for sale at the Centre.

[Regulation 3 amended in Gazette 23 Aug 1985 p. 3038; 27 May 1988 p. 1793; 2 Feb 1996 p. 389; 2 Sep 1997 p. 4962; 30 Apr 2010 p. 1600; 30 Jun 2010 p. 3127; 6 Dec 2011 p. 5155.]

Part II — Inspectors

4. Inspectors

- (1) Inspectors may be appointed for general purposes, for particular duties, or in relation to one or more specified kinds of animals.
- (2) The duties of an inspector may include —
 - (a) monitoring, supervising, organizing or carrying out the mousing, classification and branding of carcasses of prescribed and declared animals; and
 - (b) supervising the application of approved treatments to prevent cold shortening to the carcasses of prescribed and declared animals; and
 - (c) monitoring the sale of carcasses of prescribed and declared animals; and
 - (da) in relation to the Muchea Livestock Centre, assisting in the administration of Part VI; and
 - (d) such other duties as are specified by the Authority.

*[Regulation 4 amended in Gazette 12 Jul 1991 p. 3411
(disallowed in Gazette 25 Oct 1991 p. 5499); 6 Dec 2011
p. 5156.]*

Part III — Branding of carcasses

5. Recording of information

- (1) An owner shall ensure that information on —
- (a) the kind of animal; and
 - (b) the dentition and fatness of the animal; and
 - (c) any treatment to prevent cold shortening that has been applied to the carcase; and
 - (d) such other branding characteristics as the Authority may specify in writing,

is recorded on the carcase of a declared or prescribed animal in a manner specified in writing by the Authority, and under the supervision of an inspector, prior to the branding of the carcase.

- (2) A person shall not remove, alter, deface or otherwise interfere with the information recorded under subregulation (1) before the carcase is processed into cuts.

Penalty: a fine of \$5 000.

- (3) An owner shall ensure that the vendor of any declared or prescribed animal purchased on the basis of carcase measurement is supplied with a feedback sheet providing such particulars as are specified by the Authority.

*[Regulation 5 amended in Gazette 17 Jun 1994 p. 2504;
6 Dec 2011 p. 5156.]*

6. Branding devices

- (1) An owner shall ensure that every branding device in his possession, care or custody is —
- (a) kept securely in a manner directed in writing by the Authority or kept in the custody of an inspector when not in use; and
 - (b) maintained as required by the Authority.

- (2) Where the Authority by notice in writing under section 24F revokes permission for an owner to use a branding device owned by the Authority, that owner shall ensure that the branding device is returned to the Authority within such time as is specified in the notice.

Penalty: a fine of \$5 000.

[Regulation 6 amended in Gazette 6 Dec 2011 p. 5156.]

7. Application of brand

A person shall not brand the carcase of a declared or prescribed animal unless he is an inspector or is under the supervision of an inspector.

Penalty: a fine of \$5 000.

[Regulation 7 amended in Gazette 6 Dec 2011 p. 5156.]

8. Appearance of brand

- (1) If an inspector is not satisfied with the appearance of a brand on the carcase of a declared or prescribed animal he may direct the owner —
- (a) to cause that brand to be removed; and
 - (b) if the carcase is of a prescribed animal, to ensure that it is branded again.

- (2) An owner who fails to comply with a direction referred to in subregulation (1) within such time as is specified by the inspector commits an offence.

Penalty: a fine of \$5 000.

[Regulation 8 amended in Gazette 6 Dec 2011 p. 5156.]

9. Interference with brand

Unless directed by an inspector, a person shall not remove, alter, deface or otherwise interfere with a brand placed on the carcase of a prescribed or declared animal in accordance with these regulations before that carcase is sold for human consumption.

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Penalty: a fine of \$5 000.

[Regulation 9 amended in Gazette 6 Dec 2011 p. 5156.]

10. Inspection of imported carcasses

A person who brings or causes to be brought into the State a carcass of a prescribed or declared animal slaughtered outside the State and brought into the State for the purpose of sale for human consumption in the State shall, as soon as is reasonably practicable after entering the State, present the carcass for inspection for the purposes of the Act at a place nominated by the Executive Director, Public Health and Scientific Support Services.

Penalty: a fine of \$5 000.

[Regulation 10 amended in Gazette 6 Dec 2011 p. 5156.]

11. Lamb — prescribed characteristics and brand

- (1) The prescribed characteristics of lamb are that it is a sheep that has not cut a permanent incisor tooth.
- (2) Except as provided in subregulations (5) and (7), every carcass of lamb slaughtered for human consumption in the State may —
 - (a) in the case of a carcass of lamb slaughtered at an abattoir that is not accredited by Aus-Meat, only be branded with the design illustrated in Part A of Schedule 1; and
 - (b) in the case of a carcass of lamb slaughtered at an abattoir that is accredited by Aus-Meat, only be branded with a design specified by the Authority.
- (2a) Before branding any carcass as lamb under subregulation (2) the owner shall ensure that —
 - (a) the fatness of the carcass has been determined by or under the supervision of an inspector in accordance with the following tissue depths at a site over the 12th rib and 11 cm from the backbone —

| Fat class | Tissue depth (mm) |
|------------------|--------------------------|
|------------------|--------------------------|

| | |
|---|----------------------|
| 1 | up to 5 |
| 2 | over 5 and up to 10 |
| 3 | over 10 and up to 15 |
| 4 | over 15 and up to 20 |
| 5 | over 20. |

Penalty: a fine of \$5 000.

- (3) A brand referred to in subregulation (2) shall be applied in the manner illustrated in Part C of Schedule 1 or in a manner specified in writing by the Authority using a red ink of a kind approved for the purpose by the Authority.
- (4) An owner shall cause all sheep carcasses to be mouthed by or under the supervision of an inspector, before the head of the carcass is removed and as soon as possible after slaughter, to determine whether or not the carcasses are required to be branded under subregulation (2).
- Penalty: a fine of \$5 000.
- (5) Subject to subregulation (7), a carcass of sheep presented for inspection under regulation 10 and accompanied by a certificate from a meat inspection service in the State in which the animal was slaughtered certifying —
- (a) that the carcass is of a sheep that has not cut a permanent incisor tooth; and
 - (b) that the carcass was branded by or under the supervision of a meat inspection service inspector of that State,
- may only be branded as lamb with the design approved by that meat inspection service.
- (6) A brand referred to in subregulation (5) shall be applied —
- (a) in the manner illustrated in Part C of Schedule 1; or
 - (b) where the brand is applied as a stamp —
 - (i) at least once to the carcass where the entire carcass is imported; or

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- (ii) to each individual cut where the carcase has been processed into cuts,
using an approved red ink.
- (7) Where a carcase branded in the manner referred to in subregulation (6)(b) is not frozen when it is presented for inspection under regulation 10 the carcase shall be further branded by or under the supervision of an inspector at the place of inspection with the design illustrated in Part B of Schedule 1 in the manner illustrated in Part C of Schedule 1 using an approved red ink.
- (8) A carcase of sheep presented for inspection under regulation 10 shall not be branded as lamb unless it is accompanied by a certificate referred to in subregulation (5).

[Regulation 11 amended in Gazette 27 May 1988 p. 1793; 17 Jun 1994 p. 2504-5; 17 Oct 2003 p. 4435; 6 Dec 2011 p. 5156.]

12. Lamb slaughtered for export

- (1) Where a carcase of lamb is slaughtered in the State for export and is subsequently redirected for sale for human consumption in the State —
 - (a) the owner shall, if the carcase is sold for small goods manufacture, cause it to be identified with an approved ticket attached to the carcase;
 - (b) it shall be branded —
 - (i) if the carcase is not frozen and is not intended for small goods manufacture, with the design illustrated in Part A of Schedule 1; or
 - (ii) if the carcase is frozen or is intended for small goods manufacture, with the Australia Inspected Lamb stamp, issued to the export establishment in accordance with the Export Meat Orders made under the *Export Control (Orders) Regulations* of the *Export Control Act 1982* of the Commonwealth.

-
- (2) The brand referred to —
- (a) in subregulation (1)(b)(i) shall be applied in the manner illustrated in Part C of Schedule 1;
 - (b) in subregulation (1)(b)(ii), shall be applied in the manner specified in regulation 11(6)(b),
- using an approved red ink.

[Regulation 12 inserted in Gazette 23 Aug 1985 p. 3038.]

13. Hogget — prescribed characteristics and brand

- (1) The prescribed characteristics of hogget are that it is a ewe or a wether not showing secondary sex characteristics that —
- (a) has cut one but not more than 2 permanent incisor teeth; and
 - (b) is of fat class 2, 3 or 4 determined in accordance with subregulation (3)(b).
- (2) Except as provided in subregulation (4), a carcase of sheep slaughtered for human consumption in the State which has the characteristics prescribed in subregulation (1) may —
- (a) in the case of a carcase of sheep slaughtered at an abattoir that is not accredited by Aus-Meat, only be branded as hogget with the brand illustrated in Part A of Schedule 2; and
 - (b) in the case of a carcase of sheep slaughtered at an abattoir that is accredited by Aus-Meat, only be branded as hogget with a design specified by the Authority.
- (3) Before branding any carcase as hogget under subregulation (2) the owner shall ensure that —
- (a) the carcase has been mouthed by or under the supervision of an inspector;
 - (b) the fatness of the carcase has been determined by or under the supervision of an inspector in accordance with the following tissue depths at a site over the 12th rib and 11 cm from the backbone —

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| Fat class | Tissue depth (mm) |
|------------------|--------------------------|
| 1 | up to 5 |
| 2 | over 5 and up to 10 |
| 3 | over 10 and up to 15 |
| 4 | over 15 and up to 20 |
| 5 | over 20. |

Penalty: a fine of \$5 000.

- (4) A carcase of sheep presented for inspection under regulation 10 and accompanied by a certificate from the meat inspection service of the State in which the animal was slaughtered stating that the carcase has the characteristics of hogget prescribed in subregulation (1) as determined by or under the supervision of a meat inspection service inspector of that State and was loaded under the supervision of a meat inspection service inspector of that State has the prescribed characteristics of hogget and may be branded in accordance with subregulation (5).
- (5) A carcase eligible to be branded under subregulation (4) may be branded as hogget —
- (a) with the design approved by the meat inspection service of the State in which the animal was slaughtered; or
 - (b) if the carcase is not branded in accordance with paragraph (a), with the design illustrated in Part B of Schedule 2.
- (6) A carcase eligible to be branded under subregulation (4) shall not be branded as hogget by any brand other than one of those referred to in subregulation (5).
- (7) Where a carcase referred to in subregulation (4) and accompanied by a certificate referred to in that subregulation is unbranded at the time it is presented for inspection it may only be branded by or under the supervision of an inspector at the place of inspection.

- (8) A brand referred to in subregulation (2) or (5) shall be applied in the manner illustrated in Part C of Schedule 1 using an approved gold ink.

[Regulation 13 amended in Gazette 23 Aug 1985 p. 3038; 27 May 1988 p. 1793; 23 Aug 2005 p. 3907; 6 Dec 2011 p. 5156.]

14. “Tender Gold” beef — prescribed characteristics and brand

- (1) A carcase of beef has the prescribed characteristics of “Tender Gold” beef if —
- (a) the carcase is of a bovine that —
 - (i) is derived from either a female or a castrate or entire male that does not exhibit secondary sexual characteristics; and
 - (ii) has cut no more than 2 permanent incisor teeth; and
 - (iii) has a minimum of 4 mm of fat at the P8 (rump) site determined in accordance with subregulation (3)(b); and
 - (iv) has an adequate cover of fat so as to prevent darkening of the underlying muscle tissue;and
 - (b) the carcase has been treated to prevent cold shortening in accordance with subregulation (3)(c); and
 - (c) the colour of the meat is approved by an inspector and the colour of the fat is creamy or white as approved by an inspector; and
 - (d) the carcase has a muscle score of A, B or C determined by or under the supervision of an inspector in accordance with the Aus-Meat standard muscle score chart.
- (2) Except as provided in subregulation (4), a carcase of beef slaughtered for human consumption in the State which has the characteristics prescribed in subregulation (1) may —

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- (a) in the case of a carcase of beef slaughtered at an abattoir that is not accredited by Aus-Meat, only be branded as “Tender Gold” beef with the design illustrated in Part A of Schedule 3; and
 - (b) in the case of a carcase of beef slaughtered at an abattoir that is accredited by Aus-Meat, only be branded with a design specified by the Authority.
- (3) Before branding any carcase of beef under subregulation (2) an owner shall ensure that —
- (a) the carcase has been mouthed by or under the supervision of an inspector; and
 - (b) the fatness of the carcase has been determined by or under the supervision of an inspector by measuring the subcutaneous fat depth at the point of intersection of a line from the dorsal tuberosity of the tuber ischii parallel with the chine and a line at right angles to the sawn chine on the crest of the spinous process of the third sacral vertebra; and
 - (c) the carcase has been treated to prevent cold shortening, in a manner specified by the Authority, by or under the supervision of an inspector; and
 - (d) the colour of the meat is approved by an inspector and the colour of the fat is creamy or white as approved by an inspector; and
 - (e) the carcase has a muscle score of A, B or C determined by or under the supervision of an inspector in accordance with the Aus-Meat standard muscle score chart; and
 - (f) the sex of the animal has been determined by or under the supervision of an inspector and in the case of castrate or entire males the carcase does not exhibit secondary sexual characteristics.

Penalty: a fine of \$5 000.

- (4) A carcase of beef presented for inspection under regulation 10 and accompanied by a certificate from the meat inspection service of the State in which the animal was slaughtered stating that —
- (a) the carcase has the characteristics of “Tender Gold” beef prescribed in subregulation (1)(a) as determined by or under the supervision of a meat inspection service inspector of that State; and
 - (b) the carcase has been treated to prevent cold shortening in a manner approved by the Authority, by or under the supervision of a meat inspection service inspector of that State; and
 - (c) the colour of the meat is approved by a meat inspection service inspector of that State and the colour of the fat is creamy or white as approved by a meat inspection service inspector of that State; and
 - (d) the carcase has a muscle score of A, B or C as determined by or under the supervision of a meat inspection service inspector of that State in accordance with the Aus-Meat standard muscle score chart; and
 - (e) the carcase was loaded under the supervision of a meat inspection service inspector of that State,
- has the prescribed characteristics of “Tender Gold” beef and may be branded as “Tender Gold” beef in accordance with subregulation (5).
- (5) A carcase eligible to be branded under subregulation (4) may be branded as “Tender Gold” beef —
- (a) with the design approved by the meat inspection service of the State in which the carcase was slaughtered; or
 - (b) if the carcase is not branded in accordance with paragraph (a), with the design illustrated in Part B of Schedule 3.

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- (6) A carcase eligible to be branded under subregulation (4) shall not be branded as “Tender Gold” beef by any brand other than one of those referred to in subregulation (5).
- (7) Where a carcase referred to in subregulation (4) and accompanied by a certificate referred to in that subregulation is unbranded at the time it is presented for inspection it may only be branded by or under the supervision of an inspector at the place of inspection.
- (8) A brand referred to in subregulation (2) or (5) shall be applied in the manner illustrated in Part C of Schedule 3 using an approved orange ink.

[Regulation 14 (erratum in Gazette 14 Jun 1985 p. 2172); amended in Gazette 27 May 1988 p. 1793-4; 2 Feb 1996 p. 390; 6 Dec 2011 p. 5156.]

14A. “Lot Fed” beef — prescribed characteristics and brand

- (1) A carcase of beef has the prescribed characteristics of “Lot Fed” beef if —
 - (a) the carcase is of a bovine that —
 - (i) is derived from either a female or a castrate or entire male that does not exhibit secondary sexual characteristics; and
 - (ii) has cut no more than 2 permanent incisor teeth; and
 - (iii) has a minimum of 4 mm of fat at the P8 (rump) site determined in accordance with subregulation (3)(b); and
 - (iv) has an adequate cover of fat so as to prevent darkening of the underlying muscle tissue;
 - and
 - (b) the animal from which the carcase was derived was identified in a manner approved by the Authority signifying that it had been completely hand or

- mechanically fed an approved ration for a period of not less than 70 days; and
- (c) the colour of the meat is approved by an inspector and the colour of the fat is creamy-white or white as approved by an inspector; and
 - (d) the animal from which the carcase was derived was slaughtered within 5 days of leaving the feedlot; and
 - (e) the carcase has been treated to prevent cold shortening in accordance with subregulation (3)(i); and
 - (f) the carcase has a muscle score of A, B or C determined by or under the supervision of an inspector in accordance with the Aus-Meat standard muscle chart.
- (2) Except as provided in subregulation (4), a carcase of beef slaughtered for human consumption in the State which has the characteristics prescribed in subregulation (1) may —
- (a) in the case of a carcase of beef slaughtered at an abattoir that is not accredited by Aus-Meat, only be branded as “Lot Fed” beef with the design illustrated in Part D of Schedule 3; and
 - (b) in the case of a carcase of beef slaughtered at an abattoir that is accredited by Aus-Meat, only be branded with a design specified by the Authority.
- (3) Before branding any carcase of beef under subregulation (2) an owner shall ensure that —
- (a) the carcase has been mouthed by or under the supervision of an inspector; and
 - (b) the fatness of the carcase has been determined by or under the supervision of an inspector by measuring the subcutaneous fat depth at the point of intersection of a line from the dorsal tuberosity of the tuber ischii parallel with the chine and a line at right angles to the sawn chine on the crest of the spinous process of the third sacral vertebra; and

r. 14A

- (c) the sex of the carcase has been determined by or under the supervision of an inspector and in the case of castrate or entire males the carcase does not exhibit secondary sexual characteristics; and
 - (d) the animal from which the carcase was derived was identified as prescribed in subregulation (1)(b); and
 - (e) the identification referred to in subregulation (1)(b) is available to an inspector; and
 - (f) the carcase is identified by or under the supervision of an inspector, in an approved manner, as having the characteristics prescribed in subregulation (1)(b); and
 - (g) the colour of the meat is approved by an inspector and the colour of the fat is creamy-white or white as approved by an inspector; and
 - (h) the carcase has a muscle score of A, B or C determined by or under the supervision of an inspector in accordance with the Aus-Meat standard muscle score chart; and
 - (i) the carcase has been treated to prevent cold shortening, in a manner specified by the Authority, by or under the supervision of an inspector.
- (4) A carcase of beef presented for inspection under regulation 10 and accompanied by a certificate from the meat inspection service of the State in which the animal was slaughtered stating that —
- (a) the carcase has the characteristics of “Lot Fed” beef prescribed in subregulation (1)(a) as determined by or under the supervision of a meat inspection service inspector of that State; and
 - (b) the animal from which the carcase has derived was identified in a manner approved by the Authority signifying that it had been completely hand or mechanically fed an approved ration for a period of not less than 70 days; and

- (c) the colour of the meat is approved by a meat inspection service inspector of that State and the colour of the fat is creamy-white or white as approved by a meat inspection service inspector of that State; and
- (d) the carcase has a muscle score of A, B or C as determined by or under the supervision of a meat inspection service inspector of that State in accordance with the Aus-Meat standard muscle score chart; and
- (e) the carcase has been treated to prevent cold shortening in a manner approved by the Authority, by or under the supervision of a meat inspection service inspector of that State; and
- (f) the carcase was loaded under the supervision of a meat inspection service inspector of that State,

has the prescribed characteristics of “Lot Fed” beef and may be branded as “Lot Fed” beef in accordance with subregulation (5).

- (5) A carcase eligible to be branded under subregulation (4) may be branded as “Lot Fed” beef —
 - (a) with the design approved by the meat inspection service of the State in which the carcase was slaughtered; or
 - (b) if the carcase is not branded in accordance with paragraph (a), with the design illustrated in Part B of Schedule 3.
- (6) A carcase eligible to be branded under subregulation (4) shall not be branded as “Lot Fed” beef by any brand other than one of those referred to in subregulation (5).
- (7) Where a carcase referred to in subregulation (4) and accompanied by a certificate referred to in that subregulation is unbranded at the time it is presented for inspection it may only be branded by or under the supervision of an inspector at the place of inspection.

r. 14A

- (8) A brand referred to in subregulation (2) or (5) shall be applied in the manner illustrated in Part C of Schedule 3 using an approved purple ink.

*[Regulation 14A inserted in Gazette 23 May 1986 p. 1740-1;
amended in Gazette 27 May 1988 p. 1794-5; 2 Feb 1996
p. 390.]*

Part IV — Standard carcasses

15. Sale of standard carcasses

Unless otherwise agreed between the purchaser and vendor, a person who purchases pigs, cattle, sheep or goats on the basis of carcass weight shall dress each carcass as a standard carcass.

Penalty: a fine of \$5 000.

*[Regulation 15 amended in Gazette 27 May 1988 p. 1795;
6 Dec 2011 p. 5156.]*

16. Weighing of carcasses

(1) A person who purchases pigs, cattle, sheep or goats on the basis of carcass weight shall ensure that each carcass is weighed hot, not later than 2 hours after the slaughter of the animal and that all price quotation relating to the purchase of that carcass are on the basis of that hot weight.

(2) A person shall not, before a standard carcass is weighed, remove or authorise the removal of any part of the carcass except such parts as must be removed in order to produce a standard carcass.

Penalty: a fine of \$5 000.

*[Regulation 16 amended in Gazette 2 Sep 1988 p. 3470;
6 Dec 2011 p. 5156.]*

17. Standard carcass

For the purposes of this Part a standard carcass means a standard carcass described in Schedule 4.

Part V — Abattoirs

[Heading inserted in Gazette 26 Oct 1990 p. 5361.]

18. References to forms

A reference in this Part to a form by number is a reference to the form of that number as set out in Schedule 5.

[Regulation 18 inserted in Gazette 26 Oct 1990 p. 5361.]

19. Form of applications for approvals

An application —

- (a) for approval to operate an abattoir, is to be in the form of Form 1;
- (b) for approval to construct an abattoir, is to be in the form of Form 3;
- (c) for approval to carry out structural alterations or additions to an abattoir, is to be in the form of Form 5.

[Regulation 19 inserted in Gazette 26 Oct 1990 p. 5362.]

20. Form of approvals

An approval —

- (a) to operate an abattoir, is to be in the form of Form 2;
- (b) to construct an abattoir, is to be in the form of Form 4;
- (c) to carry out structural alterations or additions to an abattoir, is to be in the form of Form 6.

[Regulation 20 inserted in Gazette 26 Oct 1990 p. 5362.]

21. Matter prescribed under Act s. 19(b)(vi)

A matter that the Authority may have regard to in determining whether to refuse an application under section 17 of the Act is whether, in the case of an abattoir or proposed abattoir to which the *Food Regulations 2009* Part 5 Division 6 applies, the

abattoir or proposed abattoir complies with the provisions of that Division.

[Regulation 21 inserted in Gazette 26 Oct 1990 p. 5362; amended in Gazette 6 Dec 2011 p. 5157.]

[22. Deleted in Gazette 30 Dec 2004 p. 6902.]

23. Notification of changes

The owner of an abattoir shall notify the Authority in writing of —

- (a) a change in the ownership of the abattoir or in the registered business name, postal address, telephone number or facsimile number of the owner of the abattoir; or
- (b) the cessation of operation of the abattoir.

[Regulation 23 inserted in Gazette 26 Oct 1990 p. 5362.]

24. Monthly returns

The owner of an abattoir shall, within 7 days after each month, cause to be sent to the Authority a return, in the form of Form 7, of the particulars of all species of animals slaughtered at the abattoir during that month.

[Regulation 24 inserted in Gazette 26 Oct 1990 p. 5362.]

Part VI — Muchea Livestock Centre

[Heading inserted in Gazette 6 Dec 2011 p. 5157.]

Division 1 — Preliminary

[Heading inserted in Gazette 6 Dec 2011 p. 5157.]

25. Terms used

In this Part —

disabled, in relation to any stock, includes being in labour;

driver's licence means —

- (a) an Australian driver licence as defined in the *Road Traffic Act 1974* section 5(1); or
- (b) a licence, authorisation or status that is recognised, under the *Road Traffic Act 1974*, as authorising the holder to drive a motor vehicle in the State;

heavy vehicle means a motor vehicle with a gross vehicle mass of more than 4.5 tonnes;

motor vehicle has the meaning given in the *Road Traffic Act 1974* section 5(1);

park, in relation to a motor vehicle, means to permit the vehicle, whether attended or not, to remain stationary, except for the purpose of —

- (a) avoiding conflict with other traffic; or
- (b) complying with the provisions of any written law; or
- (c) taking up or setting down persons or goods, as long as the vehicle remains stationary for not more than 2 minutes;

parking area means an area within the Muchea Livestock Centre that is designated in accordance with regulation 33M as an area in which the parking of motor vehicles is permitted, whether with or without conditions or restrictions;

parking permit has the meaning given in regulation 33N(1);

permit holder has the meaning given in regulation 33N(1);

sign includes a notice;

stand, in relation to a motor vehicle, means to stop the vehicle and permit it to remain stationary, except for the purpose of —

- (a) avoiding conflict with other traffic; or
- (b) complying with the provisions of any written law;

stock agent —

- (a) means a person who has approval under regulation 27 to act as a stock agent; and
- (b) in relation to particular stock, means the stock agent to whom that stock is assigned.

[Regulation 25 inserted in Gazette 6 Dec 2011 p. 5157-9.]

Division 2 — Stock agents

[Heading inserted in Gazette 6 Dec 2011 p. 5159.]

26. Stock agents must have Authority approval

A person must not auction stock at the Muchea Livestock Centre unless that person holds a current approval as a stock agent under regulation 27.

Penalty: a fine of \$5 000.

[Regulation 26 inserted in Gazette 6 Dec 2011 p. 5159.]

27. Approval of stock agents

- (1) The Authority may grant approvals to act as a stock agent for the purposes of these regulations.
- (2) Applications for approval must be made in writing to the Authority and be accompanied by the fee payable under regulation 34A(1), (3) or (4), as the case requires.
- (3) The Authority may grant approvals subject to any conditions or restrictions the Authority thinks fit.

- (4) An approval granted to a firm or company extends to any member or employee of the firm or company who is an auctioneer as defined in the *Auction Sales Act 1973* section 4 and who holds a general licence granted under that Act.
- (5) An approval to act as a stock agent that was granted by the Authority under these regulations and in force immediately before the day on which the *Western Australian Meat Industry Authority Amendment Regulations 2011* regulation 8 comes into operation —
 - (a) continues in force on and after that date as if it were granted under subregulation (1); and
 - (b) unless sooner withdrawn, continues in force until the close of 30 June 2012.
- (6) An approval to which subregulation (5) applies may be renewed under regulation 29.

[Regulation 27 inserted in Gazette 6 Dec 2011 p. 5159-60.]

28. Duration of approval as stock agent

An approval granted under regulation 27(1), unless sooner withdrawn, has effect as follows —

- (a) if the approval is granted on or after 1 July but on or before 31 December in a year, the approval continues in force until the close of 30 June in the following year, but may be renewed under regulation 29;
- (b) if the approval is granted on or after 1 January but on or before 30 June in a year, the approval continues in force until the close of 30 June in that year, but may be renewed under regulation 29.

[Regulation 28 inserted in Gazette 6 Dec 2011 p. 5160.]

29. Renewal of approval as stock agent

- (1) The Authority may renew an approval to act as a stock agent.

- (2) An approval renewed under subregulation (1) has effect until the close of 30 June in the following year, unless sooner renewed or withdrawn.
- (3) An application for the renewal of an approval must be made in writing to the Authority before the approval ceases to have effect, and be accompanied by the fee payable under regulation 34A(1)(b).
- (4) If an application for the renewal of an approval is made within 28 days after the day on which the approval ceased to have effect, and the fee payable under regulation 34A(1)(b) and the late application fee payable under regulation 34A(1)(c) are paid, the Authority may renew that approval, and in that event —
 - (a) the renewal of the approval is to be taken for all purposes to have taken effect on the day immediately following the day on which the approval ceased to have effect; and
 - (b) the approval has effect as if it had been renewed under subregulation (1).

[Regulation 29 inserted in Gazette 6 Dec 2011 p. 5160-1.]

Division 3 — Delivery and yarding of stock

[Heading inserted in Gazette 6 Dec 2011 p. 5161.]

30. Times and conditions for delivery of stock

- (1) Stock may be delivered to the Muchea Livestock Centre at any time unless the Authority restricts stock delivery times under this regulation.
- (2) The Authority may notify the times during which and the conditions under which stock may be delivered to the Centre, and different delivery times and different delivery conditions may be notified for different kinds of stock.
- (3) Stock delivery times and conditions must be notified —

- (a) by signs erected in a conspicuous place at each vehicle entrance to the Muceha Livestock Centre; and
 - (b) on a website maintained by the Authority; and
 - (c) at regular intervals determined by the Authority, in a newspaper circulating generally throughout the State.
- (4) If the times during which stock may be delivered to the Muceha Livestock Centre are notified under this regulation, a person must not deliver stock of a particular kind to the Centre other than —
- (a) during the periods when the delivery of stock of that kind to the Centre is permitted by the Authority under this regulation; and
 - (b) in accordance with any conditions imposed under this regulation by the Authority in relation to the delivery of stock of that kind to the Centre.

Penalty: a fine of \$5 000.

- (5) Despite subregulation (4), if an inspector is satisfied that it is not practicable in the particular circumstances for stock to be delivered to the Muceha Livestock Centre during the times notified under this regulation, the inspector may permit the delivery of stock to the Centre outside those times and (if the inspector considers appropriate) other than in accordance with any conditions imposed under this regulation.
- (6) Nothing done or omitted by a person in compliance with a permission granted by an inspector under subregulation (5) constitutes an offence against subregulation (4).

[Regulation 30 inserted in Gazette 6 Dec 2011 p. 5161-2.]

31. Yarding of stock

A person delivering stock to the Muceha Livestock Centre must place the stock in pens or yards as directed by the Authority.

Penalty: a fine of \$5 000.

[Regulation 31 inserted in Gazette 6 Dec 2011 p. 5162.]

32. Care of stock

- (1) If stock is yarded in the Muchea Livestock Centre, the stock agent (or the owner if there is no stock agent) must —
 - (a) ensure that the stock has access to sufficient water for drinking; and
 - (b) comply with any directions given by the Authority in relation to the care, feeding or watering of the stock.Penalty: a fine of \$5 000.
- (2) If the Authority reasonably considers that stock yarded in the Muchea Livestock Centre requires watering, feeding, care (for example, assistance with giving birth) or treatment, the Authority may water or feed the stock or, as the case requires, provide the stock with care or treatment.
- (3) The costs incurred by the Authority in watering or feeding stock or providing stock with care or treatment in accordance with subregulation (2) —
 - (a) are a debt due to the Authority by the stock agent (or the owner if there is no stock agent); and
 - (b) may be sued for and recovered in a court of competent jurisdiction.

[Regulation 32 inserted in Gazette 6 Dec 2011 p. 5163.]

33A. Disposal of ill, injured, disabled or dead stock

- (1) If any stock delivered to the Muchea Livestock Centre is ill, injured or disabled, or becomes ill, injured or disabled while yarded, the stock agent (or the owner if there is no stock agent) must, as soon as practicable —
 - (a) remove the stock from the Centre, if the stock is fit to be transported; or
 - (b) cause the stock to be destroyed; or

- (c) request the Authority to take charge of the stock and to decide how the stock is to be dealt with (which may include destruction of the stock).

Penalty: a fine of \$5 000.

- (2) The Authority may destroy ill, injured or disabled stock in any of the following circumstances —
 - (a) if the stock agent or, as the case requires, the owner does not comply with subregulation (1) in relation to the stock;
 - (b) if the stock agent or owner requests the Authority to destroy the stock;
 - (c) in circumstances in which the Authority would be obliged or permitted under the *Animal Welfare Act 2002* to destroy the stock without delay.
- (3) If any stock delivered to the Muchea Livestock Centre is dead, or dies or is destroyed while yarded, the Authority must dispose of the stock.
- (4) The costs incurred by the Authority in destroying or disposing of stock under subregulation (2) or (3) —
 - (a) are a debt due to the Authority by the stock agent (or the owner if there is no stock agent); and
 - (b) may be sued for and recovered in a court of competent jurisdiction.

[Regulation 33A inserted in Gazette 6 Dec 2011 p. 5163-4.]

Division 4 — Sale of stock and abandoned stock

[Heading inserted in Gazette 6 Dec 2011 p. 5165.]

33B. Ill, injured or disabled stock not to be offered for sale

A person must not offer ill, injured or disabled stock for sale at the Muchea Livestock Centre.

Penalty: a fine of \$5 000.

[Regulation 33B inserted in Gazette 6 Dec 2011 p. 5165.]

33C. No private sale before auction

A person must not sell stock at the Muchea Livestock Centre by private sale without first submitting the stock for auction at the Centre.

Penalty: a fine of \$5 000.

[Regulation 33C inserted in Gazette 6 Dec 2011 p. 5165.]

33D. When stock have to be removed

- (1) Stock yarded in the Muchea Livestock Centre for sale may remain yarded —
 - (a) in the case of calves, until 1 p.m. on the day on which the stock is offered for sale; or
 - (b) in the case of any other stock, until 6 a.m. on the day after the stock is offered for sale.
- (2) If any stock remains yarded after the time applicable under subregulation (1), the Authority may move the stock to —
 - (a) another part of the Centre; or
 - (b) some other place within a reasonable distance from the Centre.
- (3) If the Authority reasonably considers that stock moved under subregulation (2) requires watering, feeding, care (for example, assistance with giving birth) or treatment, the Authority may water or feed the stock or, as the case requires, provide the stock with care or treatment.
- (4) The costs incurred by the Authority in moving stock under subregulation (2), or in watering or feeding stock or providing stock with care or treatment in accordance with subregulation (3) —
 - (a) are a debt due to the Authority by the owner; and

- (b) may be sued for and recovered in a court of competent jurisdiction.

[Regulation 33D inserted in Gazette 6 Dec 2011 p. 5165-6.]

33E. Abandoned stock

- (1) For the purposes of this regulation, stock is regarded as abandoned if —
 - (a) it remains uncollected from the Muceha Livestock Centre, or the place to which it was moved under regulation 33D(2), for more than 2 weeks —
 - (i) if it was yarded for sale, after the date on which it was last offered for sale; or
 - (ii) if it was yarded for transshipment, after it was delivered to the Centre;
 - and
 - (b) the Authority, after making reasonable efforts, is unable to identify the owner of the stock.
- (2) The Authority may sell abandoned stock and retain the proceeds of sale.
- (3) The Authority must first submit abandoned stock for auction before selling the stock by private sale.
- (4) If, within 3 months after the date of the sale of abandoned stock under subregulation (2), a person satisfies the Authority that the person was the owner of the stock immediately before the sale, the Authority must pay that person an amount equal to the proceeds of the sale after deducting —
 - (a) the costs reasonably incurred by the Authority in —
 - (i) moving the stock under regulation 33D(2); and
 - (ii) watering or feeding the stock or providing the stock with care or treatment in accordance with regulation 33D(3); and

(iii) watering or feeding the stock or providing the stock with care or treatment while the stock is regarded as abandoned; and

(iv) selling the stock;

and

(b) any fees payable under regulation 34 or 36A.

[Regulation 33E inserted in Gazette 6 Dec 2011 p. 5166-7.]

Division 5 — Control of vehicles

[Heading inserted in Gazette 6 Dec 2011 p. 5167.]

33F. Safe operation of vehicles within Centre

(1) A person must not drive a motor vehicle in the Muchea Livestock Centre without due care and attention.

Penalty: a fine of \$600.

(2) A person must not drive a motor vehicle in the Muchea Livestock Centre in a manner which, having regard to all the circumstances, is dangerous to any person.

Penalty: a fine of \$800.

[Regulation 33F inserted in Gazette 6 Dec 2011 p. 5167.]

33G. Driving while under the influence prohibited

(1) In this regulation —

dentist means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the dental profession whose name is entered on the Dentists Division of the Register of Dental Practitioners kept under that Law;

drug has the meaning given in the *Road Traffic Act 1974* section 65;

medical practitioner means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the medical profession;

nurse practitioner means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* whose name is entered on the Register of Nurses kept under that Law as being qualified to practise as a nurse practitioner.

- (2) A person must not drive a motor vehicle in the Muchea Livestock Centre while under the influence of alcohol, drugs or both alcohol and drugs to such an extent as to be incapable of having proper control of the vehicle.

Penalty: a fine of \$1 000.

- (3) In any proceedings for an offence against this regulation, if it is alleged or appears on the evidence that the accused was under the influence of drugs alone, it is a defence for the accused to prove —

- (a) that those drugs were —

(i) taken for therapeutic purposes in accordance with a prescription of a medical practitioner, nurse practitioner or dentist; or

(ii) administered for therapeutic purposes by a medical practitioner, nurse practitioner or dentist;

and

- (b) that the accused was not aware, and could not reasonably have been expected to be aware, that those drugs were likely to render the accused incapable of having proper control of a motor vehicle.

[Regulation 33G inserted in Gazette 6 Dec 2011 p. 5168-9.]

33H. Drivers to be licensed

A person must not drive a motor vehicle in the Muchea Livestock Centre unless that person is the holder of a current valid driver's licence that, under the *Road Traffic Act 1974*, entitles the person to drive that motor vehicle on a road.

Penalty: a fine of \$800.

[Regulation 33H inserted in Gazette 6 Dec 2011 p. 5169.]

33I. Driver to produce driver's licence for inspection

- (1) If requested by an inspector, a person driving a motor vehicle in the Muchea Livestock Centre must produce the person's driver's licence for inspection by the inspector.

Penalty: a fine of \$200.

- (2) Despite subregulation (1), it is not an offence under that subregulation if the person subsequently produces the person's driver's licence to an inspector within one week from the day on which the request was made.

[Regulation 33I inserted in Gazette 6 Dec 2011 p. 5169.]

33J. Entry and exit of vehicles

- (1) The Authority may, by erecting signs, or painting marks on roadways, or both, designate places to be used by motor vehicles entering or leaving the Muchea Livestock Centre.

- (2) A place may be designated —
- (a) as both an entrance and an exit; or
 - (b) solely as an entrance; or
 - (c) solely as an exit.

- (3) A person must not drive a motor vehicle into the Muchea Livestock Centre other than at a place designated under subregulation (1) for use by motor vehicles entering the Centre.

Penalty: a fine of \$250.

- (4) A person must not drive a motor vehicle out of the Muchea Livestock Centre other than at a place designated under subregulation (1) for use by motor vehicles leaving the Centre.

Penalty: a fine of \$250.

[Regulation 33J inserted in Gazette 6 Dec 2011 p. 5169-70.]

33K. Traffic movement within Centre

- (1) The Authority may, by erecting signs, or painting marks on roadways, or both, indicate the direction or path to be followed by motor vehicles in any part of the Muceha Livestock Centre.
- (2) A person must not drive a motor vehicle within the Muceha Livestock Centre except in the direction or following the path indicated in accordance with subregulation (1) for the part of the Centre where the driving occurs.

Penalty: a fine of \$250.

[Regulation 33K inserted in Gazette 6 Dec 2011 p. 5170.]

33L. Speed limits

- (1) The Authority may, by erecting signs, or painting marks on roadways, or both, indicate maximum speed limits for motor vehicles within the Muceha Livestock Centre or within particular parts of the Centre.
- (2) A person must not drive a motor vehicle within the Muceha Livestock Centre at a speed in excess of the maximum speed limit indicated in accordance with subregulation (1) for the part of the Centre where the driving occurs.

Penalty: a fine of \$250.

[Regulation 33L inserted in Gazette 6 Dec 2011 p. 5170-1.]

33M. Regulation of parking

- (1) The Authority may, by erecting signs, or painting marks on roadways or other parts of the Muceha Livestock Centre, or both, do all or any of the following —
 - (a) designate areas in the Centre in which the parking of motor vehicles is permitted;
 - (b) designate areas in the Centre in which the parking of motor vehicles of a particular class is permitted;

- (c) designate areas in the Centre in which the parking of motor vehicles used by a particular person or class of persons is permitted;
 - (d) designate areas in the Centre in which the standing of motor vehicles is prohibited;
 - (e) designate areas in the Centre in which the parking of motor vehicles is prohibited.
- (2) When designating an area in accordance with subregulation (1), the Authority may also do all or any of the following —
- (a) determine conditions or restrictions under which parking in the area is permitted;
 - (b) determine the manner in which parking in the area is permitted;
 - (c) determine times at which parking or standing in the area is permitted or prohibited;
 - (d) determine the maximum period for which parking in the area is permitted.
- (3) The signs or marks used to designate an area in accordance with subregulation (1) must clearly indicate —
- (a) the particular designation given to that area; and
 - (b) any conditions, restrictions and other matters determined in relation to the area in accordance with subregulation (2).

[Regulation 33M inserted in Gazette 6 Dec 2011 p. 5171-2.]

33N. Parking permits

- (1) The Authority may issue a sticker or other identification card (a ***parking permit***) to any person (a ***permit holder***) for whom a parking area in the Muchea Livestock Centre has been designated in accordance with regulation 33M(1)(b) or (c).

r. 33O

- (2) Applications for a parking permit must be made in writing to the Authority, and be accompanied by the fee payable under regulation 34B.
- (3) The Authority may issue parking permits subject to any conditions or restrictions the Authority thinks fit.
- (4) Unless a parking permit is sooner cancelled in accordance with its conditions —
 - (a) a parking permit for a heavy vehicle is valid for one month beginning on the date stated on the permit;
 - (b) a parking permit for any other type of motor vehicle is valid for one year beginning on the date stated on the permit.

[Regulation 33N inserted in Gazette 6 Dec 2011 p. 5172.]

33O. Parking offences

- (1) A person must not, in the Muehea Livestock Centre, park or stand a motor vehicle in a place contrary to any sign erected, or marking made, under regulation 33M.
Penalty: a fine of \$250.
- (2) A person must not, in the Muehea Livestock Centre, park a motor vehicle in a place that is not designated under regulation 33M as a parking area.
Penalty: a fine of \$250.
- (3) A permit holder must not, within the Muehea Livestock Centre, park a motor vehicle in a parking area other than in accordance with, or contrary to, any condition or restriction applying to the person's parking permit.
Penalty: a fine of \$250.
- (4) A permit holder who parks a motor vehicle in a parking area within the Muehea Livestock Centre in accordance with the person's parking permit must display the person's parking permit on that vehicle while it remains parked in that area.

Penalty: a fine of \$250.

- (5) A permit holder who parks a motor vehicle in a parking area within the Muchea Livestock Centre must, if requested by an inspector, produce the person's parking permit for inspection by the inspector.

Penalty: a fine of \$200.

[Regulation 33O inserted in Gazette 6 Dec 2011 p. 5173.]

33P. Directions and permissions given by inspector

- (1) Despite the other provisions of this Division, an inspector may do any of the following —
- (a) direct or permit a person who wishes to park or stand a motor vehicle in the Muchea Livestock Centre to park or stand the vehicle in a place nominated by the inspector, whether or not parking or standing the vehicle in that place is lawful;
 - (b) direct or permit the driver of a motor vehicle in the Muchea Livestock Centre to position the vehicle in a particular position;
 - (c) direct the driver or other person in control of a motor vehicle in the Muchea Livestock Centre to move the vehicle from a particular place, whether or not the vehicle is lawfully parked or standing in that place;
 - (d) direct or permit the driver of a motor vehicle who wishes to enter or leave the Muchea Livestock Centre to enter or leave the Centre contrary to the manner required by regulation 33J.
- (2) A person who does not comply with a direction given by an inspector under subregulation (1) commits an offence.
- Penalty: a fine of \$500.
- (3) Nothing done or omitted by a person in compliance with a direction given, or permission granted, by an inspector under

subregulation (1) constitutes an offence against any provision of this Division.

[Regulation 33P inserted in Gazette 6 Dec 2011 p. 5173-4.]

Division 6 — General provisions

[Heading inserted in Gazette 6 Dec 2011 p. 5174.]

33Q. Restrictions on smoking

- (1) The Authority may, by erecting signs, designate areas of the Muceha Livestock Centre where smoking is not permitted and areas where smoking is permitted.
- (2) A person must not smoke in an area of the Muceha Livestock Centre that is designated under subregulation (1) as a no smoking area.
Penalty: a fine of \$500.
- (3) This regulation does not allow the Authority to permit smoking in contravention of the *Occupational Safety and Health Regulations 1996* or the *Tobacco Products Control Regulations 2006*.

[Regulation 33Q inserted in Gazette 6 Dec 2011 p. 5174-5.]

33R. Disposal of rubbish and dead stock

- (1) In this regulation —
litter includes all kinds of rubbish, refuse, junk, garbage or scrap.
- (2) A person must not deposit litter within the Muceha Livestock Centre unless the litter is deposited in a place or receptacle provided for that purpose.
Penalty: a fine of \$400.
- (3) A person must not deposit any dead or dying stock within the Muceha Livestock Centre unless the stock is deposited in an area designated by the Authority for that purpose.

Penalty: a fine of \$1 000.

[Regulation 33R inserted in Gazette 6 Dec 2011 p. 5175.]

33S. Consumption of alcohol prohibited

- (1) In this regulation —

liquor has the meaning given in the *Liquor Control Act 1988* section 3(1).

- (2) A person must not consume liquor in the Muceha Livestock Centre.

Penalty: a fine of \$400.

[Regulation 33S inserted in Gazette 6 Dec 2011 p. 5175.]

33T. Spitting, urinating etc. except in toilet prohibited

- (1) A person must not, within the Muceha Livestock Centre, without reasonable excuse, spit except in a toilet facility provided by the Authority.

Penalty: a fine of \$100.

- (2) A person must not, within the Muceha Livestock Centre, urinate or defecate except in a toilet facility provided by the Authority.

Penalty: a fine of \$1 000.

[Regulation 33T inserted in Gazette 6 Dec 2011 p. 5176.]

33U. Dogs restricted

- (1) A person who brings a dog into the Muceha Livestock Centre must ensure that, at all times while the dog is in the Centre, the dog is —

- (a) tied up; or
- (b) confined completely within a vehicle or cage; or
- (c) restrained in some other way so as to prevent it from wandering within the Centre.

Penalty: a fine of \$1 000.

- (2) Subregulation (1) does not apply to any of the following dogs —
- (a) a sheepdog, while the sheepdog is working sheep within the Centre;
 - (b) a guide dog or hearing dog accompanying its owner;
 - (c) a dog that is trained to assist a person to alleviate the effect of a disability that the person has and that is accompanying its owner;
 - (d) a dog that is working with a police officer on duty.
- (3) While a person is using a sheepdog within the Centre to work sheep, the person must ensure that the dog is at all times —
- (a) muzzled; and
 - (b) under the person's effective control.

Penalty: a fine of \$1 000.

[Regulation 33U inserted in Gazette 6 Dec 2011 p. 5176-7.]

33V. Obstructing movement of vehicles, stock etc. prohibited

- (1) A person must not, without the prior approval of the Authority, place or leave anything within the Muehea Livestock Centre in a manner that obstructs, or is reasonably likely to obstruct, the movement of vehicles, stock or pedestrians into, out of or within the Centre.
- Penalty: a fine of \$300.
- (2) If anything is placed or left within the Centre in contravention of subregulation (1), the Authority may cause the thing to be moved to the extent reasonably necessary to remove the obstruction.
- (3) The costs incurred by the Authority in moving an obstruction in accordance with subregulation (2) —
- (a) are a debt due to the Authority by the person responsible for causing the obstruction; and

- (b) may be sued for and recovered in a court of competent jurisdiction.
- (4) Nothing in subregulation (2) limits or affects any right, power, authority or remedy that the Authority has under any written law or at common law or in equity in respect of anything placed or left within the Centre.

[Regulation 33V inserted in Gazette 6 Dec 2011 p. 5177.]

33W. Restrictions on signs

- (1) A person must not, without the prior written approval of the Authority, erect on, or affix to, any part of the Muchea Livestock Centre any sign.

Penalty: a fine of \$500.

- (2) If any sign is erected on, or affixed to, any part of the Centre in contravention of subregulation (1), the Authority may cause the sign to be removed and disposed of as the Authority thinks fit.

[Regulation 33W inserted in Gazette 6 Dec 2011 p. 5178.]

33X. Inspectors may direct compliance with this Part

- (1) If an inspector believes on reasonable grounds that a person is contravening any provision of this Part, the inspector may direct that person —
 - (a) to take whatever steps the inspector reasonably considers necessary to comply with the provision and specifies in the direction; and
 - (b) to take those steps within the time specified in the direction.
- (2) If an inspector gives a direction under this regulation to a person, the inspector must record the direction in writing and give a copy to the person as soon as practicable.

- (3) A person who, without reasonable excuse, does not comply with a direction given by an inspector under subregulation (1) within the time specified by the inspector commits an offence.

Penalty: a fine of \$5 000.

- (4) The fact that an inspector gives a direction to a person under this regulation does not affect any liability that the person may have incurred in respect of any non-compliance with, or contravention of, these regulations or any other written law.

[Regulation 33X inserted in Gazette 6 Dec 2011 p. 5178-9.]

Division 7 — Infringement notices

[Heading inserted in Gazette 6 Dec 2011 p. 5179.]

33Y. Prescribed offences and modified penalties

- (1) The offences listed in Schedule 6A are offences for which an infringement notice may be issued under the *Criminal Procedure Act 2004* Part 2.
- (2) The modified penalty specified opposite an offence listed in Schedule 6A is the modified penalty for that offence for the purposes of the *Criminal Procedure Act 2004* section 5(3).

[Regulation 33Y inserted in Gazette 6 Dec 2011 p. 5179.]

33ZA. Authorised officers and approved officers

- (1) The chief executive officer of the Authority may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of the *Criminal Procedure Act 2004* Part 2.
- (2) The chief executive officer of the Authority must issue to each authorised officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.

[Regulation 33ZA inserted in Gazette 6 Dec 2011 p. 5179.]

33ZB. Forms

The forms set out in Schedule 6B are prescribed in relation to the matters specified in those forms.

[Regulation 33ZB inserted in Gazette 6 Dec 2011 p. 5179.]

Part VII — Fees and returns

[Heading inserted in Gazette 2 Feb 1996 p. 391]

33. Abattoir fees

- (1) The fees set out in Part 1 of Schedule 6 are payable in relation to abattoirs.
- (2) A fee payable under subregulation (1) in relation to an application or notification shall be paid to the Authority by the person lodging the application or notification at the time the application or notification is lodged.
- (3) An annual fee payable under subregulation (1) in relation to an approval —
 - (a) is payable in advance in relation to the second and each subsequent 12 month period during which the approval remains in force; and
 - (b) shall be paid to the Authority by the person holding the approval within 28 days of the commencement of the period to which it relates.
- (4) For the purpose of section 19(b)(vi) of the Act, the Authority may refuse to grant approval under section 17 of the Act if any fee payable under this regulation is not paid by the due date.

[Regulation 33 inserted in Gazette 2 Feb 1996 p. 391.]

34A. Fees for approvals and renewals of approvals as stock agent

- (1) The fees set out in Schedule 6 Part 2A are payable in respect of —
 - (a) the grant of an approval to act as a stock agent;
 - (b) the renewal of an approval to act as a stock agent;
 - (c) a late application for renewal of an approval to act as a stock agent.

-
- (2) Despite subregulation (1), if the duration of an approval to act as a stock agent, when granted, will be 11 months or less, the fee payable is to be determined in accordance with subregulation (3) or (4), as the case requires.
- (3) The fee payable for the grant of an approval, if the duration of the approval will be one month or more, is the amount calculated in accordance with the following formula —

$$\frac{A}{12} \times B$$

where —

- A is the fee payable under subregulation (1)(a); and
- B is the number of whole months for which the approval is to be granted.
- (4) The fee set out in Schedule 6 Part 2A is payable for the grant of an approval, if the duration of the approval will be less than one month.

[Regulation 34A inserted in Gazette 6 Dec 2011 p. 5180-1.]

34B. Fees for parking permits in Muchea Livestock Centre

The fees set out in Schedule 6 Part 2B are payable in respect of the issue of parking permits under regulation 33N.

[Regulation 34B inserted in Gazette 6 Dec 2011 p. 5181.]

34. Muchea Livestock Centre fees

- (1) The fees set out in Part 2 of Schedule 6 are payable in respect of stock yarded in the Muchea Livestock Centre for sale.
- (2A) A fee is payable under subregulation (1) whether the stock is sold by auction or by private sale.
- (2) Subject to subregulations (3A) and (3B), the fees set out in Schedule 6 Part 3 are payable —

r. 35A

- (a) in respect of stock yarded for transshipment in the Muchea Livestock Centre; and
 - (b) for each period of 24 hours (or part of such period) during which the stock is yarded for transshipment.
- (3A) Subject to subregulation (3B), a fee of \$0.41 per head is payable in respect of cattle, calves or horses yarded for transshipment in the Muchea Livestock Centre for a period of less than 6 hours.
- (3B) If the aggregate amount of the fees that would be payable under subregulation (2) or (3A) in respect of particular stock is less than \$5.00, then an aggregate fee of \$5.00 is payable instead.
- (3) A fee payable under subregulation (1) or (2) shall be paid to the Authority by the stock agent on behalf of the owner within 28 days of the stock being yarded.

[Regulation 34 inserted in Gazette 4 Apr 2003 p. 1024; amended in Gazette 31 Jul 2008 p. 3449-50; 30 Apr 2010 p. 1600-1; 30 Jun 2010 p. 3128; 30 Jun 2011 p. 2707; 6 Dec 2011 p. 5181.]

35A. Circumstances in which yard fees reduced or not payable

- (1) If more than 2 000 sheep or more than 2 000 lambs are submitted for sale at the Muchea Livestock Centre on behalf of a single vendor at the same scheduled sheep sale or lamb sale, the fee payable under regulation 34(1) in respect of that stock is reduced by 50%.
- (2) If more than 500 cattle or more than 500 calves are submitted for sale at the Muchea Livestock Centre on behalf of a single vendor at the same scheduled cattle sale or calves sale, the fee payable under regulation 34(1) in respect of that stock is reduced by 50%.
- (3) If more than 120 cattle or more than 600 sheep are submitted for sale at the Muchea Livestock Centre on behalf of a single vendor at the same scheduled cattle sale or sheep sale, the fee

payable under regulation 34(1) in respect of that stock is reduced by 50% if the Authority is satisfied that —

- (a) the stock is being submitted for sale because of exceptional circumstances (for example, drought, flood, bushfire or some other natural disaster, or market crisis or collapse); and
 - (b) it is appropriate that the fee otherwise payable be reduced.
- (4) Subregulations (1) to (3) apply whether the sheep, lambs, cattle or calves are offered for sale as one lot or in 2 or more lots.
- (5) No fee is payable under regulation 34(1) in respect of stock offered for sale by auction at the Muchea Livestock Centre if the Authority is satisfied that the proceeds of the sale of that stock are to be donated to charity.

[Regulation 35A inserted in Gazette 6 Dec 2011 p. 5182-3.]

35. Returns for yarded stock

- (1) Within 7 days of any stock being yarded in the Muchea Livestock Centre the stock agent (or if there is no stock agent, the owner) shall lodge with the Authority a written statement setting out the numbers and type of stock yarded for sale or for transshipment.
- (2) The Authority may inspect the books and records of a stock agent in order to verify a return lodged under subregulation (1).

[Regulation 35 inserted in Gazette 2 Feb 1996 p. 392; amended in Gazette 30 Apr 2010 p. 1600-1.]

36A. Stock treated as yarded for transshipment

- (1) For the purposes of regulations 34 and 35, stock that remains yarded after the time referred to in regulation 33D(1) and applicable to that stock is to be treated as if it were yarded for transshipment for the period beginning at that time and ending

r. 36

when the owner or purchaser takes possession of the stock or the stock is sold under regulation 33E, whichever is the later.

- (2) For the purposes of regulations 34 and 35, stock that is yarded for more than 2 days before the day on which it is offered for sale is to be treated as if it were yarded for transshipment for the period in excess of those 2 days.

[Regulation 36A inserted in Gazette 6 Dec 2011 p. 5183.]

36. Transitional provisions relating to move from Midland Saleyard to Muchea Livestock Centre

- (1) All fees payable under regulation 34 in respect of stock yarded in Midland Saleyard before 2 May 2010 and outstanding on that date remain payable to the Authority after that date.
- (2) On and after 2 May 2010, regulation 35 continues to apply in respect of stock yarded in Midland Saleyard before that date as if the references in regulations 3(2) and 35(1) to the Muchea Livestock Centre were references to Midland Saleyard.

[Regulation 36 inserted in Gazette 30 Apr 2010 p. 1602.]

Schedule 1

[regulation 11]

Part A

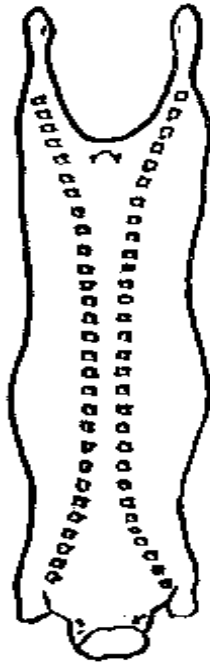
WA
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* Numeral authorised by Authority.

Part B

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LAMB

Part C



Schedule 2

[regulation 13]

Part A



* Numeral authorised by Authority

Part B

HOGGET
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Schedule 3

[regulation 14]

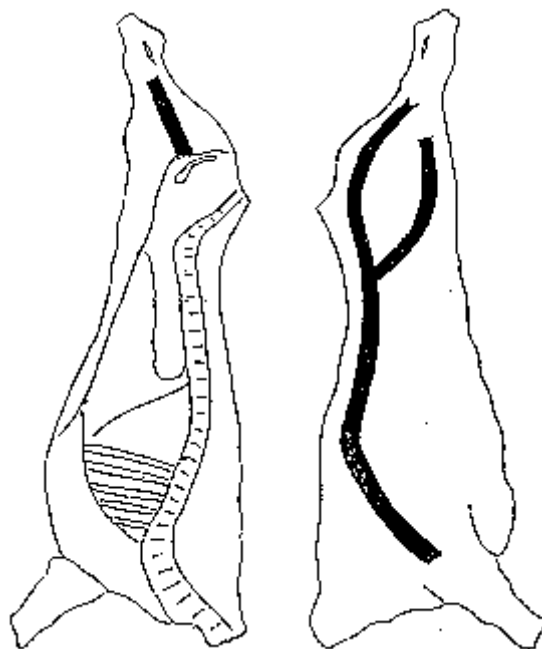
Part A



Part B

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BEEF

Part C



Part D



* Numeral authorised by Authority

[Schedule 3 amended in Gazette 23 May 1986 p. 1741; 27 May 1988 p. 1795.]

Schedule 4

[regulation 17]

Standard carcasses

1. Pigs

A standard carcass of pig is the whole body of a slaughtered porcine animal, passed as suitable for human consumption by a meat inspector under the *Health Act 1911*, after bleeding, removal of head, hair, scurf, trotters and evisceration of all internal digestive, circulatory, respiratory, excretory and reproductive organs, kidneys, flare fat and minimum trimming required by the inspector to only that degree which is needed to enable the carcass to be passed for human consumption. The head shall be removed between the occipital bone (skull) and the first cervical vertebra.

2. Cattle

A standard beef or veal carcass is the body of a slaughtered bovine animal after —

- (a) bleeding; and
- (b) skinning; and
- (c) evisceration of all the internal digestive, respiratory, excretory, reproductive and circulatory organs; and
- (d) minimum trimming required by the meat inspection service to only that degree which is needed to enable the carcass to be passed as fit for human consumption,

and the removal of —

- (e) the head between the occipital bone (skull) and the first cervical vertebra; and
- (f) the feet between the carpus and metacarpus (knee joint) and the tarsus and metatarsus (hock joint); and
- (g) the tail at the junction between the sacral and coccygeal vertebrae; and
- (h) the thick and thin skirts by separating the connective tissues as close as possible from the abdominal and thoracic walls

except for unsplit veal carcasses where the thin skirts may be retained; and

- (i) the kidneys and kidney fat and fat from within the pelvic channel except for unsplit veal carcasses where the pelvic channel fat may be retained; and
- (j) the udder, testes, penis and external fat on the ventral abdomen including precrural (flank) fat; and
- (k) all fat on the channel rim (anal fold) from the tuber ischii to the sacrococcygeal junction not deeper than to expose the sacro-sciatic ligament; and
- (l) excess fat on the topside rim to within 1 cm but no closer than 1 cm of the underlying muscle; and
- (m) xiphoid cartilage and intra-thoracic fat; and
- (n) excess subcutaneous brisket fat to within 1 cm but no closer than 1 cm of the underlying muscle at the midline, by a knife cut at 90 degrees to the midline sawn surface.

[Clause 2 inserted in Gazette 27 May 1988 p. 1796.]

3. Sheep

A sheepmeat carcass is the body of a slaughtered ovine animal after —

- (a) bleeding; and
- (b) skinning; and
- (c) evisceration of all the internal digestive, respiratory, circulatory, excretory and reproductive organs; and
- (d) minimum trimming required by the meat inspection service to only that degree which is needed to enable the carcass to be passed as fit for human consumption,

and the removal of —

- (e) the head between the occipital bone (skull) and the first cervical vertebra; and
- (f) the feet between the carpus and metacarpus (knee joint) and the tarsus and metatarsus (hock joint); and
- (g) the tail, so that it is no longer than 5 coccygeal vertebrae; and

cl. 4

- (h) the thick skirt by separating the connective tissues as close as possible from the bodies of the lumbar vertebrae; and
- (i) the kidneys, kidney knob and the pelvic channel fat; and
- (j) the udder or the testes and penis and the udder or cod fat.

[Clause 3 inserted in Gazette 27 May 1988 p. 1796.]

4. Goats

Other than skin-on goat carcasses, a goat carcass is the body of a slaughtered caprine animal after —

- (a) bleeding; and
- (b) skinning; and
- (c) evisceration of all the internal digestive, respiratory, circulatory, excretory and reproductive organs; and
- (d) minimum trimming required by the meat inspection service to only that degree which is needed to enable the carcass to be passed as fit for human consumption,

and the removal of —

- (e) the head between the occipital bone (skull) and the first cervical vertebra; and
- (f) the feet between the carpus and metacarpus (knee joint) and the tarsus and metatarsus (hock joint); and
- (g) the tail, so that it is no longer than 5 coccygeal vertebrae; and
- (h) the thick skirt by separating the connective tissues as close as possible from the bodies of the lumbar vertebrae; and
- (i) the kidneys, kidney knob and the pelvic channel fat; and
- (j) the udder or the testes and penis and the udder or cod fat.

[Clause 4 inserted in Gazette 27 May 1988 p. 1796.]

Schedule 5

Forms

[Heading inserted in Gazette 26 Oct 1990 p. 5362.]

Form 1

[regulation 19]

Western Australian Meat Industry Authority Act 1976

Western Australian Meat Industry Authority Regulations 1985

Application to operate an abattoir

I (We),
the owner*(s) of premises situated at
hereby apply for approval to operate those premises as an abattoir subject to the
requirements of the *Western Australian Meat Industry Authority Act 1976* and
the regulations from time to time in force under that Act.

The following particulars are given in support of this application —

- (a) Applicants Full Name(s):
- (b) Registered Business Name:
- (c) Postal Address: Post Code:
- (d) Telephone Number:
- (e) Facsimile Number:
- (f) Full Abattoir Location:

I (We) certify that the above particulars are correct.

Signature(s) of Applicant(s)

Date

*Owner: Includes a person who is to be the manager of the proposed
abattoir or the employer of persons who will work at the proposed
abattoir.

[Form 1 inserted in Gazette 26 Oct 1990 p. 5362-3.]

Form 2

[regulation 20]

Western Australian Meat Industry Authority Act 1976
Western Australian Meat Industry Authority Regulations 1985

Approval to operate an abattoir

This is to certify that,
of, being the owner*(s) of the
premises situated at, have the approval of the
Western Australian Meat Industry Authority to operate such premises as an
abattoir subject to the requirements of the *Western Australian Meat Industry
Authority Act 1976* and the regulations from time to time in force under that Act
and subject to the conditions and restrictions hereunder:

Conditions and Restrictions

This approval is valid and remains in force unless revoked in accordance with
the Act.

*Owner: Includes the manager of the abattoir or the employer of persons
employed there.

Dated: Chairman

[Form 2 inserted in Gazette 26 Oct 1990 p. 5363.]

Form 3

[regulation 19]

Western Australian Meat Industry Authority Act 1976
Western Australian Meat Industry Authority Regulations 1985

Applications to construct an abattoir

I (We),
hereby apply for approval to construct an abattoir on the premises as set out
hereunder. The following particulars are given in support of this application —

- (a) Applicants Full Name(s):
- (b) Registered Business Name:
- (c) Postal Address:
..... Post Code
- (d) Telephone Number:
- (e) Facsimile Number:

Abattoir Details

Full Location:
.....

Construction Standard: Export
Code*
Other

| Planned Capacity | Beef | Sheep** | Pigs | Other |
|-------------------|-------|---------|-------|-------|
| Carcases Per Hour | | | | |
| Chiller Capacity | | | | |

(Number of carcasses to be held)

Signature(s) of Applicant(s)
Date

* Australian Code of Practice for Construction and Equipment of Abattoirs.

** Includes sheep, lambs and goats.

[Form 3 inserted in Gazette 26 Oct 1990 p. 5363.]

Form 4

[regulation 20]

Western Australian Meat Industry Authority Act 1976

Western Australian Meat Industry Authority Regulations 1985

Approval to construct an abattoir

This is to certify that on an application being made on the day of, 20..... by of, being the owner*(s) of land proposed to be used for an abattoir and situated at, the approval of the Western Australian Meat Industry Authority is granted to the said to construct an abattoir on that land subject to the requirements of the *Western Australian Meat Industry Authority Act 1976* and the regulations from time to time in force under that Act and subject to the conditions and restrictions hereunder:

Conditions and Restrictions

This approval is valid and remains in force unless revoked in accordance with the Act.

*OWNER: Includes a person who is to be the manager of the proposed abattoir or the employer of persons who will work at the proposed abattoir.

Dated: Chairman

[Form 4 inserted in Gazette 26 Oct 1990 p. 5364.]

Form 5

[regulation 19]

Western Australian Meat Industry Authority Act 1976

Western Australian Meat Industry Authority Regulations 1985

Applications to carry out structural alterations or additions to an abattoir

I (We),
of, being the owner*(s) of an
abattoir situated at hereby
apply for approval to carry out structural alterations/additions** affecting the
throughput or capacity of the abattoir.

The following particulars are given in support of this application —

(a) Nature of work:
.....
.....

(b) Work to be carried out by:
.....
.....

(c) Capacity: if the planned alterations or additions affect operating
capacity, please list proposed operating capacity.

| | Beef | Sheep*** | Pigs | Other |
|----------------------|-------|----------|-------|-------|
| Carcases Per Hour | | | | |
| Chillers | | | | |

(d) The alterations/additions** will comply with Export Regulations/
Australian Code of Practice for Construction and Equipment of
Abattoirs/other

(e) Plans — Have plans been approved by Health Department³/
DPIE?.....

Signature(s) of Applicant(s)

Date

- * OWNER: Includes the manager of the abattoir or the employer of persons employed there.
- ** Strike out which is inapplicable.
- *** Includes sheep, lambs and goats.

[Form 5 inserted in Gazette 26 Oct 1990 p. 5364.]

Form 6

[regulation 20]

Western Australian Meat Industry Authority Act 1976

Western Australian Meat Industry Authority Regulations 1985

Approval to carry out structural alterations or additions to an abattoir

This is to certify that on an application being made on the
day of, 20 by
of, being the owner*(s) of
an abattoir situated at,
the approval of the Western Australian Meat Industry Authority is granted to the
said
to carry out the following structural alterations/additions to the abattoir
.....
.....,
subject to the requirements of the *Western Australian Meat Industry Authority
Act 1976* and the regulations from time to time in force under that Act and
subject to the conditions and restrictions set out hereunder:

Conditions and Restrictions

This approval is valid and remains in force unless revoked in accordance with
the Act.

*OWNER: Includes the manager of the abattoir or the employer of persons
working there.

Date Chairman

[Form 6 inserted in Gazette 26 Oct 1990 p. 5365.]

Form 7

[regulation 24]

Western Australian Meat Industry Authority Act 1976

Western Australian Meat Industry Authority Regulations 1985

Livestock slaughter return

Livestock slaughter by

at abattoir located at

 During the month of 20.....

 Total slaughtered for the month*

 Cattle

 Calves**

 Sheep

 Lambs

 Goats

 Pigs

 Deer

 Rabbits

 Emus

 Others

 Total

* All species of stock slaughtered must be declared.

** CALVES includes vealers up to and including 90 kg dressed weight.

I certify that the particulars contained in this return are correct.

Signature

Date

NOTE: Failure to complete this form and send it to the Authority within seven (7) days after the above month is an offence under the Act.

[Form 7 inserted in Gazette 26 Oct 1990 p. 5365-6.]

Schedule 6A — Prescribed offences and modified penalties

[r. 33Y]

[Heading inserted in Gazette 6 Dec 2011 p. 5184.]

| Offences under <i>Western Australian Meat Industry Authority Regulations 1985</i> | Modified penalty |
|---|-------------------------|
| r. 33B Offering ill, injured or disabled stock for sale at Muecha Livestock Centre | \$200 |
| r. 33C Selling stock at Muecha Livestock Centre by private sale without first submitting stock for auction | \$200 |
| r. 33H Driving motor vehicle in Muecha Livestock Centre without current valid driver's licence | \$160 |
| r. 33I(1) Failing to produce driver's licence within one week after request by inspector, or at all | \$40 |
| r. 33J(3) Entering Muecha Livestock Centre in vehicle through non-approved entrance | \$50 |
| r. 33J(4) Exiting Muecha Livestock Centre in vehicle through non-approved exit | \$50 |
| r. 33K(2) Driving motor vehicle in Muecha Livestock Centre contrary to traffic movement sign or road marking | \$50 |
| r. 33L(2) Driving motor vehicle in Muecha Livestock Centre in excess of maximum speed limit | \$50 |
| r. 33O(1), (2) and (3) Offences relating to parking or standing of motor vehicle in Muecha Livestock Centre | \$50 |
| r. 33O(4) Failing to display parking permit on motor vehicle | \$50 |
| r. 33O(5) Failing to produce parking permit at request of inspector | \$40 |
| r. 33P(2) Failing to comply with direction given by inspector in relation to motor vehicle | \$100 |

Western Australian Meat Industry Authority Regulations 1985

Prescribed offences and modified penalties

| Offences under <i>Western Australian Meat Industry Authority Regulations 1985</i> | Modified penalty |
|---|-------------------------|
| r. 33Q(2) Smoking in no smoking area | \$100 |
| r. 33R(2) Littering | \$80 |
| r. 33R(3) Depositing dead or dying stock in undesignated area of Muchea Livestock Centre | \$200 |
| r. 33S(2) Consuming liquor in Muchea Livestock Centre | \$80 |
| r. 33T(1) Spitting other than in toilet facility | \$20 |
| r. 33T(2) Urinating or defecating other than in toilet facility | \$200 |
| r. 33U(1) Offences relating to dogs in Muchea Livestock and (3) Centre | \$200 |
| r. 33V(1) Obstructing movement of vehicles, stock or pedestrians | \$60 |
| r. 33W(1) Erecting or affixing sign without permission | \$100 |
| r. 33X(3) Failing to comply with direction given by inspector | \$100 |

[Schedule 6A inserted in Gazette 6 Dec 2011 p. 5184-5.]

Schedule 6B — Forms: infringement notices

[r. 33ZB]

[Heading inserted in Gazette 6 Dec 2011 p. 5185.]

Form 8.1 — Infringement notice

| | | | |
|--|---|---|-----------------|
| <i>Western Australian Meat Industry Authority Act 1976</i> | | Infringement notice No. | |
| Infringement notice | | | |
| Alleged offender | Name: Family name | | |
| | Given names | | |
| | or Company name _____ | | |
| | ACN | | |
| | Address: _____ | | |
| | Postcode | | |
| Date of birth | | Male/Female | |
| Driver's licence | No.: | State/Country: | |
| | | Type: | Class(es): |
| | | Expiry date: | |
| Vehicle details (if alleged offence relates to vehicle) | Plate No. | | State: |
| | Licence expiry date | | Vin/Chassis No. |
| | Make | | Colour |
| | Body type | | |
| Description of alleged offence | Date: / /20 Time: a.m./p.m. | | |
| | Place | | |
| | Details of offence: | | |
| | Law contravened | <i>Western Australian Meat Industry Authority Regulations 1985 r.</i> | |

| | |
|-----------------------------------|--|
| Modified penalty | The modified penalty for the alleged offence is \$ |
| Officer issuing notice | Name: |
| | Signature: |
| | Office: |
| Date | Date of notice: / /20 |
| Notice to alleged offender | <p>Important information</p> <p>It is alleged that you have*/the driver or person in charge of the above vehicle has* committed the above offence.</p> <p>If you do not want to be prosecuted in court for the offence, pay the modified penalty within 28 days after the date of this notice.</p> <p>If you consider that you have good reason to have this notice withdrawn, you can write to the Chief Executive Officer, Western Australian Meat Industry Authority, at the address below requesting that this notice be withdrawn and setting out the reasons why you consider that this notice should be withdrawn. Your letter must be received not later than 28 days after the date of this notice.</p> <p>* If this notice has been served on you as a responsible person for the vehicle (which can be done by securely attaching the notice to the vehicle), then in the absence of evidence to the contrary, you are presumed to have been the driver or person in charge of the vehicle at the time of the offence unless, within 28 days after the date of this notice —</p> <p>(a) the modified penalty is paid; or</p> <p>(b) you inform the officer who issued this notice that you were not the driver or person in charge of the vehicle at the time of the offence and you supply that officer —</p> <p>(i) with the name and address of the driver or person in charge of the</p> |

| | |
|--|---|
| | <p>vehicle at that time; or</p> <p>(ii) with information showing that at that time the vehicle had been stolen or unlawfully taken or was being unlawfully used.</p> <p>The <i>Criminal Procedure Act 2004</i> section 11 sets out when a person is responsible for a vehicle. The current licence holder of the vehicle will usually be responsible, but someone else may be responsible in the circumstances set out in that section.</p> <p>* Delete whichever is not applicable.</p> |
| | <p>How to pay</p> <p>Tick the relevant box below and post this notice to:</p> <p>Chief Executive Officer Western Australian Meat Industry Authority PO Box 1434 Midland WA 6936</p> <p><input type="checkbox"/> I want to pay the modified penalty. A cheque (payable to ‘Western Australian Meat Industry Authority’) for the modified penalty is enclosed.</p> <p><input type="checkbox"/> I want to pay the modified penalty by using a credit card. The credit card details are —</p> <p>Paying the modified penalty will not be taken to be an admission for the purposes of any civil or criminal court case.</p> <p>If you do not pay the modified penalty within 28 days, you may be prosecuted for the alleged offence or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i> to recover the modified penalty. If enforcement action is taken under that Act —</p> <ul style="list-style-type: none"> • additional administrative charges may be incurred; and • action may be taken to suspend your driver’s licence or vehicle licence until you have paid in full the modified penalty and any additional charges; and |

| | |
|--|--|
| | <ul style="list-style-type: none"> • you will be given an opportunity to elect to have a prosecution notice for the alleged offence dealt with by a court. <p>Payments after the due date can only be made with a final demand letter, which incurs an additional enforcement fee.</p> <p>If you need more time to pay the modified penalty, you can apply for an extension of time by writing to the Chief Executive Officer, Western Australian Meat Industry Authority, at the above address.</p> <p>If you want this matter to be dealt with by prosecution in court, tick this box <input type="checkbox"/> sign and date this notice and post it to the Chief Executive Officer, Western Australian Meat Industry Authority, at the above address within 28 days after the date of this notice.</p> <p>Signature: / /20</p> |
|--|--|

[Form 8.1 inserted in Gazette 6 Dec 2011 p. 5185-8.]

Form 8.2 — Withdrawal of infringement notice

| | | |
|--|---|-----------------------|
| <i>Western Australian Meat Industry Authority Act 1976</i> | | Withdrawal notice No. |
| Withdrawal of infringement notice | | |
| Alleged offender | Name: Family name | |
| | Given names | |
| | or Company name _____ | |
| | CAN | |
| Address: _____ | | Postcode |
| Infringement notice | Infringement notice No.: | |
| | Date of issue: / /20 | |
| Description of alleged offence | Date: / /20 Time: a.m./p.m. | |
| | Place: _____ | |
| | Details of offence: _____ | |

| | | |
|--|---|---|
| | Law contravened | <i>Western Australian Meat Industry Authority Regulations 1985 r.</i> |
| Approved officer withdrawing notice | Name: | |
| | Signature: | |
| | Office: | |
| Date | Date of withdrawal: / /20 | |
| Withdrawal of infringement notice [* delete whichever is not applicable] | <p>The above infringement notice, which was issued for the above alleged offence, has been withdrawn.</p> <p>If you have already paid the modified penalty for the alleged offence, you are entitled to a refund.</p> <p>* Your refund is enclosed.</p> <p>or</p> <p>* If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign and date this notice and post it to:</p> <p>Chief Executive Officer Western Australian Meat Industry Authority PO Box 1434 Midland WA 6936</p> <p>Signature: / /20</p> | |

[Form 8.2 inserted in Gazette 6 Dec 2011 p. 5189.]

Schedule 6 — Fees

[r. 33, 34A, 34B and 34]

[Heading inserted in Gazette 30 Jun 2011 p. 2708; amended in Gazette 6 Dec 2011 p. 5190.]

Part 1 — Abattoir fees

[Heading inserted in Gazette 30 Jun 2011 p. 2708.]

1. Application for approval to operate —
 - (a) an abattoir that is accredited by Aus-Meat \$772.50
 - (b) an abattoir that is not accredited by Aus-Meat \$1 030.00
2. Annual fee for approval to operate —
 - (a) an abattoir that is accredited by Aus-Meat \$772.50 plus throughput fee
 - (b) an abattoir that is not accredited by Aus-Meat \$1 030.00 plus throughput fee
3. Application to construct an abattoir \$257.50
4. Notification of a change of ownership \$309.00
5. Any other notification under regulation 23 \$51.50
6. Application for variation of approval of conditions . \$51.50

[Part 1 inserted in Gazette 30 Jun 2011 p. 2708.]

Part 2A — Fees for stock agent approvals and renewals

[Heading inserted in Gazette 6 Dec 2011 p. 5190.]

1. Application for approval to act as stock agent \$200
2. Annual fee for renewal of approval to act as stock agent \$200
3. Late application fee for renewal of approval to act as stock agent \$20

4. Application for approval to act as stock agent,
where duration of approval less than one month \$15

[Part 2A inserted in Gazette 6 Dec 2011 p. 5190.]

Part 2B — Muchea Livestock Centre: parking permit fees

[Heading inserted in Gazette 6 Dec 2011 p. 5190.]

1. Monthly fee for parking permit for heavy vehicle ... \$275
2. Annual fee for parking permit for any other type of
motor vehicle \$200

[Part 2B inserted in Gazette 6 Dec 2011 p. 5190.]

**Part 2 — Muchea Livestock Centre:
yard fees**

[Heading inserted in Gazette 30 Jun 2011 p. 2709.]

| Animal | Fee per head |
|---------------|---------------------|
| Calves | \$3.86 |
| Cattle | \$6.70 |
| Goats | \$0.72 |
| Horses | \$6.70 |
| Lambs | \$0.72 |
| Sheep | \$0.72 |

[Part 2 inserted in Gazette 30 Jun 2011 p. 2709.]

Part 3 — Muchea Livestock Centre: transhipment fees

[Heading inserted in Gazette 30 Jun 2011 p. 2709.]

| Animal | Fee per head |
|---------------|---------------------|
| Calves | \$1.03 |
| Cattle | \$1.03 |
| Goats | \$0.11 |

| Animal | Fee per head |
|---------------|---------------------|
| Horses | \$1.03 |
| Lambs | \$0.10 |
| Sheep | \$0.10 |

[Part 3 inserted in Gazette 30 Jun 2011 p. 2709.]

Part 4 — Interpretation

[Heading inserted in Gazette 2 Feb 1996 p. 393.]

In this Schedule —

throughput fee means an amount equal to 0.9 cents per unit based on the number of units processed by the abattoir in the 12 month period immediately prior to the period to which the fee relates using the following animal to unit conversion table —

| Animal | Unit equivalent per head |
|---------------|---------------------------------|
| Buffalo | 7 |
| Calves | 2 |
| Cattle | 7 |
| Deer | 5 |
| Emus | 2 |
| Goats | 1 |
| Lambs | 1 |
| Ostriches | 2 |
| Pigs | 3 |
| Rabbits | 0.1 |
| Sheep | 1 |

[Part 4 inserted in Gazette 2 Feb 1996 p. 394; amended in Gazette 30 Jun 2010 p. 3129.]

Notes

- ¹ This is a compilation of the *Western Australian Meat Industry Authority Regulations 1985* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

| Citation | Gazettal | Commencement |
|---|---|-----------------------|
| <i>Western Australian Meat Industry Authority Regulations 1985</i> | 7 Jun 1985 p. 1978-90 (erratum 14 Jun 1985 p. 2172) | 7 Jun 1985 (see r. 2) |
| <i>Western Australian Meat Industry Authority Amendment Regulations 1985</i> | 23 Aug 1985 p. 3038 | 23 Aug 1985 |
| <i>Western Australian Meat Industry Authority Amendment Regulations 1986</i> | 23 May 1986 p. 1740-1 | 23 May 1986 |
| <i>Western Australian Meat Industry Authority Amendment Regulations 1988</i> | 27 May 1988 p. 1793-6 | 27 May 1988 |
| <i>Western Australian Meat Industry Authority Amendment Regulations (No. 2) 1988</i> | 2 Sep 1988 p. 3470 | 2 Sep 1988 |
| <i>Western Australian Meat Industry Authority Amendment Regulations 1990</i> | 26 Oct 1990 p. 5361-6 | 26 Oct 1990 |
| <i>Western Australian Meat Industry Authority Amendment Regulations 1991</i> ⁴ | 12 Jul 1991 p. 3410-11 | 12 Jul 1991 |
| <i>Western Australian Meat Industry Authority Amendment Regulations 1994</i> | 17 Jun 1994 p. 2504-5 | 1 Jul 1994 (see r. 2) |
| <i>Western Australian Meat Industry Authority Amendment Regulations 1996</i> | 2 Feb 1996 p. 389-93 | 2 Feb 1996 |
| <i>Western Australian Meat Industry Authority Amendment Regulations 1997</i> | 24 Jun 1997 p. 2977 | 1 Jul 1997 (see r. 2) |

Western Australian Meat Industry Authority Regulations 1985

| Citation | Gazettal | Commencement |
|--|---------------------------|---|
| <i>Western Australian Meat Industry Authority Amendment Regulations (No. 2) 1997</i> | 2 Sep 1997 p. 4962-3 | 2 Sep 1997 |
| <i>Western Australian Meat Industry Authority Amendment Regulations 1998</i> | 3 Jul 1998 p. 3581 | 3 Jul 1998 |
| Reprint of the Western Australian Meat Industry Authority Regulations 1985 as at 22 Oct 1999 (includes amendments listed above) | | |
| <i>Western Australian Meat Industry Authority Amendment Regulations 2000</i> | 30 Jun 2000 p. 3398 | 1 Jul 2000 (see r. 2) |
| <i>Western Australian Meat Industry Authority Amendment Regulations 2002</i> | 13 Dec 2002 p. 5794-5 | 13 Dec 2002 |
| <i>Western Australian Meat Industry Authority Amendment Regulations 2003</i> | 4 Apr 2003 p. 1023-4 | 4 Apr 2003 |
| <i>Western Australian Meat Industry Authority Amendment Regulations (No. 2) 2003</i> | 17 Oct 2003 p. 4435 | 17 Oct 2003 |
| <i>Western Australian Meat Industry Authority Amendment Regulations 2004</i> | 15 Jun 2004 p. 2023-4 | 1 Jul 2004 (see r. 2) |
| <i>Western Australian Meat Industry Authority Amendment Regulations (No. 2) 2004</i> | 30 Dec 2004 p. 6902 | 1 Jan 2005 (see r. 2 and <i>Gazette</i> 31 Dec 2004 p. 7130) |
| <i>Western Australian Meat Industry Authority Amendment Regulations 2005</i> | 23 Aug 2005 p. 3907-8 | 23 Aug 2005 |
| Reprint 2: The Western Australian Meat Industry Authority Regulations 1985 as at 3 Feb 2006 (includes amendments listed above) | | |
| <i>Western Australian Meat Industry Authority Amendment Regulations 2006</i> | 3 Nov 2006 p. 4657-8 | 3 Nov 2006 |
| <i>Western Australian Meat Industry Authority Amendment Regulations 2008</i> | 31 Jul 2008 p. 3449-51 | r. 1 and 2: 31 Jul 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Aug 2008 (see r. 2(b)) |

| Citation | Gazettal | Commencement |
|--|--------------------------|---|
| <i>Western Australian Meat Industry Authority Amendment Regulations 2010</i> | 30 Apr 2010 p. 1600-2 | r. 1 and 2: 30 Apr 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 2 May 2010 (see r. 2(b)) |
| <i>Western Australian Meat Industry Authority Amendment Regulations (No. 2) 2010</i> | 30 Jun 2010 p. 3127-9 | r. 1 and 2: 30 Jun 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2010 (see r. 2(b)) |
| Reprint 3: The Western Australian Meat Industry Authority Regulations 1985 as at 27 Aug 2010 (includes amendments listed above) | | |
| <i>Western Australian Meat Industry Authority Amendment Regulations (No. 2) 2011</i> | 30 Jun 2011 p. 2707-9 | r. 1 and 2: 30 Jun 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2011 (see r. 2(b)) |
| <i>Western Australian Meat Industry Authority Amendment Regulations 2011</i> | 6 Dec 2011 p. 5151-90 | r. 1 and 2: 6 Dec 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 7 Dec 2011 (see r. 2(b)) |

- ² Repealed by the *Health (Meat Hygiene) Regulations 2001*, which were repealed by the *Health (Food and Pet Meat) Repeal Regulations 2009*.
- ³ Under the *Alteration of Statutory Designations Order (No. 3) 2001* a reference in any law to the Health Department shall be read as a reference to the Department of Health.
- ⁴ Disallowed on 22 Oct 1991, see *Gazette* 25 Oct 1991 p. 5499.

Defined Terms

Defined Terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

| Defined Term | Provision(s) |
|--|---------------------|
| approved..... | 3(1) |
| Aus-Meat | 3(1) |
| Centre..... | 3(1) |
| dentist..... | 33G(1) |
| disabled | 25 |
| driver's licence..... | 25 |
| drug | 33G(1) |
| heavy vehicle | 25 |
| intended for small goods manufacture | 3(1) |
| lamb | 3(1) |
| liquor..... | 33S(1) |
| litter..... | 33R(1) |
| meat inspection service | 3(1) |
| medical practitioner | 33G(1) |
| motor vehicle | 25 |
| Muchea Livestock Centre | 3(1) |
| nurse practitioner | 33G(1) |
| park | 25 |
| parking area..... | 25 |
| parking permit..... | 25, 33N(1) |
| permit holder..... | 25, 33N(1) |
| sign..... | 25 |
| stand | 25 |
| stock agent | 3(1), 25 |
| throughput fee | Sch. 6 |