

ABATTOIRS.

No. 31 of 1909.

(Affected by Act No. 113 of 1965.)

[As amended by Acts:

No. 17 of 1931, assented to 18th August, 1931;

No. 8 of 1941, assented to 13th October, 1941;

No. 58 of 1952, assented to 23rd December, 1952;

No. 73 of 1954, assented to 14th January, 1955¹;

No. 65 of 1963, assented to 18th December, 1963²;

No. 64 of 1964, assented to 4th December, 1964;

and reprinted pursuant to the Amendments Incorporation Act, 1938.]

AN ACT to provide for the establishment of Public Abattoirs, and for other purposes incidental thereto.

[Assented to 4th December, 1909.]

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

PART I.

Division 1.—General.

1. This Act may be cited as the *Abattoirs Act, 1909-1964*.

Heading added by No. 58 of 1952, s. 2.

Short title. Amended by No. 64 of 1964, s. 1.

2. In this Act and the regulations made thereunder, unless the context otherwise requires—

Interpretation. Amended by No. 58 of 1952, s. 3; No. 65 of 1963, s. 3. See Q., 1893, No. 23, s. 5.

“Abattoir” means a place for slaughtering live stock, and its appurtenances, established under this Act;

¹ Came into operation 1st March, 1955; see *G.G.* 18/2/55, p. 343.

² Came into operation 7th December, 1964; see *G.G.* 4/12/64, p. 3850.

"appointed day" means a day to be fixed by proclamation¹ as that on which the maintenance and management of the Midland Junction Abattoir is transferred to the Board;

"Board" means The Midland Junction Abattoir Board constituted by this Act;

"Board employee" means a person employed or engaged under subsection (3) of section five of this Act;

"Controller" means the Controller of Abattoirs appointed under this Act;

"Disease" means any disease mentioned in the Schedule, and any other disease which the Governor may by notice in the *Government Gazette* declare to be a disease within the meaning of this Act;

"Fund" means the Midland Junction Abattoir Board Fund, mentioned in section seventeen of this Act;

"Government Department" means a Minister of the Crown acting in his official capacity, a State Government department, State trading concern, State instrumentality, State public utility and any other person or body, whether corporate or non corporate, who or which under the authority of an Act, administers or carries on for the benefit of the State a public social service or utility;

"Local Authority" means the council of a municipality;

"Meat" means the flesh of any animals when killed which is intended to be used for the food of man, whether fresh or prepared by chilling, freezing, preserving, salting, or by any other process, and includes the brine or other liquid in which any such flesh is being preserved;

¹31st day of March, 1953, proclaimed as appointed day: See *Gazette*, 27th February, 1953, p. 436.

“Midland Junction Abattoir” means the abattoir at Midland Junction established under section four of this Act, and maintained and managed by the Board since the thirty-first day of March nineteen hundred and fifty-three, in accordance with the provisions of this Act and includes the saleyard.

“Minister” means the responsible Minister of the Crown charged with the administration of this Act;

“Officer” means an officer appointed under this Act, and includes the Controller but does not include a Board employee;

“Prescribed” means prescribed by this Act or the regulations made thereunder;

“Saleyard” means the saleyard maintained under the Government Stock Saleyards Act, 1941 as an adjunct to the abattoir;

“Stock” means any bovine animal, swine, or goat, and also such other animals to which the Governor may by notice in the *Government Gazette* declare that this Act shall apply.

3. (1) Subject to subsection (4) of this section, this Act shall be in force only in such portions of the State as the Governor may from time to time, by Proclamation, declare to be districts for the purposes of this Act.

Operation
of Act.
See Q., 1958,
No. 23, s. 2.
Amended by
No. 65 of
1963, s. 4.

(2) Upon the publication of any such Proclamation in the *Government Gazette*, this Act shall be in force in the districts therein mentioned.

(3) The Governor may, by Proclamation, suspend the operation of this Act in any district.

(4) Subsections (1), (2) and (3) of this section apply only to those portions of the State in which, on the date of the coming into operation of the Abattoirs Act Amendment Act, 1963, this Act is in force, and after that date, this Act shall be in force

only in such portions of the State as are declared, in a resolution adopted by both Houses of Parliament, to be districts for the purposes of this Act.

Power to establish abattoirs. Amended by No. 58 of 1952, s. 4; Q., 1898, No. 23, s. 7.

4. The Governor may, in any district, establish, maintain, and manage abattoirs for slaughtering stock, and may permit the use of the same by any person upon payment of the fees and observing the conditions prescribed by the regulations, but on and after the appointed day the Midland Junction abattoir shall be maintained and managed in accordance with the provisions of this Act by the Board.

Appointment of officers. Amended by No. 58 of 1952, s. 5. See Q., 1898, No. 23, s. 6.

5. (1) Subject to the provisions of subsection (3) of this section the Governor may appoint a controller of abattoirs, and such other officers, inspectors, and persons as may be necessary to carry out the provisions of this Act.

(2) [*Repealed by No. 65 of 1963, s. 5.*]

(3) The Board may

employ under contracts of service; and engage under contracts for service;

persons whose services are required to enable the Board to maintain and manage the Midland Junction abattoir.

No person to knock down cattle unless appointed by the Minister. Added by No. 17 of 1931, s. 2.

5A. No person shall knock down any animal in any abattoir in a district to which this Act applies unless such person has been appointed by the Minister for that purpose. In this section the term "knock down" means the dealing of a blow to any animal with a weapon or missile for the purpose of slaughtering or rendering the animal insensible prior to slaughtering.

Division 2.—Regulations.

Heading added by No. 58 of 1952, s. 6. Power to make regulations. Amended by No. 8 of 1941, s. 2; No. 58 of 1952, s. 7; No. 65 of 1963, s. 6. See Q., 1898, No. 23, s. 20.

6. The Governor may make regulations with respect to any of the following matters, that is to say:

(a) The qualification, appointment, powers, and duties of officers;

- (b) the use, control, and management of abattoirs in general and the Governor may make regulations with respect to the use, control and management of the Midland Junction Abattoir in particular;
- (c) prohibiting the slaughter in any district of all or any kind of stock, except at an abattoir or at a place within the district licensed for the slaughter of such stock by the Minister;
- (c1) the granting by the Minister, on payment of a prescribed fee, of licenses in respect of places, other than abattoirs, authorising the slaughter at such places of stock, the slaughter of which is by regulations under this Act prohibited elsewhere than at an abattoir or at a place licensed as aforesaid;
- (c2) the grading and branding of carcasses of stock, after the slaughter thereof, to indicate the quality of the meat contained in such carcasses:

Provided that no regulation shall be made under this paragraph which is in any way inconsistent with any regulation made under the Health Act, 1911-1937,¹ and that, where any regulation is made under the said Act and the same is inconsistent with any regulation made under this paragraph, the regulation made under this paragraph shall, to the extent of such inconsistency, be read and applied subject to the regulation made under the said Act;

- (d) the sustenance, treatment, and management of stock being driven or taken to an abattoir to be slaughtered, and within an abattoir before they are slaughtered;
- (e) the forms of waybills or delivery notes to be delivered when stock are delivered at an abattoir, and the preservation and production of the same to officers on demand;

¹ Now Health Act, 1911-1970.

Abattoirs.

- (f) the carriage, storage, and treatment of meat, and the carriage and treatment of stock generally;
- (g) prohibiting the blowing, except by mechanical means, or other injurious treatment or preparation of meat;
- (h) the inspection of places, things and vehicles used or intended to be used for the storage or carriage of stock, and the cleansing and disinfection of the same;
- (i) the cleansing and disinfection of abattoirs, and of utensils, machinery, apparatus, works and things used in connection with the same and with meat therein;
- (j) the removal and disposal of blood, offal, and filth in abattoirs;
- (k) the preservation and production to officers, on demand, of skins, hides or other parts of stock slaughtered;
- (l) the use and treatment of diseased or suspected stock at abattoirs;
- (m) the destruction and disposal of stock affected or infected with disease, or reasonably suspected by any officer to be affected or infected with disease, without compensation to the owners thereof;
- (n) the application or making of any test for the detection of disease in stock;
- (o) the records to be kept and the reports or returns to be made by persons in charge of abattoirs;
- (p) the imposition and collection of fees, charges, rents, and tolls for the use of abattoirs and of license fees for licenses granted by the Minister under paragraph (c1) of this subsection for the purpose of defraying the expenses of inspection and of carrying this Act into effect;

- (q) all other matters and things necessary for the efficient administration of this Act.
- (2) [*Repealed by No. 65 of 1963, s. 6.*]

Division 3.—Miscellaneous.

Heading added by No. 58 of 1952, s. 8. Avoidance of existing licenses.

7. On this Act coming into force in any district, every registration of and license issued for any abattoir or slaughter-house within such district under the provisions of the Health Act, 1898,¹ or any other Act, shall become void and of no effect except in the case of any abattoir established before the passing of this Act, and certified in writing by the Minister on the recommendation of the controller within three months after the passing of this Act to be an abattoir fit to continue registered and licensed under the provisions of the Health Act, 1898.¹

8. Any officer appointed under this Act may at all times enter the premises of any person if such officer has reason to believe that any stock are slaughtered or kept for slaughter on such premises contrary to the regulations made under this Act.

Officers may enter premises.

Every person who, by himself or by any person in his employ, or acting by his direction or with his consent, refuses to admit, without any unnecessary delay, any officer demanding to enter any premises in pursuance of this section, commits an offence against this Act.

9. Any person who—

- (a) knowingly takes or assists in taking into an abattoir any stock affected with disease;
- (b) resists or obstructs an officer in the course of his duty;
- (c) refuses to give information or gives false information in answer to any inquiry made by an officer in the course of his duty;

Offences. See Q., 1898, No. 23, ss. 22, 23.

¹ See now Health Act, 1911.

- (d) refuses or neglects to obey the written order of an officer;
- (e) refuses or neglects to deliver any way-bill or delivery note, or to keep any prescribed record or make any prescribed report, or to produce the same on demand when required so to do by an officer, or makes any false entry in any such way-bill, delivery-note, record or report;
- (f) refuses or neglects to give any prescribed notice,

commits an offence against this Act.

Penalties.
Amended by
No. 113 of
1965, s. 8.

10. Any person guilty of an offence against this Act, or of a breach of or offence against any regulation made under this Act, shall be liable on summary conviction to a penalty not exceeding two hundred dollars or to imprisonment for any period not exceeding six months.

Powers
may be
conferred
on local
authorities.
Amended by
No. 58 of
1952, s. 9.

11. (1) The Governor may, by Order in Council—

- (a) extend to and confer upon any local authority, or any two or more local authorities jointly, the powers conferred on the Governor by this Act, or
- (b) place any abattoir under the control and management of any local authority, or of any two or more local authorities jointly,

and thereupon the powers conferred on the Governor by this Act may, either generally or in respect of such abattoir, be lawfully exercised by such local authority or local authorities jointly:

Provided that all regulations made under this Act shall be subject to the approval of the Governor.

(2) Any local authority to which such Order in Council applies may expend its ordinary revenue for the purposes of this Act.

(3) Any Order in Council made under this section may, at any time, be revoked by the Governor.

(4) The provisions of this section do not apply to the Midland Junction Abattoir.

PART II.—THE MIDLAND JUNCTION ABATTOIR.

Pt. II.
Added by
No. 58 of
1952, s. 10.

Division 1.—The Midland Junction Abattoir Board.

12. (1) For the purposes of this Act there shall be a Board by the name of The Midland Junction Abattoir Board.

Board.
Added by
No 58 of
1952, s. 10.

(2) The Board shall consist of three persons appointed by the Governor as members, of whom one shall be a Chartered Accountant and shall have regard to the interests of consumers of meat; one shall have regard to the interests of butchers; and one shall have regard to the interests of producers of meat.

Constitution
of Board.

(3) The Chairman of the Board shall be such member as the Governor appoints to that office.

(4) Except as provided in subsection (5) of this section each person appointed to office as a member of the Board shall hold that office for a term of five years and at the expiration of his term be eligible for re-appointment.

Tenure of
office.

(5) If a member of the Board—

- (i) is absent from his duties for a period of at least one month without the written consent of the Minister;
- (ii) becomes of unsound mind, or is declared, under the provisions of any law for the time being relating to mental infirmity, incapable of managing his affairs;
- (iii) becomes bankrupt or avails himself as a debtor of a law for the relief of bankrupt debtors;

Circum-
stances
in which
office on
Board
becomes
vacant.

- (iv) resigns, attains the age of sixty-five years, or dies;
- (v) without the written consent of the Minister participates or claims to be entitled to participate in the profit of or in a commission, benefit, or an emolument, arising from any contracts or agreements made by or on behalf of the Board;
- (vi) is guilty of misbehaviour or of incapacity,

his office on the Board shall become vacant.

Appointment
to fill
vacancy
in office.

(6) Where an office of member of the Board becomes vacant otherwise than by effluxion of the term for which the occupant is appointed, the Governor may appoint a person to the vacant office for the remainder of that term, and at the expiration of that remainder that person shall be eligible for re-appointment.

Appointment
of deputies.

- (7) (a) The Governor may appoint persons having the same eligibility for appointment to the office of member of the Board, as that of the respective members of the Board, to be deputies of the members.
- (b) In the absence or during the incapacity of a member, his deputy may act in his stead and shall have the same powers and duties as the member, if present, would have.

Validity of
functions of
deputies, etc.

(8) The appointment of, and an act or a matter or thing done by a person as a deputy of the Chairman or of either of the other members of the Board, as the case may be, or of a person to fill a vacancy in any of those offices shall not be questioned on the ground that the occasion for the appointment had not arisen or had ceased.

Duties and
remunera-
tion, etc.

(9) Each member of the Board and his deputy shall be entitled to such remuneration, allowances and leave of absence as is determined by the Governor.

(10) At a meeting at which the Chairman and both of the other members of the Board are present, the resolution of the majority shall be the resolution of the Board.

Majority resolutions.

(11) (a) Two of the members of the Board shall form a quorum and shall have all the powers and duties conferred upon the Board by the provisions of this Act.

Quorum.

(b) Where at a meeting of the Board at which two of the members only are present, there is a difference of opinion on a matter, the resolution of that matter shall be postponed to a meeting at which all three members are present.

Postponement in case of disagreement.

(12) (a) Subject to the provisions of paragraph (b) of this subsection the convention of meetings and conduct of proceedings of the Board shall be as prescribed by the regulations, and until so prescribed shall be regulated by the Board.

Convention of meetings, and conduct of proceedings.

(b) Each member of the Board shall be entitled to one vote only.

(13) The Board shall keep a record of its meetings and proceedings.

Records to be kept.

13. (1) A member of the Board who without the written consent of the Minister, participates or claims to be entitled to participate in the profit of, or in a commission, benefit, or an emolument arising from a contract or an agreement made by or on behalf of the Board, commits a misdemeanour:

Penalty for participation in contracts. Added by No. 58 of 1952, s. 10.

Penalty—Imprisonment for three years.

(2) A party to a contract or an agreement mentioned in subsection (1) of this section, who without the written consent of the Minister allows a member of the Board to participate in a profit, or receive a commission or benefit, or an emolument mentioned

in that subsection, commits a misdemeanour:

Penalty—Imprisonment for three years.

(3) The consent of the Minister may be given generally or in a particular case or in a class of case.

Division 2.—Powers of the Board.

Body
corporate.
Added by
No. 58 of
1952, s. 10.

14. The Board shall be a body corporate with perpetual succession and a common seal and may sue and be sued and compromise claims and actions.

Power of
Board
relating to
property.
Added by
No. 58 of
1952, s. 10.
Amended by
No. 65 of
1963, s. 7;
No. 64 of
1964, s. 2;
No. 113 of
1965, s. 8.

15. (1) In this section —

“property” means real and personal property of every kind and includes any estate or interest in real and personal property;

“to acquire” means to acquire by purchase absolutely or on terms, exchange, gift, lease, a letting agreement, license and bailment;

“to dispose of” means to dispose of by sale absolutely or on terms, exchange, lease, letting, license, and bailment.

Maintenance
and manage-
ment of
Midland
Junction
Abattoir.

(2) Subject to the Minister the Board is authorised—

(a) to maintain and manage the Midland Junction Abattoir;

(b) for the purposes of maintaining and managing the Midland Junction Abattoir—

(i) to employ and engage persons as Board employees and in particular may employ and engage a person to be the General Manager and Chief Executive Officer of the Board;

(ii) to enter into contracts;

(iii) to establish and maintain reserve funds;

- (iv) to acquire and dispose of property;
- (v) with the prior consent in writing of the Treasurer of the State, to borrow money by

the issue of debentures, debenture stock, bonds, mortgages or any other securities founded or based upon all or any of the property of the Board or without any security

and upon such terms and conditions as the Board, with the prior approval of the Treasurer thinks fit; and the Board may with that approval and on such terms and conditions borrow money on overdraft from any bank approved by the Treasurer;

- (vi) to erect, equip, furnish, alter, demolish, replace and maintain buildings and plant; and
- (vii) to do such other things as are necessary for the purposes of maintaining and managing that abattoir;

but shall not, without the written approval of the Minister, enter into a contract involving a sum of more than two thousand dollars to acquire or to dispose of land, buildings, plant or equipment.

15A. (1) The Board shall not borrow money otherwise than in accordance with subparagraph (v) of paragraph (b) of subsection (2) of section fifteen of this Act or subsection (3) of section seventeen of this Act.

Borrowing by the Board. Added by No. 64 of 1964, s. 3.

(2) The Treasurer of the State may from time to time, upon and subject to such terms and conditions as he thinks fit, and without further authority than this section, guarantee on behalf of the Crown in right of the State, the due redemption of any principal moneys borrowed by the Board pursuant to subparagraph (v) of paragraph (b) of subsection

(2) of section fifteen of this Act and the due payment of all interest thereon.

(3) The Treasurer of the State shall cause any money required to fulfil any guarantee given by him under this section, to be paid out of the Public Account, which account is hereby to the necessary extent appropriated accordingly, and shall cause any sums received or recovered by the Treasurer from the Board or otherwise in respect of a sum so paid by the Treasurer to be paid into the Public Account.

Costs of
administra-
tion.
Added by
No. 58 of
1952, s. 10.

16. The expense of maintaining and managing the Midland Junction Abattoir and of the Administration of this Act shall be paid from the Midland Junction Abattoir Board Fund mentioned in section seventeen of this Act.

The Fund.
Added by
No. 58 of
1952, s. 10.
Amended by
No 64 of
1964, s. 4.

17. (1) There shall be a fund called the Midland Junction Abattoir Fund.

(2) The Fund—

- (a) shall be kept and operated in the manner prescribed by the regulations;
- (b) shall comprise—
 - (i) money derived from the management of the Midland Junction Abattoir;
 - (ii) fees, charges, rents, tolls, and other payments received by the Board;
 - (iii) money in reserves vested in or established by the Board and maintained by the Board;
 - (iv) property and investments in which money is invested by the Board;
 - (v) money derived from that property and those investments;

- (vi) money derived from transactions relating to that property and those investments;
 - (vii) such money as may from time to time be appropriated by Parliament to the funds of the Board;
 - (viii) money borrowed or raised by the Board pursuant to subparagraph (v) of paragraph (b) of subsection (2) of section fifteen of this Act;
 - (ix) money advanced to the Board by the Treasurer; and
 - (x) such other money as is prescribed by the regulations.
- (3) (a) Where at any time the Board is unable to meet its commitments from the Fund the Treasurer may advance to the Board the amount required in order to enable the Board to do so.
- (b) The amount of an advance made under paragraph (a) of this subsection with interest at such rate as the Treasurer determines from time to time shall be a first charge upon the Fund and repayable out of the Fund on demand by the Treasurer.

18. With the approval of the Minister the Board may invest so much of the Fund as is not immediately required for the purposes of this Part, in investments approved by the Minister.

Power to invest.
Added by
No. 58 of
1952, s. 10.

Division 3.—Transfer of Maintenance and Management of the Midland Junction Abattoir to the Board.

Div. 3 added
by No 58 of
1952, s. 10.

19. (1) For the purposes of this section—
“functions” includes powers, rights, benefits, and obligations.

Transfer of functions.
Added by
No. 58 of
1952, s. 10.

(2) On the appointed day the Governor shall cease to maintain and manage the Midland Junction Abattoir and the Minister having the administration of the Government Stock Saleyards Act, 1941, shall cease to maintain and manage the saleyard, and the functions of maintaining and managing that abattoir and saleyard and all property of whatever kind certified by the Auditor General as comprising that abattoir and saleyard shall by virtue of this section be transferred to the Board.

Transition provisions

(3) If anything has been commenced by or with the authority or on behalf of the Governor or that Minister before the appointed day in relation to the functions or property transferred by this section, the Board is authorised to carry on and complete it.

No abatement of legal proceedings.

(4) If at the appointed day legal proceedings relating to or arising out of the functions or property transferred by this section are pending the Board may be substituted for the Governor or that Minister, as the case may be, or person representing the Governor or that Minister in the proceedings, which shall not abate because of the operation of subsection (2) of this section.

(5) On and after the appointed day it shall be the duty of the Board subject to the Minister having the administration of this Act and subject to the regulations, for and on behalf of the State to maintain and manage the Midland Junction Abattoir.

Interpretation of documents.

(6) For the purposes of interpreting and giving effect to this Act or any other Act or any rule, regulation, by-law, judgment, decree, order, award, deed, contract or other instrument or document, whether of the same kind as, or a different kind from, the foregoing, on and after the appointed day the Board may, but so far only as is necessary in consequence of the operation of this section, be substituted for the Governor or the Minister having

the administration of the Government Stock Saleyards Act, 1941, as the case may be, or person representing the Governor in maintaining and managing the Midland Junction Abattoir or that Minister in maintaining and managing the saleyard and consequential grammatical adjustments may be effected.

Division 4.—Accounts and Miscellaneous.

20. (1) In respect of the maintenance and management of the Midland Junction Abattoir the Board shall keep true and regular records of accounts—

Keeping and inspection of records of accounts. Added by No. 58 of 1952, s. 10.

- (a) of the sums of money received and paid by the Board and owing to and by the Board and the respective purposes for which the sums have been received or paid or are owing; and
- (b) of the assets and liabilities, and profits and losses of the Board.

(2) The records of the Board's accounts shall be open to the inspection of the Auditor General and any person authorised by him to inspect them, and he may take copies or extracts from them.

21. The Board's accounts shall be balanced every year on the thirtieth day of June.

Accounts to be balanced. Added by No. 58 of 1952, s. 10.

22. (1) The Board shall, in every year, cause a full and true balance sheet of its assets and liabilities, together with a trading account and such other statements as the Auditor General directs to be compiled from the records of the Board's accounts, and to be submitted to the Auditor General for audit.

Accounts to be audited. Added by No. 58 of 1952, s. 10.

(2) The balance sheet and statement shall be so prepared as to show fully and faithfully the financial results of the Board's operations for the year.

- (3) If the Auditor General is of opinion that—
- (a) the accounts are or are not properly drawn up so as to present a true and correct view of the transactions for the period under review as shown by the records of the Board's accounts; and
 - (b) all items of receipts and payments and all known liabilities and assets have or have not been brought into account and the value of all assets have or have not been fairly stated,

he shall issue his certificate accordingly.

(4) The Auditor General may, in respect of the accounts, exercise the powers conferred on him by the Audit Act, 1904-1950.¹

Annual
report.
Added by
No. 58 of
1952, s. 10.

23. The Board shall prepare an annual report of its proceedings and operations during the preceding year, which report, together with copies of the balance sheet and statements of account then last prepared and audited and the Auditor General's report thereon, shall be laid by the Minister before both Houses of Parliament as soon as practicable in each year.

Board to
confer and
co-operate
with other
departments.
Added
by No. 58 of
1952, s. 10.

24. (1) Where the exercise of a right, power or authority or the discharge of a duty by the Board may affect the exercise of a right, power or authority or the discharge of a duty by a Government department, the Board shall, so far as practicable, confer and co-operate with that department.

(2) Where a question, difference or dispute has arisen or is likely to arise between the Board and a Government department with respect to the exercise of a right, power or authority or the discharge of a duty by either or both of them, it may be finally and conclusively determined by the Governor.

¹ Now Audit Act, 1904-1966.

25. A matter or thing done by a member of the Board or his deputy or by the General Manager and Chief Executive Officer or by a Board employee if done *bona fide* in the exercise of his powers or in the performance of his duties under this or any other Act, shall not subject him to personal liability.

Protection of members, officers, etc. Added by No. 58 of 1952, s. 10.

26. [*Added by No. 58 of 1952, S. 10. Repealed by No. 73 of 1954, s. 8.*]

27. An action shall not lie or be brought or continued against the Board in respect of injury to the person, unless the person claiming to have been injured submits himself at such reasonable times as the Board may appoint to examination by a medical practitioner or medical practitioners appointed by the Board.

Plaintiff in action for personal injuries to submit to medical examination. Added by No. 58 of 1952, s. 10.

28. Where the common seal of the Board is affixed to a document, courts, judges and persons acting judicially shall take judicial notice of the seal and shall presume that it was regularly affixed.

Judicial notice of common seal. Added by No. 58 of 1952, s. 10.

29. A notice, summons, writ or other proceeding required to be served upon the Board, may be served in the manner prescribed by the regulations.

Service of notices and legal proceedings. Added by No. 58 of 1952, s. 10.

30. A notice, order, summons or other document requiring authentication by the Board, may be sufficiently authenticated without the seal of the Board if signed by the Chairman or officer of the Board authorised by the regulations to sign it.

Documents, how authenticated. Added by No. 58 of 1952, s. 10.

31. The Board may order either generally or in any particular case, that proceedings be taken for the punishment of persons offending against this Act or the regulations.

Power to direct prosecutions. Added by No. 58 of 1952, s. 10.

32. In proceedings in Courts of petty sessions, an officer of the Board, appointed by the Chairman in writing under his hand for that purpose, may represent the Board.

Power of officer to represent Board. Added by No. 58 of 1952, s. 10.

Proof of certain matters not required. Added by No. 58 of 1952, s. 10.

33. In prosecutions or other legal proceedings instituted by direction of the Board, proof is not required, until evidence is given to the contrary, of—

- (a) the constitution of the Board;
- (b) the order of the Board to prosecute;
- (c) the particular or general appointment of an officer of the Board to take the proceedings;
- (d) the authority of the officer to prosecute;
- (e) the appointment of the Chairman or of any other member or officer of the Board; or
- (f) the presence of a quorum at a meeting of the Board at which an order is made or anything is done by the Board.

Evidence of documents issued by the Board. Added by No. 58 of 1952, s. 10.

34. Documents purporting to be issued or written by or under the direction of the Board, and purporting to be signed by the Chairman or an officer authorised by the regulations to do so, shall be received as evidence by courts and persons acting judicially within the State and shall, without proof, be deemed to have been issued or written by or under the direction of the Board until the contrary is shown.

Preservation of rights. Added by No. 58 of 1952, s. 10.

35. Acceptance of, or acting in, an office as member of the Board or as a deputy of a member of the Board, or as General Manager and Chief Executive Officer or as a Board employee does not, of itself, render the provisions of the Public Service Act, 1904, the Superannuation Act, 1871, or the Superannuation and Family Benefits Act, 1938, applicable to a person where they do not apply to him at the time of acceptance of or acting in the office or employment, nor, of itself, affect the application of those provisions to him where they applied to him at the time of the acceptance of or acting in the office or employment.

36. No rate, tax or assessment shall be made, charged, or levied upon the Midland Junction Abattoir unless the contrary is expressly provided in any Act.

Board not to be subject to rates, etc. Added by No. 58 of 1952, s. 10. Cf No. 23 of 1904, s. 73.

SCHEDULE.

Section 2.

LIST OF DISEASES.

In Stock or Meat—

- Abscesses.
- Actinomycosis.
- Anthrax, including Symptomatic Anthrax (Blackleg).
- Cancer.
- Foot and Mouth Disease.
- Mammitis or Garget.
- Pleuro-pneumonia.
- Swine Plague or Swine Fever.
- Tuberculosis.
- Teat inflammation.