

AGRICULTURE**AG302****WESTERN AUSTRALIAN MEAT INDUSTRY AUTHORITY ACT 1976****WESTERN AUSTRALIAN MEAT INDUSTRY AUTHORITY
AMENDMENT REGULATIONS 1996**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Western Australian Meat Industry Authority Amendment Regulations 1996*.

Principal regulations

2. In these regulations the *Western Australian Meat Industry Authority Regulations 1985* are referred to as the principal regulations.

[* *Published in Gazette of 7 June 1985 at pp. 1978-90.*
For amendments to 17 January 1996 see 1994 Index to Legislation
of Western Australia, Table 4, pp. 332-33.]

Regulation 3 amended

3. Regulation 3 of the principal regulations is amended —
 - (a) after the definition of “meat inspection service” by deleting the full stop and substituting a semicolon; and
 - (b) by inserting after that definition the following definition —

“**stock agent**” means a person who has approval under regulation 25 to act as a stock agent and in relation to particular stock means the stock agent to whom that stock has been consigned;

Regulation 14 amended

4. Regulation 14 (1) (c) of the principal regulations is amended by deleting "approved" and substituting the following —

" approved ".

Regulation 14A amended

5. Regulation 14A (5) of the principal regulations is amended by deleting "elidable" and substituting the following —

" eligible ".

Parts VI and VII inserted

6. After Part V of the principal regulations the following Parts are inserted —

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PART VI — MIDLAND SALEYARD**Stock agents**

25. (1) A person shall not sell any stock at Midland Saleyard without the prior written approval of the Authority.

(2) On application being made to it in writing the Authority may grant to the applicant approval to act as a stock agent subject to such conditions and restrictions as the Authority sees fit to impose.

(3) If approval is granted under subregulation (2) to a firm or company, the approval extends to any member or employee of the firm or company who holds an auctioneer's licence under the *Auction Sales Act 1973*.

Delivery of stock to Midland Saleyard

26. (1) A person delivering stock to Midland Saleyard shall place the stock in the pens or yards indicated by the Authority.

(2) A person delivering stock to Midland Saleyard and the stock agent (or if there is no stock agent, the owner) shall comply with any directions of the Authority in relation to the delivery, yarding and removal of the stock.

Care of stock in Midland Saleyard

27. Where stock is yarded in Midland Saleyard the stock agent (or if there is no stock agent, the owner) shall —

- (a) ensure that the stock is properly cared for; and
- (b) if the stock is kept yarded for more than 24 hours, provide the stock with food.

Dead or disabled stock

28. (1) If any stock is delivered to Midland Saleyard dead, crippled or disabled, or dies or becomes crippled or disabled while yarded, the stock agent (or if there is no stock agent, the owner) shall remove the stock from the saleyard within 24 hours.

(2) If any such stock is not removed within 24 hours the Authority may dispose of it and recover the cost of that disposal from the stock agent (or if there is no stock agent, the owner).

(3) A stock agent shall not offer crippled or disabled stock for sale by auction at Midland Saleyard.

Stock yarded for sale

29. (1) Stock yarded in Midland Saleyard for sale may remain yarded until 12 noon on the day after it is offered for sale.

(2) If stock remains yarded after that time —

- (a) the Authority may move the stock to another part of the saleyard or any other place owned by the Authority and recover the cost of moving the stock from the owner; and
- (b) the stock is deemed to have been yarded for transhipment at that time and is subject to the fees payable under regulation 34 (2).

No private sales before auction

30. Subject to regulation 28 (3), a stock agent shall not sell stock at Midland Saleyard by private sale without first submitting the stock for auction.

Purchaser's order

31. As soon as practicable after selling any stock at Midland Saleyard, a stock agent shall give the purchaser a written order, signed by or on behalf of the stock agent, authorizing the purchaser to take possession of the stock.

Vehicle washing facilities

32. (1) The Authority shall provide, at or near Midland Saleyard, facilities for washing vehicles which are used for transporting stock to or from the saleyard.

(2) Those facilities may be used with the permission of the Authority on payment of a fee determined by the Authority.

PART VII — FEES AND RETURNS**Abattoir fees**

33. (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.

Midland Saleyard fees

34. (1) The fees set out in Part 2 of Schedule 6 are to be paid for stock yarded in Midland Saleyard for sale.

(2) The fees set out in Part 3 of Schedule 6 are to be paid for stock yarded in Midland Saleyard for transshipment.

(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.

(4) No fee is payable under subregulation (1) for any stock which is not sold when first submitted for sale and which is re-submitted for sale on the same day by the same stock agent.

Returns for yarded stock

35. (1) Within 7 days of any stock being yarded in Midland Saleyard 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).

Schedule 6 inserted

7. After Schedule 5 of the principal regulations the following Schedule is inserted —

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SCHEDULE 6

[Regulations 33 and 34]

FEEES

Part 1 — Abattoir fees

1. Application for approval to operate —
 - (a) a Code or Export abattoir \$ 500
 - (b) any other abattoir \$ 250
2. Annual fee for approval to operate —
 - (a) a Code or Export abattoir \$ 500 plus throughput fee
 - (b) any other abattoir \$ 250 plus throughput fee
3. Application to construct an abattoir \$ 250
4. Notification of change of ownership \$ 300
5. Any other notification under regulation 23 \$ 50
6. Application for variation of approval conditions \$ 50

Part 2 — Midland Saleyard : sale fees

Animal	Fee per head
Calves	\$ 1.06
Cattle	\$ 1.60
Goats	\$ 0.29
Horses	\$ 1.37
Lambs	\$ 0.29
Pigs	\$ 0.73
Sheep	\$ 0.29

Part 3 — Midland Saleyard : transhipment fees

Animal	Fee per head
Calves	\$ 0.75
Cattle	\$ 0.75
Goats	\$ 0.10
Horses	\$ 0.75
Lambs	\$ 0.10
Pigs	\$ 0.50
Sheep	\$ 0.10

Part 4 — Interpretation

In this Schedule —

“Code abattoir” means an abattoir which complies with (or in the case of an abattoir not yet in operation, which will, when in operation, comply with) the Australian Code of Practice for Construction and Equipment of Abattoirs 1986 published by the Commonwealth Department of Primary Industry;

“Export abattoir” means an abattoir which is registered (or in the case of an abattoir not yet in operation, which will, before it comes into operation, be registered) by the Australian Quarantine and Inspection Service of the Commonwealth for the purpose of exporting meat and meat products;

“throughput fee” means an amount equal to 0.6 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

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By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.