**MEAT INSPECTION (COMMONWEALTH POWERS) BILL 1986**

**Legislative Assembly, 3 December 1986, pages 2678-8**

Second reading

**The Hon. M.K. MAYES (Minister of Agriculture)** obtained leave and introduced a Bill for an Act to refer to the Parliament of the Commonwealth certain matters relating to the inspection of meat. Read a first time.

The Hon. M.K. MAYES: I move: That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in Hansard without my reading it. Leave granted.

Explanation of Bill

Since 1965 meat inspection at local abattoirs has been carried out on behalf of the State by the Commonwealth, under the terms of the Meat Inspection Arrangements Act 1964 (Commonwealth). This arrangement continued after the enactment of the Meat Hygiene Act 1980 (South Australia). The Commonwealth charges the State for the services provided and carries out inspection according to State legislation.

Set up after the meat substitution scandal in 1981, the Woodward Royal Commission recommended the amalgamation of State and Commonwealth meat inspection services to form a National Inspection Service.

Subsequently, a joint Commonwealth/State Working Party was set up to examine and advise on the legal, functional and financial aspects involved if South Australia were to refer its legislative powers with respect to domestic meat inspection to the Commonwealth.

The report of the joint working party has been received and it recommended that:

1. The State refers its legislative power with respect to meat inspection at domestic abattoirs to the Commonwealth.

2. The transferred legislative power is only exercised by the Commonwealth after consultation with, and approval by, the State.

3. The State, through the Meat Hygiene Authority, retains responsibility for licensing all abattoirs, slaughterhouses and pet food works.

4. The transferred legislative power may be rescinded by the State. These recommendations may be achieved by a referral of legislative power from the State to the Commonwealth by Parliament.

Although the Commonwealth will have power to legislate with respect to domestic abattoirs, it has promised that this power will be exercised only after consultation with the Meat Hygiene Authority and will continue to be directed towards the Australian Common Codes of Construction and Inspection.

The State, through the Meat Hygiene Authority, will continue to be responsible for licensing abattoirs (both export and local), slaughterhouses and pet food works.

The State, through the Meat Hygiene Authority, will also continue to be responsible for construction and hygiene standards at slaughterhouses and pet food works, as well as the regulatory aspects of the Meat Hygiene Act.

The State may revoke the powers transferred at any time. The success or otherwise of the transfer will be reviewed annually.

After the transfer of legislative powers the Commonwealth will collect inspection fees directly from the abattoir operators, rather than from the State, as at present.

When the Commonwealth assumes responsibility for collection of inspection fees, the State will benefit by:

(a) simplification of the charging system; and

(b) reduction in man hours spent processing the fees, and elimination of the debt risk.

The Commonwealth’s proposed fees for meat inspection are likely to be about 5 per cent less overall than those presently charged. The provisions of this Bill are as follows:

Clause 1 is formal.

Clause 2 provides for commencement on a proclaimed day.

Clause 3 is an interpretation provision. ‘Abattoir’ is defined to mean a licensed abattoir under the Meat Hygiene Act,; that is, premises at which meat for human consumption is produced and at which meat for animal food may be produced from meat unfit for human consumption. The definition does not include licensed pet food works or slaughterhouses under that Act. ‘Meat’ is defined as being any part of the body of an animal, or any product resulting from the processing of any part of the body of an animal, being a part or product intended for human consumption or for use as animal food.

Clause 4 provides for the reference to the Commonwealth Parliament of legislative powers relating to the inspection of meat at abattoirs in South Australia. (Pursuant to section 51 (xxxviii) of the Commonwealth Constitution, the Commonwealth Parliament may legislate on matters referred to it by a State Parliament. The Commonwealth Meat Inspection Act 1983, No. 71 of 1983, already applies to New South Wales by virtue of a reference of power from the Parliament of that State, and section 4 of that Act provides for proclamations to be made by the Governor-General to apply the Act to other States pursuant to such references.) The reference is of power ‘not otherwise included’ in the legislative powers of the Commonwealth Parliament, since that Parliament already has some power to legislate; e.g. with respect to meat produced for export from Australia. The reference will commence upon the coming into operation of the proposed Act and cease upon the expiry of the proposed Act.

Clause 5 provides for the Governor to fix, by proclamation, a day on which the proposed Act will expire. This power may be exercised at any time.

Mr GUNN secured the adjournment of the debate.