

**LAWS OF FIJI**

**CHAPTER 237**

**MEAT INDUSTRY**

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**MEAT INDUSTRY**

*Acts Nos. 47 of 1969, 11 of 1975, 4 of 1978, 2 of 1981,  
11 of 1983, Legal Notice No. 112 of 1970*

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A MEAT INDUSTRY BOARD  
AND TO REGULATE AND CONTROL THE SLAUGHTERING OF LIVESTOCK

[15 April 1970]<sup>1</sup>

*Short title*

1. This Act may be cited as the Meat Industry Act.  
*(Amended by Legal Notice 112 of 1970.)*

*Interpretation*

2. In this Act, unless the context otherwise requires—

"animal" and "livestock" mean any cattle, sheep, goats, pigs or poultry;

"Board" means the Fiji Meat Industry Board established by this Act;

"inspector" means the Permanent Secretary for Primary Industries, the Director of Agriculture, the Assistant Director of Agriculture (Animal Health and Production), any agricultural officer, any veterinary officer, any technical officer or field assistant in the Animal Health and Production Division of the Ministry of Primary Industries, any medical officer, any health inspector or any assistant health inspector;

"meat" means any part or portion of an animal, including the flesh, wool, hair, skin, hide, hooves, horns, bones, feathers and any other part or portion of the carcass of an animal and any product that is wholly or partly derived from any animal including the eggs of poultry;

"poultry" means any fowl, duck, turkey or goose of any class or description;

"poultry slaughterhouse" means any premises used for the slaughtering, processing, freezing, packaging or storing of the meat of poultry other than the eggs of poultry;

"processing establishment" means any establishment in which any part of the carcass of any animal is used for the preparation or manufacture for sale of products including canned meat, small goods, sausage skins, tallow, bones, bone meal, meat meal, blood meal, hides, animal glands or any other product principally derived from any animal;

"proprietor" means any person in whose name a slaughterhouse, meat delivery vehicle, processing or meat exporting establishment is registered under the provisions of this Act;

"registered poultry slaughterhouse" means a poultry slaughterhouse registered under the provisions of this Act or of any regulations made thereunder;

"registered slaughterhouse" means a slaughterhouse registered under the provisions of this Act or of any regulations made thereunder but does not include a poultry slaughterhouse;

"slaughterhouse" means any slaughter-yard, slaughtering chamber and the surrounding premises, yards, pens and paddocks or any refrigerated chamber which forms part of the premises of a slaughterhouse and which is used for the storage of any meat other than the meat of poultry.

*(Amended by Legal Notice 112 of 1970; Act 11 of 1975, s. 3.)*

#### *Fiji Meat Industry Board*

**3.—**(1) There is hereby established a Board to be known as the Fiji Meat Industry Board.

(2) The Board shall be a body corporate with perpetual succession and a common seal and shall, under the name of the Fiji Meat Industry Board, be capable of suing and being sued and of purchasing or otherwise acquiring, holding or alienating property, real or personal, and of doing or performing such acts and things as bodies corporate may by law do and perform, subject to the provisions of this Act.

(3) The Board shall consist of a chairman, who shall be an independent person not directly connected with the livestock or meat industry, and 6 other members, all of whom shall be appointed by the Minister.

*(Substituted by Act 2 of 1981, s. 2.)*

(4) The chairman and members of the Board shall hold office for a period not exceeding 3 years, but shall be eligible for re-appointment.

(5) The Board shall elect from amongst its members a deputy chairman, who, in the absence of the chairman, shall preside at meetings of the Board.

(6) The Board, with the approval of the Minister, may appoint committees representing various sections of the meat industry to advise the Board on matters affecting the production, processing and marketing of meat:

Provided that any such committee shall only have advisory functions.

*(Inserted by Act 11 of 1975, s. 4.)*

#### *Procedure of the Board*

4. (1) The quorum necessary for the transaction of the business of the Board shall be 5.

*(Amended by Act 2 of 1981, s. 3.)*

(2) All questions before the Board shall be decided by a majority vote and, in the case of any equality of votes, the chairman or deputy chairman presiding shall have a casting vote.

(3) All orders and directions made or given by the Board shall be made or given under the hand of the chairman.

(4) The Board may make rules governing its own procedure.

#### *Employment of officers and servants*

5.—(1) The Board may appoint such officers and servants as it may consider necessary for the proper and efficient carrying out of the functions of the Board.

(2) The salary to be paid to the person appointed to serve as chief executive officer of the Board shall be as determined from time to time by the Higher Salaries Commission.

(3) Subject to the provisions of the Higher Salaries Commission Act, other officers and servants of the Board shall be paid such salaries as the Board from time to time determines.

*(Cap. 2A.)*

*(Substituted by Act 11 of 1983, s. 27, Sch. 2.)*

#### *Functions of the Board*

6. The functions of the Board shall be—

(a) to construct and operate public slaughtering facilities as may be approved by the Minister;

(b) to take all such steps, with the approval of the Minister, as the Minister or the Board may deem desirable for purposes connected with the protection, preservation and expansion of the meat industry in Fiji;

(c) with the approval of the Minister, to borrow such capital monies as may be required;

(d) when so directed by the Minister, to purchase, trade or deal in livestock or meat.  
(Amended by Legal Notice 112 of 1970.)

#### *Honoraria*

7. The chairman or the chairman and members of the Board may be paid from the funds of the Board such honorarium as may be approved by the Minister.

#### *Restriction on liability*

8. No member (including the chairman), officer or servant of the Board shall be personally liable for any act or default of the Board done or omitted to be done in good faith and without negligence in the course of the operations of the Board.

#### *Power to charge for services, etc.*

9. The Board may finance its operations—

(a) by making such charges as may be prescribed for slaughtering or for rendering any service which it is authorised to perform;

(b) by collecting such levies on livestock slaughtered for human consumption in Fiji as may be prescribed,

and such charges and levies shall be calculated so as to defray the operating, depreciation, interest and loan repayment costs of the Board.

#### *Bonuses may be paid*

10. In the event of the Board accumulating funds which, in its opinion, are in excess of what is reasonably required for the carrying out of the functions of the Board, the Board may, with the prior approval of the Minister, apply such excess funds in the payment of bonuses to customers or for any other purpose which it considers to be in the interest of the meat industry of Fiji as a whole.

(Amended by Legal Notice 112 of 1970.)

#### *Accounts and audit*

11.—(1) The Board shall keep such accounts and render such returns as may be directed by the Minister.

(2) The accounts of the Board shall be audited annually by an auditor appointed by the

Minister.

(3) The accounts of the Board shall, as soon as possible after the close of each financial year, and after audit, be published in such manner as the Minister may direct.

*Annual report*

12. Not later than 30 June in each year, the Board shall submit to the Minister, and publish in the Gazette and in such other manner as the Minister may direct, a report on the operations of the Board during the year ending on 31 December then immediately preceding.

*(Amended by Act 4 of 1978, s. 2.)*

*Exemption from income tax*

13. The income of the Board shall not be liable to income tax.

*Slaughterhouse regions*

14.—(1) The Minister may, by order, declare any area to be a slaughterhouse region from such date as may be specified in such declaration and, after such date, subject to such exemptions as may be prescribed, no person may slaughter in such area any cattle, sheep, goats or pigs for sale for human consumption other than in an establishment owned and operated by the Board.

*(Amended by Legal Notice 112 of 1970; Act 11 of 1975, s. 5.)*

(2) Any person slaughtering any cattle, sheep, goats or pigs for sale for human consumption contrary to the provisions of subsection (1) shall be guilty of an offence and shall be liable, on conviction, to a penalty not exceeding \$200.

*(Amended by Act 11 of 1975, s. 5.)*

*Compensation*

15.—(1) Any owner or operator of any slaughterhouse which, immediately prior to a region being declared under the provisions of section 14, was in use in such area for the slaughtering of such livestock for sale for human consumption, may, within a period of 3 months from the commencement of such declaration or within such further time as may be allowed by the Minister in that respect, serve a notice, in writing, on the Board claiming compensation for the diminution in value of the slaughterhouse as a result of the prohibition of the use thereof for slaughtering livestock.

*(Amended by Legal Notice 112 of 1970; Act 11 of 1975, s. 6.)*

(2) Compensation may be paid by the Board in relation to a claim made under the provisions of subsection (1) to an amount equal to the value of the land and improvements constituting the slaughterhouse as an operative slaughterhouse, less the value thereof in the most remunerative alternative use therefor:

Provided that—

(a) improvements made after the commencement of the declaration shall not, except as otherwise approved by the Minister, be the subject of compensation;

(b) no enhancement in value arising from any unlawful use of such land and improvements shall be considered.

(3) If the Board and the owner or operator fail to agree on the amount of compensation to be paid under the provisions of this section, the dispute shall be referred to arbitration under the provisions of the Arbitration Act.

(Cap. 38.)

(4) The Minister may direct that any compensation paid by the Board under the provisions of this section shall be refunded to the Board by the Government.

(Amended by Legal Notice 112 of 1970.)

*Meat not to be sold unless from registered slaughterhouse*

**16.**—(1) Subject to any exemption which may be prescribed, no person shall offer for sale or sell any meat, unless such meat originated from a registered slaughterhouse or a registered poultry slaughterhouse;

Provided that the provisions of this section shall not apply to the sale of meat imported into Fiji or to the eggs of poultry.

(Amended by Act 11 of 1975, s. 7.)

(2) Any person who contravenes or fails to comply with the provisions of subsection (1) shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding \$200.

*Powers of inspection*

**17.**—(1) An inspector may, at any time, enter upon any premises to which this Act applies for the purpose of carrying out the provisions thereof or of any regulations made thereunder.

(2) Any person who refuses or wilfully omits to carry out any lawful order, instruction or condition made, given or imposed by any inspector under the authority of this Act, shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding \$200 or to imprisonment for a term not exceeding 6 months or to both such fine and imprisonment and, in case of a continuing offence, to a fine not exceeding \$4 for every day during which such offence continues after conviction.

*Regulations*

**18.**—(1) The Minister may make regulations to provide for—

(a) the proper management, control and sanitary condition of slaughterhouses and of poultry slaughterhouses and the inspection thereof;

(b) the registration and licensing of slaughtermen, slaughterhouses and poultry slaughterhouses;

(c) the inspection of meat and the condemnation of meat not fit for human consumption;

- (d) the erection and regulation of slaughterhouses and poultry slaughterhouses;
- (e) the conveyance of meat from slaughterhouses and poultry slaughterhouses;
- (f) the slaughter of animals and the regulation or prohibition of the slaughter of cattle of any class or description thereof;
- (g) the powers and duties of inspectors;
- (h) regulating or prohibiting the spaying of cows, heifers or any class or description thereof;
- (i) the licensing of establishments for the export of meat and the regulation of the export of meat from Fiji;
- (j) the registration of processing establishments;
- (k) regulating the canning and processing of meat for sale in Fiji or export;
- (l) prescribing the fees and charges which may be charged or imposed in respect of licensing and inspections issued or carried out under the provisions of this Act;
- (m) providing for the exemption of establishments, persons or classes of persons from all or any of the provisions of this Act;
- (n) providing for the supervision and control of slaughtering in exempted establishments and by exempted persons;
- (o) regulating the production, processing and marketing of meat;
- (p) regulating the grading, labelling and packaging of meat;
- (q) prescribing levies or charges, in respect of the slaughtering of animals, deemed necessary for the promotion, preservation or expansion of the meat industry in Fiji;
- (r) regulating the transport of animals to registered slaughterhouses and poultry slaughterhouses;
- (s) generally for the purpose of carrying the provisions of this Act into effect.  
*(Amended by Act 11 of 1975, s. 8.)*

(2) Any regulations made under the provisions of this section may be applied to the whole or any part of Fiji specified therein.

*Controlled by Ministry of Primary Industries*

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**Subsidiary Legislation**