

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 237.

Sale of Meat.

GENERAL ANNOTATION.

ADMINISTRATION.

As at 13 February 1976 (the date of gazettal of the most comprehensive allocation of responsibilities to Ministers and Departments at about the effective date), the administration of this Chapter was vested in the Minister for Health.

Accordingly, as at that date, except where a different intention is clearly indicated, by note or in the text, references in and in relation to this Chapter to—

“the Minister” should be read as references to the Minister for Health;

“the Departmental Head” should be read as references to the Secretary for Health¹;

“the Department” should be read as references to the Department of Health².

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¹ Previously the Director of Public Health.

² Previously the Department of Public Health.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 237.

Sale of Meat Act.

ARRANGEMENT OF SECTIONS.

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 - "Licensing Officer"
 - "Local Medical Authority"
 - "meat"
 - "person".
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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 237.

Sale of Meat Act.

Being an Act relating to the sale of meat,

1. Interpretation.

In this Act, unless the contrary intention appears—

“Inspector” means a commissioned officer of the Police Force or a person appointed under Section 3 to be an Inspector for the purposes of this Act;

“Licensing Officer” means—

(a) the Provincial Commissioner appointed to administer the province in which an application is made for a licence under this Act; or

(b) a District Officer authorized under Section 3 to exercise the powers and perform the duties of the Licensing Officer for that province;

“Local Medical Authority” means, in relation to a province, a medical officer in the province, and includes, in the event of there not being a medical officer in a province at any time, the Provincial Commissioner;

“meat” includes any portion of the dead bodies of cattle, sheep, pigs, goats, poultry or other animals which is used for human food, but does not include tinned or preserved meats other than meat preserved by chilling or freezing;

“person” includes a firm.

2. Application.

(1) Subject to Subsection (2), this Act does not apply to meat before it is removed from the premises on which the animal was slaughtered.

(2) Where meat is—

(a) sold or kept or exposed for sale by retail on the premises on which the animal was slaughtered; or

(b) prepared on those premises for sale by retail elsewhere than on those premises,

this Act applies to and in relation to that meat as though it had been removed from those premises.

3. Administrative arrangements.

(1) A Provincial Commissioner may, by instrument under his hand, authorize a District Officer to exercise and perform in respect of the province administered by that Provincial Commissioner the powers and duties under this Act of a Licensing Officer for that province.

(2) A Local Medical Authority may, by instrument under his hand, appoint an officer to be an Inspector for the purposes of this Act.

4. Persons selling adulterated or unwholesome meat.

A person who—

(a) sells, or offers for sale, as food for human consumption, any meat which in whole or part is spoiled or adulterated; or

- (b) exhibits for sale unwholesome meat for man or beast, or practises any deceit or fraud in respect of the quality of the meat,

is guilty of an offence.

Penalty: A fine not exceeding K20.00 or imprisonment for a term not exceeding one month.

5. Person not to sell uncooked meat without a licence.

(1) A person must not sell, or offer or attempt to sell, or keep or expose for sale, uncooked meat—

- (a) within the boundaries of a town; or
- (b) within a distance of 1.5 km outside the boundaries of a town; or
- (c) within an area defined by the Minister, by notice in the National Gazette,

unless he is the holder of a current licence under this section in relation to the premises in or on which he sells, or offers or attempts to sell, or keeps or exposes for sale, the meat.

(2) A licence under this section shall be in the prescribed form.

(3) Application for a licence shall be made in the prescribed form in writing to the Licensing Officer.

(4) A licence shall not be issued unless the application bears the signed recommendation of the Local Medical Authority.

(5) All licences expire on 30 June next following the date of issue.

(6) The fee for a licence or a renewal of a licence is K4.00 payable in advance, or such other sum as is prescribed.

6. Licensing Officer, etc., may enter and inspect premises.

(1) The Licensing Officer, the Local Medical Authority or an Inspector may enter into any land, building, room, premises or place used for or in connexion with the preparation, packing, storage, carriage, sale or delivery for sale of meat, and examine the state and condition of the premises and all meat found in the premises, and all vehicles, receptacles, articles and things used in connexion with the premises.

(2) Where on inspection meat is found to be unwholesome or unfit for human consumption, the Licensing Officer, the Local Medical Authority or an Inspector, without creating a right to compensation in the owner of the meat, may seize the meat and cause it to be destroyed.

7. Meat to be protected from vermin.

(1) A person engaged in the preparation, packing, storage, carriage or delivery for sale of meat, must, by the provision of suitable and effective means, at all times protect the meat from—

- (a) rats, mice, cockroaches, flies, spiders, bugs, moths and all other vermin; and
- (b) unwholesome substances, odours and smells.

(2) A person who uses a room, compartment, premises or place for or in the preparation, packing, storage, carriage or delivery for sale of meat must—

- (a) keep it or cause it to be kept free from rats, mice, cockroaches, flies, spiders, bugs, moths and all other vermin; and
- (b) cause the floors of the room, compartment, premises or place to be constructed of some impervious material and kept in good order.

8. Sources of contamination.

A person must not permit a fowl-house, stable, dog-kennel, pig-sty, cow-house, cesspool, privy pan, closet or urinal to be in or about, or within a distance of 4 m from, a room, compartment, premises or place used for or in connexion with the preparation, packing, storage, carriage or delivery for sale of meat.

9. Animals.

A person must not permit an animal to stay or be in or on any room, compartment, premises or place used for or in connexion with the preparation, packing, storage, sale or offering or exposure for sale of meat.

10. Meat storage room used as sleeping compartment.

A person must not prepare, pack, store or deliver for sale or offer or expose for sale any meat in a room, compartment or place—

- (a) which is at any time used as a sleeping compartment; or
- (b) in which anything is kept, or any work or occupation carried on, that is likely to contaminate the meat or injuriously affect its wholesomeness or cleanliness.

11. Smoking.

(1) A person must not spit, smoke or chew tobacco while—

- (a) engaged in; or
- (b) in a room, compartment, premises or place used for or in connexion with, the preparation, packing, storage, carriage or delivery of meat for sale.

(2) Subsection (1) does not apply to the packing, storage, carriage or delivery of meat enclosed in a hermetically sealed container.

12. Clothes.

A person engaged in the preparation, packing, storage, carriage or delivery for sale of meat when so engaged must keep and maintain his clothes and body clean.

13. Handling of meat by infected persons.

A person who is suffering from a contagious or infectious disease must not prepare, pack, store, carry, deliver, hawk or handle in any way meat intended for the use of others.

14. Meat being carried.

(1) A person must not, for the purpose of sale or delivery, carry on the footboard or any part of the exterior of a vehicle any meat for sale unless the meat is contained in a box or receptacle so constructed as to protect the meat from contamination by dust or flies.

(2) A person must not carry or transport through a street, road or place any meat intended for sale unless the meat is adequately protected from flies and, as far as practicable, from dust.

15. Meat coming into contact with unclean material.

A person must not pack, wrap or carry meat in such a manner that the meat can come into contact with—

- (a) paper, cloth or other material which is not clean; or
- (b) paper on which there is writing or printing.

16. Meat once delivered.

A person must not sell or offer or expose for sale any meat which has previously—

- (a) been delivered at a house or to a person; or
- (b) left his or his servant's or agent's possession.

17. Machinery, etc., likely to contaminate.

A person must not use, for or in connexion with the preparation, packing, storage, carriage or delivery for sale of meat, a vehicle, receptacle, article, utensil, tool, vessel, fitting, machinery or other appliance or thing which has been used for any other purpose, if that other use is likely to contaminate or injuriously affect the wholesomeness or cleanliness of the meat.

18. Carrying in manure container.

A person must not pack, store, enclose or carry or consign meat for sale in a box or sack or other receptacle which has at any time contained or has been used for the conveyance or storage of bone dust, superphosphate or any other manure or mixture of manures.

19. Storage place for meat.

(1) A person must not keep, store, expose or offer for sale any meat in a building other than a building constructed and arranged so that ventilation openings other than the street door and windows are provided in the back or side wall of the building.

(2) The means of ventilation must—

- (a) always be in operation; and
- (b) be covered with flyproof wire gauze; and
- (c) have an effective area equal to not less than 2% of the floor space of the building,

and every doorway in the building must be provided with a light swing frame closely fitting and self-closing and covered with fly-proof wire gauze.

20. Premises to be kept clean.

A person who uses a building, store, shop, counter, premises, stand or place in or on which any meat is sold or offered or exposed or prepared for sale—

- (a) must remove or cause to be removed daily all waste matter from the building, store, shop, counter, premises, stand or place; and
- (b) must not cast, deposit or allow to remain any meat, fat, offal, bones or other waste matter in a manure heap or pit or on a part of the building, store, shop, counter, stand or place otherwise than in a suitably covered receptacle provided for the purpose.

21. Protection from flies, etc.

A person must not sell or expose or store for sale or have in his possession for sale or delivery or expose for human consumption on a counter or in a bar, restaurant or other premises any meat unless the meat is protected from flies and as far as practicable from dust—

- (a) by storage in a covered receptacle; or
- (b) by means of metal, glass or other suitable covers; or

- (c) by protection of all open windows, ventilators and apertures by means of fly-proof wire gauze or other similar and effective material,

and by providing automatically-closing doors made of the same or a similar and effective material.

22. Appliances, etc., to be cleansed.

A person engaged in the preparation, packing, storage, carriage or delivery for sale of any meat must keep or cause to be kept clean all vehicles, vessels, fittings, machinery or other appliances used for or in connexion with the preparation, packing, storage, carriage or delivery for sale of the meat.

23. Vehicles to be cleaned.

(1) A person must not use for the carriage or transport of meat for sale a vehicle which is not kept constantly clean and in good repair, and such a vehicle must be thoroughly scraped and washed or otherwise cleansed at the conclusion of each day during which it is used.

(2) If straw is used in the vehicle the straw must be renewed daily.

24. Vehicles to be fly-proof, etc.

A person must not use a vehicle for the carriage or delivery of meat for sale which is not so constructed, with due regard to ventilation, as to prevent access of flies and dust into the interior of the vehicle, and the vehicle shall at all times be kept closed except when in use for loading or unloading.

25. Standing meat on footpath.

A person must not place or allow to stand on a public footpath or pavement any meat for sale or a package or other vessel or utensil used for the carriage of meat for sale.

26. Contaminating substances.

A person must not use for or in connexion with the preparation, storage, packing, carriage or delivery of meat for sale a vessel or utensil the substance, construction or condition of which is likely to contaminate the meat.

27. Exposing to sun.

A person must not, except in the actual process of conveyance, store meat for sale in the direct rays of the sun.

28. Meat not to protrude beyond shop.

A person must not place, hang or expose meat for sale, or allow meat for sale to protrude, wholly or in part, beyond the line of the glass or gauze of the window or door of a shop or premises.

29. Clothes to be worn.

All persons who are employed or engaged in the wholesale or retail storage or delivery of meat for sale, whether in a shop or not, or in the transport, carriage or delivery for sale of meat, must at all times while so employed or engaged wear overalls of washable material which must completely cover the clothes, or aprons of washable material reaching from the neck to below the knee, and the overalls or aprons must at all times be kept thoroughly clean.

30. Trays, etc., to be cleaned.

A person must not use a basket or tray for the carrying or conveyance of meat for sale unless the basket or tray is thoroughly cleansed daily.

31. Clean towels to be provided.

All persons engaged in the sale of meat must provide clean towels for the use of operatives.

32. Act to be displayed.

A copy of this Act must—

(a) be conspicuously displayed in every place where meat is prepared, packed or stored for sale; and

(b) be constantly maintained there in a clean, visible and legible condition,

by the proprietor, manager or person in charge.

33. Penalties.

(1) Where no other penalty is provided, a person who commits a breach of this Act is liable to a fine not exceeding K40.00 or imprisonment for a period not exceeding two months.

(2) The Licensing Officer may cancel the licence of a person convicted of a breach of this Act.

34. Regulations.

The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 237.

Sale of Meat Regulation.

ARRANGEMENT OF SECTIONS.

1. Application for licence.
2. Licence.

SCHEDULE.—

- FORM 1.—Application for Licence to Keep and Sell Meat.
FORM 2.—Licence to Keep and Sell Meat.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 237.

Sale of Meat Regulation.

MADE under the *Sale of Meat Act.*

1. Application for licence.

An application under Section 5 of the Act for a licence to keep and sell meat shall be in Form 1.

2. Licence.

A licence to keep and sell meat under Section 5 of the Act shall be in Form 2.

SCHEDULE.

PAPUA NEW GUINEA.

Sale of Meat Act.

Act, Sec. 5.
Reg., Sec. 1.

Form 1.

APPLICATION FOR LICENCE TO KEEP AND SELL MEAT.

Name of applicant:

Address:

Occupation:

Description and situation of premises where meat to be sold:

Dated 19 .

(Signature of Applicant.)

Local Medical Authority.

PAPUA NEW GUINEA.

Sale of Meat Act.

Act, Sec. 5.
Reg., Sec. 2.

Form 2.

LICENCE TO KEEP AND SELL MEAT.

of , having paid the fee of K , is licensed to keep for sale and sell meat at (*situation and description of premises where meat to be sold*) during the year ending 30 June 19 , subject to the provisions of the *Sale of Meat Act.*

Dated 19 .

Licensing Officer.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 237.

Sale of Meat.

SUBSIDIARY LEGISLATION.

Act, Section 5(1)(c)—Areas in which licences to sell meat required.

- (a) Arona Plantation, being the areas contained as at 27 March 1962 in Granted Applications 8480 (New Guinea), 1362 (New Guinea) and 5805 (New Guinea) under the Land Ordinance 1922 of the former Territory of New Guinea.
- (b) Brown River Farm, being the area more particularly described in a notice under Section 7 of the pre-Independence *Sale of Meat Act* 1951 (Adopted), published in Territory of Papua and New Guinea Government Gazette No. 10 of 1 March 1962 on p. 137.
- (c) Erinvale Plantation, being the land contained as at 27 March 1962 in Portion 8, Milinch of Goroka, Fourmil of Karamui.
- (d) Malahang near Lae in the Morobe Province, land at, from time to time occupied by Anderson's (Pacific) Trading Company.
- (e) Moitaka Livestock Station.
- (f) Portion 484, Milinch of Goldi, Fourmil of Port Moresby, as at 6 June 1963.
- (g) Portion 38, L.A. 4191, Milinch of Granville, Fourmil of Port Moresby, as at 6 June 1963.
- (h) Portion 158A, Milinch of Granville, Fourmil of Port Moresby, as at 6 June 1963.
- (i) Portion 4507, Milinch of Granville, Fourmil of Port Moresby, as at 6 June 1963.
- (j) Wau in the Morobe District, land at, more particularly described in *Laws of the Territory of New Guinea* 1921-1945 (Annotated), Vol. II, pp. 2435, 2436.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 237.

Sale of Meat.

APPENDIXES.

APPENDIX 1.

SOURCE OF THE SALE OF MEAT ACT.

Part A.—Previous Legislation.

Sale of Meat Act 1951 (No. 55 of 1951)

as amended by—

Sale of Meat Act 1953 (No. 29 of 1953)

Sale of Meat Act 1954 (No. 40 of 1954)

Sale of Meat Act 1961 (No. 8 of 1961)

Sale of Meat Act 1962 (No. 28 of 1962)

Statute Law Revision (Metric Conversion) Act 1974 (No. 49 of 1974).

Part B.—Cross References.

Section, etc., In Revised Edition.	Previous Reference ¹ .	Section, etc., in Revised Edition.	Previous Reference ¹ .
1	4	18	20
2	3A	19	21
3	5	20	22
4	6	21	23
5	7	22	24
6	8	23	25
7	9	24	26
8	10	25	27
9	11	26	28
10	12	27	29
11	13	28	30
12	14	29	31
13	15	30	32
14	16	31	33
15	17	32	34
16	18	33	35
17	19	34	36

¹ Unless otherwise indicated, references are to the Act set out in Part A.

APPENDIX 2.

SOURCE OF THE SALE OF MEAT REGULATION.

Part A.—Previous Legislation.

Sale of Meat Act 1951, Section 7(1), (2) and Second and Third Schedule.

Part B.—Cross References.

Section, etc., in revised Edition.	Previous Reference ¹ .
1	7(2) (in part)
2	7(1) (in part)
Schedule— Form 1 Form 2	Third Schedule Second Schedule

¹ Unless otherwise indicated, references are to the *Sale of Meat Act 1951* set out in Appendix 1.