

## MEAT ACT

RL 3/665—30 November 1974

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#### 1 Short title

This Act may be cited as the Meat Act.

#### 2 Interpretation

In this Act—

“abattoir” means an abattoir established or licensed under this Act;

“Authority” means the Mauritius Meat Authority established under section 3;

“Board” means the Board established under section 6;

“butcher” means a person who sells, distributes or processes meat;

“Chairman” means the Chairman of the Board;

“close season” means a period during which the hunting of deer is prohibited;

“game licence” has the same meaning as in the Wildlife Act 1983;

“game venison” means venison derived from carcasses of deer which have been hunted under a game licence;

“General Manager” means the person appointed to that office under section 8;

“licence” means a licence issued under this Act;

“meat” means the carcass and offal of any animal, other than a bird, fish, hare or rabbit, used or intended to be used as food for human beings;

“member” means a member of the Board and includes the Chairman;

“Minister” means the Minister to whom responsibility for the Authority is assigned;

“slaughterman” means a person who kills and prepares animals for meat or who packs raw meat;

“venison dealer” means a person who holds a licence to sell venison by wholesale;

“venison retailer” means a person who holds a licence to sell venison by retail.

[Amended 48/83]

#### 3 Establishment of the Authority

(1) The Mauritius Meat Authority is established for the purposes of this Act.

(2) The Authority shall be a body corporate.

#### 4 Powers of the Authority

The Authority may—

- (a) establish and manage abattoirs;
- (b) purchase and import livestock for slaughter;
- (c) market meat, meat products and byproducts of the slaughtering process;
- (d) construct, maintain, and rent places for the sale of meat, meat products or byproducts of the slaughtering process;
- (e) control and regulate the sale of meat and meat products;
- (f) license persons and premises in connection with the slaughter of animals for meat, and the preparation, processing, packing and marketing of meat;
- (g) with the approval of the Minister to whom responsibility for the subject of prices and consumer protection is assigned, fix the price of meat and meat products.

#### 5 Powers of the Minister

(1) The Minister may, in relation to the exercise of the powers of the Authority under this Act, give such specific and general directions to the Authority as he considers necessary in the public interest and the Authority shall comply with those directions.

(2) In particular, but without prejudice to the power specified under subsection (1), the Minister may give such directions as he thinks fit to the Board or to the General Manager and the Board or the General Manager, as the case may be, shall comply with those directions.

(3) The Authority shall furnish to the Minister such information with respect to the activities of the Authority, in such manner and at such times, as the Minister may require.

(4) The General Manager shall furnish to the Minister such returns or copies of such documents, including the minutes of proceedings of the Board and the accounts of the Authority, as the Minister may require.

#### 6 The Board

(1) The Authority shall be under the general management and control of the Board.

(2) The Board shall consist of—

- (a) a Chairman;
- (b) a representative of the Ministry of Agriculture and Natural Resources and the Environment;
- (c) a representative of the Ministry of Finance;
- (d) a representative of the Ministry for Prices and Consumer Protection;
- (e) a representative of the Ministry of Health;
- (f) a representative of the urban authorities;
- (g) a representative of the District Councils;
- (h) a representative of the Stock Breeders Association;
- (i) one person to represent the interests of butchers;
- (j) one person to represent the interests of consumers;
- (k) 2 persons to represent the interests of cooperative societies;
- (l) a representative of the employees appointed by the Minister after consultation with the employees' union.

(3) The Chairman and the members specified in subsection (2)(g) to (l) shall be appointed by the Minister and shall hold or vacate office on such terms and conditions as the Minister may determine.

#### 7 Meetings of the Board

(1) The Board shall meet as required at such time and place as the Chairman may appoint.

(2) Four members shall constitute a quorum.

#### 8 General Manager

(1) There shall be a chief executive officer of the Authority who shall be—

- (a) known as the General Manager; and
- (b) appointed by the Board subject to the approval of the Minister.

(2) The General Manager shall—

- (a) attend every meeting of the Board;

(b) be responsible for the execution of the policy of the Authority and for the control and management of its day to day business.

(3) In the exercise of his functions, the General Manager shall act in accordance with such directions as he may receive from the Board.

#### **9 Appointment of staff**

(1) The Board may employ, on such terms as it may determine, veterinary surgeons or meat inspectors and such other staff as may be necessary for the proper discharge of its functions.

(2) All staff of the Authority shall be under the administrative control of the General Manager.

#### **9A Protection of members and employees**

(1) No liability, civil or criminal, shall attach to the Authority or to any of its members or officers in respect of any act which any one of them has done or omitted to do in good faith in the execution or purported execution of the duties of the Authority under this Act.

(2) Every member or employee of the Authority shall be deemed to be a public functionary within the meaning of the Criminal Code.

#### **10 Conditions of service of staff**

The Board may make provision in such form as it may determine, to govern the conditions of service of the staff of the Authority and in particular, to deal with—

- (a) the appointment, dismissal, discipline, pay and leave of, and the security to be given by, staff;
- (b) appeals by staff against dismissal and other disciplinary measures;
- (c) the establishment and maintenance of medical benefit and loan funds and the contributions payable and the benefits recoverable.

#### **11 Delegation by the Board**

(1) The Board may delegate to the General Manager, subject to such general or specific instructions as it may give, such of its powers as are necessary to enable him effectively to perform his duties.

(2) The General Manager may, with the approval of the Board, delegate any of his functions to such members of staff as he may determine.

#### **12 Licensing in relation to meat**

(1) Subject to subsection (2), no person shall, except with a licence from the Authority—

- (a) kill an animal for meat for sale;
- (b) construct, operate or maintain a place for the killing of animals for meat;
- (c) sell, prepare or process meat or meat products;
- (d) construct, operate or maintain a place for the prepacking, processing or storage of meat or meat products;
- (e) sell or supply raw hides or skins to tanneries.

- (2) (a) Subsection (1) shall not apply to the killing of deer as game or wild pigs.
- (b) No person shall sell any animal killed under paragraph (a) unless the animal—
  - (i) is not later than 24 hours after the killing presented at the abattoir; and
  - (ii) bears the stamp of an abattoir.
- (c) No person shall sell any meat derived from the local killing of an animal, other than game venison, unless, it bears the stamp of the Authority.

(3) Subject to section 13(4), no person who breeds or fattens animals shall by way of sale, gift, exchange or otherwise provide any animal for killing for meat other than to the Authority.

- (4) (a) No venison dealer shall, except with the approval of the Authority, sell venison to any person other than to a venison retailer.
- (b) No venison retailer shall buy venison except from a venison dealer.
- (c) No person shall—
  - (i) without lawful authority or reasonable excuse have in his possession game venison during the close season;

- (ii) where he is a venison dealer or retailer, have venison at any place other than his place of business or a place approved by the Authority.

(5) Any venison dealer or venison retailer who wishes to sell game venison during the close season shall not later than 7 days from the beginning of the close season apply to the Authority for a close season licence.

[Amended 45/83]

### 13 Issue and renewal of licence

(1) Any person who wishes to be licensed for a purpose specified in section 12(1) or (5) shall make written application to the Authority.

(2) Where an application is made under subsection (1), the Authority may, before issuing a licence, request the applicant to furnish such further information as it thinks necessary for determining whether to issue the licence or not.

(3) Subject to subsection (4), on receipt of an application for a licence the Authority shall—

(a) where it is satisfied that—

- (i) the applicant is a person to whom a licence may properly be granted;
- (ii) the premises in respect of which the licence is sought are suitable for the purpose for which they will be used and conform with sanitary requirements; and

(b) on payment of the prescribed fee,  
issue the licence subject to such terms and conditions as the Authority thinks fit.

(4) Subsection (3) shall not apply to the slaughter of an animal on the occasion of a religious ceremony specified in the Schedule.

(5) The Authority may renew a licence subject to such terms and conditions as it thinks fit.

[Amended 45/83]

### 14 Refusal to renew and revocation of licence

(1) The Authority may refuse to renew, or revoke a licence where—

- (a) any information given to it by the licensee for the purpose of obtaining the issue of the licence was, at the time the information was given, false in any material particular;
- (b) the licensee has, without reasonable excuse, failed to comply with any of the conditions subject to which the licence was issued or with this Act;
- (c) the licensee is convicted of an offence under this Act;
- (d) the licensee is convicted of an offence involving fraud or dishonesty;
- (e) the licensee ceases to carry on business in accordance with this Act;
- (f) the premises to which the licence relates cease, in the opinion of the Authority, to be suitable for the purposes for which they were licensed.

(2) Where the Authority revokes a licence under subsection (1), no refund shall be made or compensation paid in respect of the unexpired portion of the licence.

### 15 Appeal to District Court

(1) Any person aggrieved by a decision of the Authority to issue, revoke or refuse the issue or renewal of a licence may appeal against that decision to the District Court of Port Louis.

(2) An appellant under subsection (1) shall, within 10 days from the date on which the decision of the Authority has been notified to him—

- (a) file in the Registry of the District Court of Port Louis a notice of appeal in writing specifying the ground of appeal;
- (b) give an address in Port Louis where service of any process in connection with the appeal may be served on him;
- (c) cause a copy of the notice filed under paragraph (a) to be served by an usher on the Authority.

(3) A notice of appeal under subsection (2) shall be signed by the appellant, his representative or attorney.

(4) Within 10 days of the service of a notice under subsection (2)(c), the Authority shall forward to the clerk of the District Court of Port Louis a certified copy of the record of the proceedings resulting in the decision from which the appeal is made together with any document produced in the course of the proceedings.

(5) No ground, other than that set out in the notice of appeal, shall be considered.

(6) The court shall, after hearing an appeal, make such order as it thinks fit.

#### **16 Power to carry on business**

Where the holder of a licence under this Act dies or becomes bankrupt or insane, his surviving spouse, heir or representative, as the case may be, may, if the Authority has on written application made in that behalf endorsed his name on the licence, carry on his business for the unexpired period of the licence either personally or through an agent approved by the Authority.

#### **17 Offences**

(1) Any person who—

(a) contravenes any provision of section 12 other than subsection (1)(a);

(b) in an application under section 13, gives any information which is false or misleading in a material particular,

shall commit an offence and shall, on conviction, be liable to a fine not exceeding 2,000 rupees and to imprisonment for a term not exceeding 6 months.

(2) Notwithstanding Part XII of the Criminal Procedure Act, any person who contravenes section 12(1)(a) shall commit an offence and shall, on conviction, be liable to a fine of 5,000 rupees and to imprisonment for a term not exceeding 6 months.

(3) Notwithstanding—

(a) section 114 of the Courts Act;

(b) section 72 of the District and Intermediate Courts (Criminal Jurisdiction) Act, a Magistrate shall have jurisdiction to try all offences under this Act and may impose any penalty imposed by this Act.

#### **18 Regulations**

(1) Subject to subsection (2), the Authority may make such regulations as it thinks fit for the purposes of this Act.

(2) No regulations shall be made under subsection (1) except after consultation—

(a) in relation to meat hygiene and sanitary matters, with the Ministry of Health;

(b) in relation to licensing of stalls and stall holders, with the appropriate local authority.

(3) Any regulations made under subsection (1) may provide—

(a) for the taking of fees;

(b) that any person who contravenes them shall commit an offence and shall, on conviction, be liable to a fine not exceeding 2,000 rupees and to imprisonment for a term not exceeding 6 months.

[Amended 48/83]

#### **19 Amendment of Schedule**

The Minister may, by regulations, amend the Schedule.

#### **20 —**

#### **21 Repeal**

The Rodrigues Abattoir Regulations are repealed.

#### **22 Commencement**

Sections 12(1)(d) and (e) and 21 shall come into operation on a day to be fixed by Proclamation.

**SCHEDULE**

(section 13)

Eid-UI-Adha

Akika

Kali Puja

Baharia Puja

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