

South Australia

Primary Produce (Food Safety Schemes) (Meat Food Safety Advisory Committee) Regulations 2016

under the *Primary Produce (Food Safety Schemes) Act 2004*

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Schedule 1—Revocation and transitional provisions

Part 1—Revocation

- 1 Revocation of *Primary Produce (Food Safety Schemes) (Meat Food Safety Advisory Committee) Regulations 2005*

Part 2—Transitional provision

- 2 Membership of advisory committee to continue
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1—Short title

These regulations may be cited as the *Primary Produce (Food Safety Schemes) (Meat Food Safety Advisory Committee) Regulations 2016*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Primary Produce (Food Safety Schemes) Act 2004*;

advisory committee means the Meat Food Safety Advisory Committee continued under regulation 4;

handle, in relation to meat, means pack, store or transport meat;

poultry means a carinate bird (ie a bird having a keeled breastbone—this excludes, for example, an emu, ostrich or cassowary);

process, in relation to meat, means carry on an activity involved in meat processing.

4—Continuation of advisory committee

- (1) The *Meat Food Safety Advisory Committee*, established under the revoked regulations, continues for the following classes of activities:
 - (a) carrying on the business of processing or handling meat;
 - (b) carrying on the business of selling meat (by wholesale or retail).
- (2) In this regulation—

revoked regulations means the *Primary Produce (Food Safety Schemes) (Meat Food Safety Advisory Committee) Regulations 2005*.

5—Membership of advisory committee

- (1) The advisory committee must include the following members appointed by the Minister:
 - (a) a person appointed to chair the committee;
 - (b) a person appointed to represent the interests of operators of slaughtering works;
 - (c) a person appointed to represent the interests of persons who process or handle poultry and meat from poultry;
 - (d) a person appointed to represent the interests of persons who process or handle wild game and meat from wild game;
 - (e) a person appointed to represent the interests of persons who process or handle meat for sale;
 - (f) a person appointed to represent the interests of persons who process or handle smallgoods;
 - (g) a person nominated by the South Australian division of the Australian Meat Industry Council;
 - (h) a person nominated by Primary Producers SA Incorporated;
 - (i) an authorised officer appointed by a council under the *Food Act 2001* nominated by the Local Government Association of South Australia;
 - (j) a person nominated by the Minister responsible for the administration of the *Food Act 2001*;
 - (k) a person nominated by the Minister of the Commonwealth responsible for the administration of the *Export Control Act 1982* of the Commonwealth;
 - (l) a person nominated by the chief executive of the administrative unit of the Public Service that is, under the Minister, responsible for administering the Act.
- (2) At least 1 member of the advisory committee must be a woman and 1 a man.
- (3) The advisory committee may include further members appointed by the Minister to represent other interested persons as the Minister considers appropriate.
- (4) In appointing a member to represent the interests of an industry group, the Minister must seek a nomination from that group or representatives of that group.

- (5) The Minister may appoint a person to be a deputy of a member of the advisory committee and the deputy may act as a member of the committee in the absence of that member.
- (6) If a person is appointed as a member of the advisory committee on the nomination of a body, a person appointed as his or her deputy must also be appointed on the nomination of that body.

6—Conditions of membership of advisory committee

- (1) A member of the advisory committee will be appointed on conditions determined by the Minister for a term, not exceeding 3 years, specified in the instrument of appointment and, at the expiration of a term of office, will be eligible for reappointment.
- (2) The Minister may remove a member from office—
 - (a) in the case of a member appointed on the nomination of a body—at the request of that body; or
 - (b) in the case of a member appointed by reason of holding a particular position in the Public Service—if the member ceases to hold that position; or
 - (c) for misconduct; or
 - (d) for neglect of duty; or
 - (e) for incapacity to carry out satisfactorily the duties of his or her office; or
 - (f) for failure to carry out satisfactorily the duties of his or her office.
- (3) The office of a member of the advisory committee becomes vacant if the member—
 - (a) dies; or
 - (b) completes a term of office and is not reappointed; or
 - (c) resigns by written notice addressed to the Minister; or
 - (d) is removed from office under subregulation (2).
- (4) On the office of a member becoming vacant, a person may be appointed in accordance with these regulations to the vacant office.

7—Procedures of advisory committee

- (1) The advisory committee must meet at least once every 6 months and at any other times required by the Minister.
- (2) A quorum of the advisory committee consists of one-half of the total number of its members (ignoring any fraction resulting from the division) plus one and no business may be transacted at a meeting of the committee unless a quorum is present.
- (3) The member appointed to chair the advisory committee will preside at meetings of the committee or, in the absence of that member, a member chosen by those present.
- (4) The advisory committee may act despite vacancies in its membership or a defect in the appointment of a member.
- (5) The advisory committee must have accurate minutes kept of its proceedings and must provide a copy of the minutes to the Minister.

- (6) Subject to these regulations, the advisory committee may determine its own procedures.

8—Conflict of interest under *Public Sector (Honesty and Accountability) Act 1995*

A member of the committee will not be taken to have a direct or indirect interest in a matter for the purposes of the *Public Sector (Honesty and Accountability) Act 1995* by reason only of the fact that the member has an interest in a matter that is shared in common with the meat industry or a substantial section of those engaged in or associated with the meat industry.

Schedule 1—Revocation and transitional provisions

Part 1—Revocation

1—Revocation of *Primary Produce (Food Safety Schemes) (Meat Food Safety Advisory Committee) Regulations 2005*

The *Primary Produce (Food Safety Schemes) (Meat Food Safety Advisory Committee) Regulations 2005* are revoked.

Part 2—Transitional provision

2—Membership of advisory committee to continue

A member of the advisory committee holding office immediately before the commencement of this clause will, on that commencement, continue in office for the balance of his or her term.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 14 July 2016

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