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CHAPTER 265

MARKETS AND SLAUGHTER-HOUSES

An Act to make provision for the establishment and management of public markets and slaughter-houses and the provision of cold stores and for matters incidental thereto and connected therewith.

1958-15.
1959-41.
1964-49.
L.N. 168/
1967.

[13th September, 1958] Commence-
ment.

1. This Act may be cited as the Markets and Slaughter-houses Act. Short title.

PART I

Preliminary

2. For the purposes of this Act, the expression—
- “cold store” means any premises or place used for keeping and preserving by a refrigerating process any fresh meat, poultry, fish, vegetables or other articles intended for the food of man; Interpretation.
- “fresh meat” means meat of any cattle, sheep, goat, pig or turtle, slaughtered for sale and includes imported fresh meat whether frozen or not;
- “marketable commodities” means poultry, eggs, fresh meat, fish, ground provisions, vegetables and fruit;
- “Minister” means the Minister responsible for Marketing;
- “public market” means any place appointed a public market by the Minister for the sale of marketable commodities and includes all buildings, works, sheds, covered and open spaces and grounds comprised within the place so appointed;
- “City of Bridgetown” means the City of Bridgetown as defined in the Local Government Act; Cap. 107.
- “qualified public health inspector” means an inspector who

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possesses the certificate of the Royal Society for the Promotion of Health for inspectors of meat and other foods;

“slaughter-house” means any premises used in connection with the slaughtering of animals the meat of which is intended for human consumption.

PART II

Public Markets

Establishment, etc., of public markets.

3. It shall be lawful for the Minister to establish, maintain, manage and regulate public markets for the sale of marketable commodities therein and to provide all such matters and things as may be necessary for the convenient use of such markets.

Public markets to be held only in appointed places.

4. (1) It shall not be lawful for any person to hold any public market for the sale of marketable commodities in any place not being a public market established under this Act, unless licensed by the Chief Supervisor as hereinafter provided.

(2) The Chief Supervisor may grant to any person a licence to establish and use at any place a market for the sale thereof of marketable commodities and such licence shall be granted upon such terms and conditions as may be prescribed.

(3) Every person who contravenes subsection (1) shall be liable on conviction by a court of summary jurisdiction to a fine of one hundred dollars.

Power to make charges for use of stalls, etc.

1964-49.

5. (1) It shall be lawful for the Chief Supervisor to demand and take from every person—

- (a) occupying or using any stall, stand, table, shed or place in any public market; or
- (b) bringing into any such market any marketable commodities or any article or thing which the Minister may permit to be sold therein; or
- (c) using any weighing or measuring instrument provided and kept in any such market,

such stallages, rents, tolls and charges as may be prescribed.

(2) The several stallages, rents, tolls and charges payable

in respect of any public market or weighing or measuring instruments shall be paid at such times and in such manner as may be prescribed to the Chief Supervisor or other person duly authorised to receive the same.

(3) Where any person liable for the payment of any stallage, rent, toll or charge does not pay the same on demand by the Chief Supervisor or other person duly authorised to receive the same, the Chief Supervisor or other person duly authorised may recover the same by distress and sale of a sufficient part of any marketable commodities in the market which belong to the person liable to pay for the same or such stallage, rent, toll or charge may be recovered as a debt in any court.

(4) For the purpose of recovering any sum due under the preceding subsections, any action or other proceeding may be brought in the name of the Chief Supervisor or other person duly authorised.

6. Any person who assaults or obstructs the Chief Supervisor or any officer or servant (whether a public officer or otherwise) or other person duly authorised to receive any stallage, rent, toll or charge payable in respect of a public market or any person employed to superintend such market or to keep order therein, whilst in the execution of his duty, shall be liable on conviction by a court of summary jurisdiction to a fine of fifty dollars or to imprisonment for six months.

Assaulting or obstructing the officer collecting dues.

7. Any person in a public market who behaves in a disorderly or offensive manner or who misconducts himself shall be guilty of an offence and shall be liable on conviction by a court of summary jurisdiction to a fine of twenty-five dollars.

Disorderly behaviour in public market.

8. The Chief Supervisor or other person in charge of any public market, any police or parish constable or other person duly authorised may remove from any market any person who in the market behaves in a disorderly or offensive manner or who misconducts himself or may arrest such person without a warrant and take him to the nearest police station to be dealt with in due course of law.

Powers of removal and arrest.

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PART III

Sale of Fresh Meat

Fresh meat to be sold only in market or licensed premises.

9. (1) No person shall sell or offer or expose for sale any fresh meat except in a public market or in such shops or premises as are licensed by the Chief Supervisor in that behalf.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction by a court of summary jurisdiction to a fine of one hundred dollars.

(3) The Chief Supervisor may grant to any person a licence to sell or offer or expose for sale fresh meat at any premises other than in a public market, and any such licence shall be granted in respect of such premises and upon payment of such sums and upon such terms and conditions as may be prescribed:

Provided that no fees shall be payable for such licence where such premises are licensed as a slaughter-house in accordance with section 14.

Selling in the public market meat not slaughtered in a public or licensed slaughter-house or not examined.

10. (1) Any person who—

(a) sells or offers or exposes for sale in a public market fresh meat (other than imported meat) of any animal unless such animal was slaughtered in a public slaughter-house or in a slaughter-house licensed in accordance with this Act; or

(b) sells or offers or exposes for sale in a public market fresh meat of any animal unless it was examined and passed as fit for human consumption by the Chief Supervisor or a duly authorised officer,

shall be guilty of an offence and shall be liable on conviction by a court of summary jurisdiction to a fine of one hundred dollars or to imprisonment for six months.

Licence to salesmen of fresh meat.

11. (1) Any person who, whether owner of the fresh meat or not, plies or acts as vendor of fresh meat at any stall, stand, shed, table or place in any public market without having a licence so to do shall be guilty of an offence and shall be liable on conviction by a court of summary jurisdiction to a fine of fifty dollars.

(2) The Chief Supervisor may grant a licence to any person to ply or act as vendor of fresh meat in a public market upon payment of such fee and upon such terms and conditions as may be prescribed.

PART IV

Slaughter-Houses

12. The Minister may provide slaughter-houses and such plant, machinery or apparatus as may be necessary for treating or disposing of waste matter or refuse resulting from the slaughtering of animals therein.

Provision of slaughter-houses.

13. (1) Every person who in the City of Bridgetown or within five miles of any public or licensed slaughter-house slaughters any animal intended for the food of man elsewhere than at a public slaughter-house or licensed slaughter-house shall be liable on conviction by a court of summary jurisdiction to a fine of fifty dollars.

Slaughtering elsewhere than in a public or licensed slaughter-house.
1964-49.

(2) Every person who sells or offers or exposes for sale in the City of Bridgetown or within five miles of any public or licensed slaughter-house fresh meat of any animal (other than imported fresh meat) not slaughtered at a public slaughter-house or a licensed slaughter-house shall be liable on conviction by a court of summary jurisdiction to a fine of one hundred dollars.

1964-49.

(3) For the purposes of subsections (1) and (2) the expression " animal " means any bull, cow, ox, calf, pig, sheep or goat.

14. (1) Except as otherwise provided, every person who uses or keeps for use any place for the slaughtering of animals for fresh meat shall apply to the Chief Supervisor for a licence in the prescribed manner.

Licensed slaughter-houses.

(2) The Chief Supervisor shall inspect or cause to be inspected the premises to be used and if he is satisfied that the premises are suitable as a place for the slaughter of animals for fresh meat, he may issue a licence on payment of the prescribed

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fee and subject to such terms and conditions as may be prescribed.

(3) Every person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction by a court of summary jurisdiction to a fine of one hundred dollars.

Onus of proof.

15. In any prosecution for an offence under this Act, the onus of proving that fresh meat (other than imported fresh meat) sold or offered or exposed for sale was obtained from an animal slaughtered at the public slaughter-house or at a licensed slaughter-house, shall lie on the accused.

Saving.

16. Nothing in this Act shall prevent the slaughter by or on behalf of any person without a licence of any pig, sheep or goat reared by himself and the sale of the meat of such pig, sheep or goat:

1964-49.

Provided that such meat shall not be exposed for sale in a public market or in premises licensed in accordance with section 9 or at any place in the City of Bridgetown or within five miles from a public slaughter-house or licensed slaughter-house.

PART V

Cold Stores

Provision of cold stores.

17. The Minister may provide such cold stores at such places as he may determine.

Cold stores to be licensed.

18. It shall not be lawful for any person to use any premises or place as a cold store for the purpose of keeping and preserving fresh meat, fish or poultry for the purposes of sale without first having obtained a licence from the Chief Supervisor for that purpose.

Using unlicensed cold store.

19. Any person who uses or permits to be used any premises or places as a cold store for the purpose of keeping and preserving fresh meat, fish or poultry for the purposes of sale without having first obtained a licence for that purpose shall be liable on conviction by a court of summary jurisdiction to a fine of five hundred dollars.

PART VI*Licensing of Butchers*

20. (1) Every person desirous of exercising the trade or calling of a butcher by buying and slaughtering animals for sale shall apply to the Chief Supervisor for a licence for that purpose and shall produce evidence satisfactory to the Chief Supervisor that he is a fit and proper person to carry on such trade. Licensing of butcher.

(2) Every licence shall be issued by the Chief Supervisor in the form prescribed and upon payment of the prescribed fee.

(3) A licence under this section may relate to the killing and selling of animals at a public slaughter-house or at a slaughter-house licensed in accordance with this Act.

(4) Every person licensed as a butcher shall produce his licence when required so to do by any police or parish constable, the Chief Supervisor or any duly authorised officer, any Justice of the Peace or any person to whom meat is offered for sale if so requested by that person.

(5) An applicant for a licence under this section who is dissatisfied with the decision of the Chief Supervisor may appeal to the Minister whose decision shall be final.

(6) Every licence shall expire on the 30th June next.

21. (1) Any person who exercises the trade or calling of a butcher by buying and slaughtering animals for sale without having a licence as provided by this Part shall be guilty of an offence and liable on conviction by a court of summary jurisdiction to a fine of fifty dollars. Exercising calling of butcher without licence.

(2) Any person who exercises the trade or calling of a butcher as aforesaid who fails or refuses to produce his licence when requested by the police or parish constable or by the Chief Supervisor or any duly authorised officer or any Justice of the Peace or any other person mentioned in subsection (4) of section 20 shall be liable on conviction by a court of summary jurisdiction to a fine of fifty dollars.

(3) Any person who forges or falsifies any licence issued by

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the Chief Supervisor shall be guilty of an offence and liable on conviction by a court of summary jurisdiction to a fine of two hundred dollars or to imprisonment for six months.

PART VII

Regulation of Sale of Marketable Commodities and Other Goods

Selling marketable commodities and other goods within prescribed areas.

1959-41.

22. (1) Subject to section 23, no person shall sell or offer or expose for sale any marketable commodities or any goods, wares or merchandise in the doorway or entrance to any building or on the pavements or sidewalks of any street, lane, alley or road which is situate within the limits of such area as may be prescribed for the purposes of this section and, subject as aforesaid, no person shall sell or offer or expose for sale any marketable commodities or any goods, wares or merchandise in any part of any public place, whether a street, lane, alley, road or other public place, within the limits of any such area.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction by a court of summary jurisdiction to a fine of fifty dollars.

Certain sales excluded from the operation of section 22

1959-41.

23. (1) Nothing in section 22 shall apply to or be construed so as to render unlawful the carrying of any marketable commodities, goods, wares or merchandise from place to place for the purpose of sale within any area prescribed for the purposes of that section.

(2) Nothing in section 22 shall apply to or be construed so as to render unlawful the disposal by sale in accordance with the provisions of any law relating to hawkers, pedlars or itinerant vendors of any marketable commodities, goods, wares or merchandise at any house or building situate within any area prescribed for the purposes of that section.

Cap. 356.

(3) Nothing in section 22 shall apply to or be construed so as to render unlawful the sale, offering or exposure for sale of any marketable commodities, goods, wares or merchandise in any shop as defined in the Shops Act or in any public market or at any bazaar held for charitable, religious or public purposes within any area prescribed for the purposes of that section.

(4) Nothing in section 22 shall apply to or be construed so

as to render unlawful the sale, offering or exposure for sale of any marketable commodities, goods, wares or merchandise in the door-way or entrance to any building situate within any area prescribed for the purposes of that section in any case where the vendor thereof first obtains the permission of the owner or occupier of such building to sell, offer or expose the same for sale and so conducts his business as not to occupy any part of any pavement, sidewalk, street, lane, alley or road situate within such area or to cause obstruction to any person lawfully using such pavement, sidewalk, street, lane, alley or road.

(5) Nothing in section 22 shall apply to or be construed so as to render unlawful the sale, offering or exposure for sale of any permitted marketable commodities or any permitted goods, wares or merchandise as defined in section 24, in any part of any public place, whether a pavement, sidewalk, street, lane, alley, road or other public place within any area prescribed for the purposes of section 22, by any person to whom a permit is issued in accordance with section 24 and who sells, offers or exposes the same for sale at the place and in accordance with the terms and conditions specified in the permit so issued to him.

24. (1) Every person desirous of being issued a permit authorising him to sell, offer or expose for sale in any part of a public place, whether a pavement, sidewalk, street, lane, alley, road or other public place, within an area prescribed for the purposes of section 22, any permitted marketable commodities or any permitted goods, wares or merchandise shall make application therefor to the Chief Supervisor and shall produce evidence to the satisfaction of the Chief Supervisor as to his good character.

Power to issue permits allowing the sale of goods within prescribed areas.

1959-41.

(2) Every permit mentioned in subsection (1) shall be issued by the Chief Supervisor in the form prescribed and upon payment of the prescribed fee and shall be valid for such period as may be specified therein, not, however, exceeding one year from the date of issue thereof:

1964-49.

Provided that any such permit may be cancelled by the Chief Supervisor upon the conviction of the holder thereof of an offence under section 22.

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1964-49.

(3) Before issuing any permit mentioned in subsection (1) the Chief Supervisor shall first consult the Commissioner of Police and shall cause the particular part of the public place to which it is proposed that the permit shall on issue relate to be defined by lines painted on the ground or by studs embedded in the ground or in such other manner as he thinks fit and a number or letter to be marked within such place in such manner as he thinks fit.

(4) Every person to whom a permit is issued under subsection (2) shall produce his permit when required so to do by any police or parish constable, the Chief Supervisor or any officer duly authorised by the Chief Supervisor.

(5) An applicant for a permit mentioned in subsection (1) who is dissatisfied by a refusal of the Chief Supervisor to grant the same may appeal to the Minister whose decision shall be final.

(6) For the purposes of this section and of any regulations, the expression—

(a) “permitted marketable commodities” means such marketable commodities as are specified in a permit issued under subsection (2) but shall not include either fresh meat or fish; and

(b) “permitted goods”, “permitted wares” or “permitted merchandise” means such goods, wares or merchandise as are specified in a permit issued under subsection (2).

PART VIII

Miscellaneous

Power to
seize and
destroy
tainted or
unwhole-
some fresh
meat, fish
and poultry.

25. (1) The Chief Supervisor or any officer duly authorised may seize any tainted or unwholesome fresh meat or fish or poultry which is for sale or offered or exposed for sale in any market.

(2) Any fresh meat or fish or poultry so seized may, subject to this section, be destroyed in such manner as the Chief Supervisor or any duly authorised officer shall determine.

(3) Before any such fresh meat or fish or poultry is destroyed in accordance with subsection (2), the owner may request the

Chief Supervisor or duly authorised officer to have such fresh meat or fish or poultry examined by a qualified veterinary officer or qualified public health inspector in the presence of the owner and pronounce upon its fitness or otherwise.

(4) Where such fresh meat or fish or poultry is not found tainted or unwholesome by the veterinary officer or inspector, as the case may be, it shall be returned to the owner, but in any other case it shall be destroyed.

(5) Any person who in any market sells or offers or exposes for sale any tainted or unwholesome fresh meat or fish or poultry shall be guilty of an offence and shall be liable on conviction by a court of summary jurisdiction to a fine of fifty dollars.

26. (1) The Minister may make regulations for all or any Regulations.
of the following purposes, that is to say—

- (a) for regulating the use of markets and market buildings;
- (b) for prescribing, and regulating the pattern, description and use of, weighing or measuring instruments to be used by persons selling marketable commodities in any market;
- (c) for preventing nuisances and obstructions in markets and for maintaining cleanliness therein and on the approaches thereto;
- (d) for prescribing the goods that may be sold in any market;
- (e) for fixing, regulating and collecting stallages, rents, tolls and charges and the payment and collection thereof in any public market;
- (f) for the inspection and examination of marketable commodities sold or offered for sale in any market;
- (g) for fixing the days and hours during each day on which any market may be opened and for preventing the sale and purchase of marketable commodities in any market on any day or at any times except as fixed;
- (h) for prescribing the conditions subject to which the several stalls, stands, tables, sheds or places in any

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public market shall be held, occupied or used by persons having or using the same;

- (i) for imposing on any person having or using any stall, stand, table, shed or place in any market the duty of taking steps and using such means for protecting from contamination any articles of food offered or exposed for sale in any market;
 - (j) for maintaining order and preventing disturbances in a public market;
 - (k) for excluding or removing from public markets any person suffering from any infectious or contagious disease;
 - 1959-41. (l) for prescribing any area within which section 22 shall, subject to section 23, apply;
 - (m) for the inspection and licensing of slaughter-houses;
 - (n) for the licensing of butchers and their medical examination;
 - (o) for the inspection and examination of animals for slaughter at slaughter-houses;
 - (p) for the inspection and licensing of cold stores;
 - (q) for regulating the sale of fresh meat from cold stores; and
 - (r) generally for the management, government and use of markets, slaughter-houses and cold stores and for carrying into effect this Act.
- (2) All regulations shall be subject to negative resolution.