CATTLE COMPENSATION ACT AMENDMENT BILL 1964

House of Assembly, 20 August 1964, page 544

Second reading

**The Hon. D. N. BROOKMAN (Minister of Agriculture)** moved: That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to amend the Cattle Compensation Act, 1939-1962.

Motion carried.

Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

The Hon. D. N. BROOKMAN: I move:

*That this Bill be now read a second time.*

Its principal purpose is to legalize the practice adopted by certain firms, purchasing cattle without an agent, of deducting cattle duty from the price payable to the owner. Section 12 of the principal Act provides that, on the sale of cattle, the owner or agent must, under penalty, take certain steps one of which is the deduction of cattle duty from the proceeds of the sale. However, several firms purchase cattle direct from the owners, without the intervention of any agent in the transaction. In order that they will be entitled to compensation if the animal is later condemned, they have been deducting the duty payable from the purchase price, and either affixing duty stamps to the account sales or subsequently submitting a return to the Agriculture Department. There is, however, no legal justification for the deduction; it is the owner or his agent and not the purchaser who is required to pay the duty. Where an owner sells directly to a purchaser, however, it is convenient for the purchaser to pay the duty and deduct the amount from the purchase price.

Clause 4 inserts a new section 12a into the principal Act to legalize this practice in the case of a purchaser who is granted a permit for the purpose. (This corresponds with the necessity for an agent, if there is one, to obtain a permit under the provisions of section 12.) Subsections (3) and (4) of the new section require the purchaser to pay the cattle duty by choosing one of two alternatives. He may affix cattle duty stamps to the account sales and send them to the owner within seven days. This is the practice adopted by purchasers carrying on business in a small way. The alternative procedure, appropriate to large businesses, is for the purchaser to specify the duty payable in the account sales and submit a return to the Minister within the time fixed by the Minister when granting the permit. Subsection (5) is a machinery provision. Subsection (6) provides for the purchase price to be reduced by the amount of the duty and subsection (7) provides for an offence if the purchaser neglects to pay the duty or does not comply with the conditions of his permit. Generally, these new provisions are on similar lines to the amendments made in 1962. The amendments contained in clause 3 are clerical corrections to amendments made in 1962. Honourable members will see that this noncontroversial Bill, far from being a hindrance, will be a convenience.

Mr. CASEY secured the adjournment of the debate.