**WHEAT MARKETING (TRUST FUND) AMENDMENT BILL 1991**

**Legislative Assembly, 16 October 1991, page 1161**

Second reading

**The Hon. LYNN ARNOLD (Minister of Agriculture)** obtained leave and introduced a Bill for an Act to amend the Wheat Marketing Act 1989. Read a first time.

The Hon. LYNN ARNOLD: I move: That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in Hansard without my reading it. Leave granted.

Explanation of Bill

It has a twofold purpose. It provides for changes to wheat research funding as a consequence of the enactment of the Commonwealth Primary Industries and Energy Research and Development Act 1989 and it provides that a trust deed may be approved to enable local management of the money returned to South Australia after passage of the Commonwealth Act. This matter has an interesting history. The United Farmers and Stockowners convinced the Government of the need to bolster existing funds for wheat research in this State. It was suggested that an amount be deducted from payments made by the Australian Wheat Board and that legislation was the most practical means of authorising those deductions. In due course, amendments to the State wheat marketing legislation were passed. Under that legislation, a rate of deduction was recommended each year by the United Farmers and Stockowners and any wheatgrower who chose not to participate could do so, provided he or she made his or her intention known to the Minister of Agriculture.

The Minister gazetted annually the rate of deduction and the total amount collected by the Wheat Board was paid into the Wheat Research Trust Fund established by statute. On the recommendation of the State Wheat Research Committee, money from the trust fund was then disbursed for research in South Australia. This arrangement came to an end when the Commonwealth passed the Primary Industries and Energy Research and Development Act. After passing that Act the Commonwealth returned $4,066 million to the State Department of Agriculture as the temporary custodian.

The United Farmers and Stockowners had foreseen this development and proposed that a fund administered by trustees be established to absorb and make use of that considerable amount. The Minister of Agriculture concurred with this view and prepared a trust deed that provides appropriate guidelines for use of this money. The trustees appointed are three representatives of the United Farmers and Stockowners and one departmental officer representing the Minister. This Bill reflects these developments by making appropriate amendments to the Wheat Marketing Act 1989. A proportion of the money returned by the Commonwealth was for barley research since identical circumstances in relation to wheat also apply to barley. Similar amendments are planned for the Barley Marketing Act 1947. However, it is proposed that these amendments will be incorporated in a more comprehensive Bill which will significantly update that legislation.

I commend the Bill to members.

Clause 1 is formal. Clause 2 amends section 3 of the principal Act by inserting the following definitions: ‘the fund’ means the South Australian Grain Industry Trust Fund established under the trust deed: ‘trustees’ means the trustees appointed in accordance with the terms of the trust deed: and ‘the trust deed’ means the trust deed approved under section 9a.

Clause 3 inserts sections 9a and 9b after section 9 of the principal Act. Subsection (1) of section 9a provides that the Minister may approve a trust deed that is made for the purposes of establishing and controlling the application of a fund to be known as the South Australian Grain Industry Trust Fund and for other related purposes. Subsection (2) provides that the Minister may approve any amendment to the trust deed and subsection (3) provides that the trust deed and any approved amendment to the trust deed must be promulgated by regulation. Section 9b provides that the fund is to be administered by the trustees in accordance with the terms set out in the trust deed and applied for the purposes set out in the trust deed.

Clause 4 amends section 10 of the principal Act by striking out from subsections (2) and (6) ‘Commonwealth for the purposes of the Wheat Research Trust Fund’ and substituting ‘fund’, by striking out subsection (7) and by striking out from subsection (15) the definition of ‘the Wheat Research Trust Fund’.

Mr MEIER secured the adjournment of the debate.