**OATS MARKETING BILL 1972**

**Legislative Assembly, 23 March 1972, pages 4205-7**

Second reading

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act relating to the marketing of oats, to establish and constitute the South Australian Oats Board, and to provide for matters incidental thereto. Read a first time.

The Hon. J. D. CORCORAN: I move:

That this Bill be now read a second time.

It is inevitable, in the view of the Government, that a continuation of the present restrictions on wheat deliveries will encourage cereal farmers to turn their attention increasingly to the production of other grains, including oats. In these circumstances, it was considered that the time was opportune to review the opera­tion of the current voluntary pool system of oat marketing, under which prices fluctuate considerably from year to year. It appears to the Government desirable that this voluntary system be replaced by a system of orderly marketing of oats in South Australia similar to that operated by the Australian Barley Board in relation to barley which has functioned successfully for a number of years.

Orderly marketing operates in New South Wales and Victoria, and the Government believes that the establishment of an oat marketing board in this State would enable South Australia to play its part in the national marketing of oats. A statutory body could exercise closer supervision over distribution, selection of varieties, and quality of grain, and advantages would accrue to growers from research conducted by the board. A central marketing authority would also overcome some of the problems now faced by exporters, who, by purchasing small quantities of oats from individual growers, are forced to accept higher freight rates owing to the small quantities being shipped overseas. By these means, an orderly marketing scheme could be expected to help to stabilize prices and create the climate of confidence necessary for farmers to increase the acreage sown to oats.

The Government has conferred with the United Farmers and Graziers of South Australia Incorporated, which has given an assurance of an unqualified support of the members of that organization for the setting up of an orderly marketing system for oats. The legislative scheme given effect to by this Bill is in many respects similar to that set out in the Barley Marketing Act of this State. There is, however, one important difference in that the board constituted under the Barley Marketing Act is comprised of representatives from this State and Victoria whereas the board proposed by this Bill will be comprised of persons drawn from this State only. I will now deal with the Bill in detail.

Clauses 1 to 3 are formal. Clause 4 sets out the definitions needed for the purposes of the Bill. Clause 5 formally constitutes the South Australian Oats Board. Clause 6 pro­vides that the board shall consist of five members, of whom three shall be elected by growers of oats. To vote at an election a person will have to have harvested for sale not less than 12 ha (that is, about 30 acres) of oats in the preceding season. Clause 7 is a formal provision to ensure that members of the board do not by the operation of any other Act suffer financial hardship by reason of being unable to retain other fees or remuneration. Clause 8 makes the usual provision for the removal from office of members of the board. Clause 9 provides for casual vacancies and is in fairly standard form, and clause 10 provides for procedure of meetings of the board and for a quorum at those meetings of three members, of whom one must be a person appointed by the Governor. Clause 11 provides for the remuneration of members of the board. This remuneration is payable out of the funds of the board.

Clause 12 provides for the Chairman to have a casting vote and for a member presiding at a meeting to exercise such a vote in the absence of the Chairman. Clause 13 guards against acts or decisions of the board being rendered ineffective by reason of a vacancy in the office of member or a latent defect in the appointment of a member. Clause 14 provides for the appointment of a secretary to the board. Clause 15 is a fairly standard provision to enable the board to make use of the services of offices of Government departments. Clause 16 provides that members of the board shall not as such be subject to the Public Service Act, 1967. Clause 17 is intended to ensure that members of the board do not deal with matters before the board in which they have a financial interest other than such a financial interest as a grower of oats. Clause 18 provides that the board shall, under the Minister, have the administration of Clause 20 provides for the appointment of licensed receivers of oats. Clause 21 sets out the powers of the board and is in general self- explanatory. The powers conferred here are those usually conferred on marketing authorities of this nature. Clause 22 provides for the inspection of books and documents relating to oats. Clause 23 enjoins those having the care of property of the board to exercise due diligence in relation to that property. Clause 24 is a fairly standard accounts and audit provision. Clause 25 provides for a review by the Minister of any decision or action of the board. Clause 26 is the keystone of the measure in that it sets out the area in which the board will operate. Apart from minor drafting changes it follows, in all but one respect, fairly closely the basic scheme of operation laid down in relation to barley. However, it provides that trading in oats between primary producers will not be subject to control by the board; this exemption is contained in subclause (3) (d) of this clause. However, so that the board is aware of the extent and details of this trading it will be necessary for sales of this nature to be set out in a half-yearly return to the board by the seller, and this is provided for in clause 27. Clause 28 provides that for the purposes of this Act delivery of oats to a licensed receiver will be delivery to the board, and clause 29 sets out the obligations of the licensed receiver.

Clause 30 is intended to ensure that oats delivered “out of season” will be attributed to their current season. Clause 31 sets out in broad terms the duty of the board to market oats. Clause 32 sets out the manner in which the price paid for oats is to be determined and the manner of making payments; in all respects, these provisions follow the corresponding provisions in the Barley Marketing Act. Clause 33 provides for offences against the Act. Clause 34 provides for a general regulation-making power. Clauses 35 and 36 are again of considerable importance and provide for the taking of a poll on the continuation of the scheme provided for by this Act. The provisions are self-explanatory and should serve to ensure that if, at any time, a substantial proportion of the growers of oats are dissatisfied with the scheme it will cease to operate.

Mr Venning secured the adjournment of the debate.