**WHEAT MARKETING (BARLEY AND OATS) AMENDMENT BILL 1994**

**Legislative Assembly, 23 November 1994, page 1187**

Second reading

The Hon. D.S. BAKER (Minister for Primary Industries) obtained leave and introduced a Bill for an Act to amend the Wheat Marketing Act 1989. Read a first time.

The Hon. D.S. BAKER: 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.

The aim of this brief Bill is to empower the Australian Wheat Board in South Australia to trade in barley and, if it so desires, oats.

The South Australian Wheat Marketing Act 1989 and its interstate counterparts authorise the Australian Wheat Board—a body established under Commonwealth law—to function within the States. However, South Australia's Act prevents the Board from trading domestically in barley and oats by excluding these from the definition of "grain" in section 3 of the Act.

In contrast, the Australian Barley Board, which is operated jointly by South Australia and Victoria, enjoys the power to trade domestically in wheat. Such trade is readily possible since deregulation of the domestic wheat market.

There have been representations from the Wheat Board urging removal of the constraints on domestic dealings in barley and oats in South Australia. The Board argues correctly that it is the only organisation to which such constraints apply. This situation is anomalous both in terms of a market driven economy and in light of the Australian Barley Board's powers to trade in wheat.

Victoria has restored balance already by passing relevant amendments to its Wheat Marketing Act. These amendments became operative on 3 May 1994.

The South Australian Farmers Federation has said that it could not support an argument favouring retention of the current restraints on the Wheat Board. For its part, the Board has indicated that it would seek no further considerations on passage of the necessary amendment as it would obtain barley through the permit system established under the Barley Marketing Act 1993.

It is desirable that the amendment be operative for the 1994-5 cereal harvest.

I commend the Bill to honourable members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 3—Interpretation

The proposed amendment to the definition of "grain" will mean that barley and oats are no longer excluded from the definition and the word will have the same meaning as that assigned to it by the Wheat Marketing Act 1989 of the Commonwealth.

Mr CLARKE secured the adjournment of the debate.