**WHEAT INDUSTRY STABILISATION BILL 1974**

**Legislative Assembly, 29 October 1974, pages1729-80**

Second reading.

The Hon. HUGH HUDSON (Minister of Education): I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation inserted in Hansard without my reading it.

Leave granted.

Explanation of Bill

Honourable members having an interest in this matter will recall that there is a stabilisation system for the wheat industry in Australia that has been operating for several years. The purpose of this Bill is to continue this scheme in operation for the season commencing on October 1, 1974, and each of the next six succeeding seasons. The legislative scheme, of which this Bill is part, consists of a Commonwealth Act, which is presently before the Australian Parliament, and a supporting State Act. It is unnecessary at this stage to outline the constitutional reasons for this approach. This Bill, which presages the supporting State Act, is based on a uniform Australian draft Bill, this being the practice that has continued in this matter for some time. In fact, with the necessary changes made, it is quite similar in form to similar previous Acts in this matter.

To consider the Bill in some detail: clause 1 is formal. Clause 2 provides for the Act presaged by this Bill to come into operation, or to be deemed to have come into operation, on the day that the corresponding Commonwealth Act comes into operation. Clause 3 is formal. Clause 4 provides for appropriate repeal and savings. Clause 5 sets out the definitions necessary for the purposes of the Bill. Clause 6 makes the temporal application of the Bill plain. Clause 7 sets out the powers of the board, which is continued in existence under the Commonwealth Act but which will derive its powers in relation to this State from an Act of this Parliament.

Clause 8 empowers the Commonwealth Minister to give directions to the board. This is consistent with the legal situation that the board is a Commonwealth instrumentality. Clause 9 provides for the licensing of receivers of wheat, and at subclause (2) preserves the rights of existing licence holders in this State. Clause 10 enables persons to deliver wheat to the board and, in certain circumstances, set out in subclause (2), compels them to deliver wheat to the board. The usual exceptions to this power of compulsion are contained in subclause (4). Clause 11 provides the method of delivery of wheat to the board that in this State is to a licensed receiver.

Clause 12 sets out the circumstances in which wheat may be lawfully dealt with. Clause 13 sets out the method by which the price of wheat of a season will be determined, and I would commend it to members’ close attention. Clause 14 deals with quota wheat which, in this context, may be regarded as wheat in relation to which the application of a fixed minimum price is certain. In this regard I draw members’ attention to subclause (3) of this clause which admits of the possibility of some non­quota wheat being admitted into the system. Clause 15 provides a method of payment by the board. Clause 16 provides for the separation of wheat of the various seasons.

Part III, clauses 17 to 20, sets out the stabilisation provisions, and again I would commend this Part to members’ close attention. Clause 21 provides maximum flexibility in the use of the board’s funds. Clause 22 is formal and provides for returns. Clause 23 requires persons having wheat, the property of the board, in their possession to keep it safe from damage. Clause 24 is an entry and search provision. Clause 25 is formal, and clause 26 is a usual indemnity provision. Clause 27 is a general penalty provision. Clause 28 is formal, and clause 29 provides an appropriate regulating power.

Mr. VENNING secured the adjournment of the debate.