**PHYLLOXERA ACT AMENDMENT BILL 1984**

**Legislative Council, 21 March 1984, page 2650**

Second reading

**The Hon. FRANK BLEVINS (Minister of Agriculture**) obtained leave and introduced a Bill for an Act to amend the Phylloxera Act, 1936. Read a first time.

The Hon. FRANK BLEVINS: I move: That this Bill be now read a second time.

This short Bill makes a minor amendment to the principal Act, the Phylloxera Act, 1936. The principal Act under which the Phylloxera Board of South Australia was established had as its objective the protection of the grape industry from the disease ‘phylloxera vastatrix’. The Act established a fund maintained principally by levies raised against vignerons. There is provision for the investment of the fund in securities of the Commonwealth, Treasury bills, Government bonds or bonds guaranteed by the Government.

In 1982 the Reserve Bank of Australia refused the Board permission to operate as a registered bidder for Commonwealth bonds on the ground that the Board was not a body corporate and did not meet the Bank’s requirements. The Reserve Bank’s refusal highlighted the need for the incorporation of the Board in order more effectively to execute its powers and functions under the Act and to accord appropriate protection to Board members. This amending Bill provides for the incorporation of the Board.

Clause 1 is formal. Clause 2 amends section 7 of the principal Act, which continues the Board in existence. New subsections (2), (3) and (4) are inserted. New subsection (2) provides that the Board is a body corporate with perpetual succession and a common seal. The Board may sue, and be sued, and can hold and deal with real and personal property and acquire or incur any other rights or liabilities. New subsection (3) is an evidentiary provision.

The Hon. H.P.K. DUNN secured the adjournment of the debate.