MARKETING OF EGGS ACT AMENDMENT BILL 1965

House of Assembly, 1 September 1965, page 1409

Second reading

**The Hon. G. A. BYWATERS (Minister of Agriculture):** I move:

*That this Bill be now read a second time.*

It makes three important amendments to the Marketing of Eggs Act relating to the filling of casual vacancies on the Egg Board, the voting qualification at elections for producer members of the board and the nomination by a company of a candidate for election to the board. The Bill has been prepared after consultation with the Chairman of the board. Clause 3, by paragraph (a), inserts a definition of hen into the principal Act to accord with recent Commonwealth legislation imposing levies on certain producers. As the Egg Board will use the returns required for the Commonwealth levies in the compilation of the electoral rolls it is desirable that the definition in our Act should conform as far as possible with those in Commonwealth legislation. Paragraph (b) of this clause makes a consequential amendment to the definition of producer.

Clause 4, by paragraph (b), adds a new subsection to section 4 of the principal Act so as to enable the Governor to appoint a person to fill the casual vacancy on the board. Under the principal Act an election would be necessary which unfortunately is a very expensive process. Paragraph (a) makes a consequential amendment. Clause 5 makes several amendments to section 4a of the principal Act dealing with the election of producer members of the board. New subsection (5) provides that producers who on the relevant day were keeping 250 or more hens will be entitled to vote at any such election. At present under section 4a the qualification is delivery of 3,000 dozen eggs to the board in a financial year. In new subsection (1) inserted by clause 5 (a) the relevant day is defined as the last day in the period between June 30 and September 30 last preceding an election on which levy was payable by the producer pursuant to the Commonwealth Acts. New subsection (6), which corresponds to existing subsection (6), provides for a producer who keeps his hens in more than one electoral district. Under new subsection (6a) the number of hens kept by a producer will be determined conclusively by the amount of levy he is required to pay. This will enable the board to compile the electoral rolls directly from the returns which are required by the Commonwealth Acts and which are furnished to the board. Clause 5 (d) makes a consequential amendment.

The next amendment, proposed by the Australian Primary Producers’ Union, is contained in clause 6, which inserts in the principal Act new section 4b relating to companies which are producers. The new section enables such a company to nominate by notice in writing a person to vote on its behalf at elections for producer members and also enables such a person to be elected as a member of the board at any such election. Subsection (3) of the new section provides for the revocation of any such nomination and subsection (4) provides that a company nominee who is himself a producer may vote both in his own behalf and as such nominee. Clause 5 (b) makes a consequential amendment. Clause 7 makes a consequential amendment to section 8 of the principal Act by providing that a company nominee who is elected to the board shall, upon the withdrawal of his nomination, vacate his office, unless he was qualified to be elected as a producer in his own right. Clause 8 makes two amendments of section 34 of the principal Act, consequential on the enactment of new section 4b. I commend the Bill to the House.

Mr. HALL secured the adjournment of the debate.