

1980

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

Australian Meat and Live-Stock Corporation
Amendment Bill 1980

EXPLANATORY MEMORANDUM

*(Circulated by authority of the Minister for Primary Industry,
the Hon. Peter Nixon, M.P.)*

OUTLINE

Amendments proposed to be made to the Australian Meat and Live-stock Corporation Act 1977 are designed to improve the effectiveness of the Corporation and to streamline its operation.

They will enable regulations to be made to define and prescribe the procedures relating to applications for, and the renewal of, export licences.

As amended, the Act will more clearly authorise conditions which are currently imposed on the sea carriage of meat in certain trades, including the setting of maximum freight rates and the designation of shipping lines to service particular destinations. In this connection, it will provide that the making of a contract in contravention of approved conditions becomes grounds for cancelling or suspending an exporter's licence rather than the present provision which voids such contracts.

Other amendments will increase the membership of the Corporation from 9 to 11 by providing for an additional member to represent livestock producers and an additional member to represent meat exporters.

The Bill provides for the establishment of two separate consultative groups. One will represent livestock exporters; the other will represent abattoir proprietors, meat exporters and processors. These groups will replace the present single composite group. For this reason the Bill remakes those sections of the Act which deal with the making of regulations to govern the operations of industry consultative groups.

Finally, a general authority is provided for the Corporation to disseminate information concerning its policies and decisions as it thinks fit, rather than through an annual meat industry conference as at present.

NO. OF
CLAUSEEXPLANATION

1. Citation.

2. . Sections 1, 2, 4, 5, 6, 8, 10, 11, 13 shall come into operation on the date the Act receives the Royal Assent.

. Sections 3, 7, 9, 12, 14, 15, 16, 17, 18, shall come into operation on a date to be fixed by Proclamation.

3. Provides definitions of "consultative group", "Live-stock Exporters Consultative Group" and "Meat Exporter and Abattoir Consultative Group".

4.(1) (a) corrects a typographical error contained in Principal Act.

(b) provides that licences to export issued by the Corporation shall have a definite rather than indefinite period of operation.

(c) provides that regulations may be made under the Act to prescribe all matters relating to applications for licences, the information to be provided to the Corporation by applicants, and the criteria to be applied by the Corporation when determining licence applications.

(d) provides that only the issue of new licences, not renewals, need be notified in the Gazette.

(e) extends the period available to the Corporation to determine applications from 1 month to 2 months. This is necessary because the Corporation's meetings occur at approximately six-week intervals.

4.(2) provides that the date of effect of the amendments made by clauses 4(1) (a), (b) and (d) shall be deemed to be the date on which the Principal Act was proclaimed, viz: 1 December 1977.

- 4.(3) provides that the date of effect of the amendment made by clause 4(e) shall be the date on which the Act receives the Royal Assent.
- 5.(1) Following amendments made to section 11 of the Principal Act:
 - (a) links paragraph 11(1)(b) to sub-section 11(1) to remove doubt that the provision contained in the paragraph is a condition to which a licence to export meat is subject.
 - (b) provides that the list of matters contained in paragraphs (a) to (h) of sub-section 11(2) is not an exhaustive listing of the circumstances in which the Corporation may issue directions to licensees.
 - (c) expansion of paragraph 11(2)(b) to enable the Corporation to issue directions to licensees concerning the terms and conditions on which meat or live-stock may be exported including prices and the Corporation's approval to export.
 - (d) deletes from paragraph 11(2)(e) the reference to directions to licensees regarding actions they shall take after meat or live-stock has reached its export destination because at that time they will have ceased to have control over the product exported.
 - (e). for the same reason as in (a) above omits existing paragraph 11(2)(f) concerning sale and distribution of exports after export has occurred.
 - . expansion of paragraph 11(2)(g) to enable the Corporation to obtain particulars of intended export transactions so that it may develop its quality assurance programme in the best interests of the Australian meat and live-stock industry.
- 5.(2) provides that the amendments to section 11 of the Principal Act have effect in relation to existing licences as well as to licences issued subsequent to the amendments.

6. remakes section 14 of the principal Act
 - . more clearly to authorize conditions which are currently imposed on sea carriage of meat in certain trades, including setting of maximum freight rates and designation of shipping lines to service particular destinations.
 - . so that the making of a contract in contravention of approved conditions becomes grounds for cancelling or suspending an exporter's licence rather than the present provision which voids such contracts.
- 7.(1)
 - (a) increases the number of members of the Corporation from 9 to 11 by adding one additional member to represent live-stock producers and one additional member to represent meat exporters and processors.
 - (b) provides that the Minister shall consult with each of the consultative groups before appointing the Chairman of the Corporation.
- 7.(2) provides for the continuance in office of members of the Corporation previously appointed.
- 7(3) enables one of the new members to be appointed for less than three years so that terms of members may be staggered.
8. procedural amendment to link Sub-section 19(1) directly with paragraph 18(1)(b) of the Principal Act which specifies the number of members of the Corporation appointed to represent live-stock producers.
9. provides that persons appointed as members of the Corporation to represent meat exporters and processors shall be nominated to the Minister by the Meat Exporter and Abattoir Consultative Group.
- 10.(1) removes redundant sub-section 22(2) of the Principal Act and replaces it with a provision that the Chairman of the Corporation shall be appointed for a period not exceeding 5 years, rather than 3 years as at present.

- (2) the variation in term for the Chairman shall only have effect in regard to an appointment, or re-appointment, subsequent to the Act receiving the Royal Assent.
11. provides for the Minister to make standing appointments of deputies of members of the Corporation. The present provision seems to require fresh appointments each time a deputy is required.
12. provides that members of the consultative groups shall be paid such remuneration as is determined by the Remuneration Tribunal.
13. remakes section 29 and inserts a new section 29A specifying procedures to be followed regarding disclosure of interest by members.
14. provides for 6 rather than 5 members to constitute a quorum at Corporation meetings. This amendment is consequential upon increasing the Corporation's membership from 9 to 11.
15. establishes the Live-stock Exporters Consultative Group, amends the membership of the Meat Exporter and Abattoir Operators Consultative Group and repeals the requirement for a Meat Industry Conference.
16. states the functions of the two consultative groups.
17. inserts a new section 43 which provides for regulations to govern the operations of the consultative groups, amends section 44 regarding consultations between the Corporation and the consultative groups and, in the new section 45, provides general authority for the Corporation to disseminate information as it sees fit rather than through a Meat Industry Conference.
18. provides that the Corporation may provide the consultative groups with clerical assistance.

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