

1984

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

EGG EXPORT LEGISLATION REPEAL BILL 1984

EXPLANATORY MEMORANDUM

(Circulated by the Minister for Primary Industry
The Hon. John Kerin, MP)

OUTLINE
EGG EXPORT LEGISLATION REPEAL BILL 1984

The Bill repeals the Egg Export Control Act 1947, which established the Australian Egg Board (AEB) and the Egg Export Charges Act 1947 which provided for funding of Board operations.

While the Bill effectively terminates the Board's activities from 31 December 1984 a number of administrative actions will need to be completed after that date to fully wind up the AEB. Provisions are therefore made to retain the Board until final auditing, accounting, discharge of liabilities, reporting, etc. are completed.

Abolition of the Board has been the subject of extensive discussions with States and Industry. All sectors support the proposal and adequate future alternate export egg marketing arrangements of a non-statutory nature have been agreed upon by all parties concerned.

PROVISIONS OF THE EGG EXPORT LEGISLATION REPEAL BILL 1984

NO. OF
CLAUSE

EXPLANATION

1. Provides mode of citation of Act
2. Establishes date of commencement of Act
3. Definitions - self explanatory
4. (1) Self explanatory
(2) Ensures that any liability for a payment under the Egg Export Charges Act 1947 prior to its repeal is met or legally recoverable after the repeal date.
5. Continues the Australian Egg Board (AEB) in existence in regard to certain provisions of the Egg Export Control Act, which is being repealed, beyond 1 January 1985 to enable final winding up arrangements to be effected. Maintains the current provisions for appointment, meeting, banking accounts, executive committee, staffing, auditing and indemnity against liability for individual members.
6. (1) Requires the AEB to prepare, and submit to the Minister by 31 March 1985, a final report on the Board's activities, under the repealed Egg Export Control Act 1947, for the period 1 July 1984 to 31 December 1984.
(2) Requires the Minister to cause the report to be tabled, together with a statement on the operation of the repealed Egg Export Control Act 1947, before each House of the Parliament.
7. (1) Places an obligation on the Board to discharge its debts and liabilities as soon as practicable after 1 January 1985.
(2) & (3) Provides for the receipt and expenditure of any moneys received through insurance in respect of any liability. Establishes the Egg Export Trust Account into which any such funds must be paid.
(4) Requires the AEB to set aside, in the Trust Account, sufficient funds to meet all expected liabilities which might arise. Provides for the Secretary to the Department, or an authorized officer, to determine such amount.
(5) & (6) Self explanatory.

8. (1) to (3) Provides for the preparation of final financial statements, their audit and submission to the Minister.
(4) Requires the Minister to cause to be tabled before each House of the Parliament copies of the audited financial statements together with the auditor's report.
9. Empowers the Minister to determine remuneration or allowances to be paid to members or deputies during the winding up period of the Board.
10. (1) Self explanatory.
(2) Provides for the Minister to vest any assets of the Board, after providing for all liabilities, jointly in the State Egg Marketing Authorities.
(3) Self explanatory.
11. Authorises the Minister, when he is satisfied that all liabilities have been met and no further liability is likely to arise, to
 - (i) declare by way of a Gazette Notice that the Board ceases to exist; and
 - (ii) vest any residual monies in the Trust Account, established by section 7 to meet liabilities, in the State Egg Marketing Authorities.
12. Provides for the Board to delegate to a person any of its powers.
13. Self explanatory.
14. Self explanatory.