

1990

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

PRIMARY INDUSTRIES AND ENERGY LEGISLATION AMENDMENT BILL  
(NO. 2) 1990

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Primary  
Industries and Energy, the Hon. John Kerin, MP)



PRIMARY INDUSTRIES AND ENERGY LEGISLATION AMENDMENT BILL  
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GENERAL OUTLINE

1. This Bill is an omnibus Bill for legislation administered within the Primary Industries and Energy portfolio.
2. Its purpose is to make a number of amendments to the Primary Industries and Energy Research and Development Act 1989 (PIERD Act) to correct minor drafting inconsistencies and to amend the Grape Research Levy Act 1986 to allow consistency with the method of determining the level of levies for industries set out in the PIERD Act.
3. The PIERD Act defines representative organisations to be associated with a research and development (R&D) organisation rather than with an industry. This Bill will render all references to representative organisations uniform.
4. This Bill provides that R&D Councils provide their five year and annual operational plans to the Minister one month prior to their date of effect, which brings them into line with requirements for R&D Corporations.
5. By virtue of this Bill, R&D Council Chairpersons will be required to attend the annual Chairpersons' co-ordination meeting.
6. In addition this Bill amends the Grape Research Levy Act 1986. The intention of the PIERD Act was not to alter past practice of determining the level of levies for industries, but arrangements in the grape and wine industry were inadvertently altered at the drafting stage. This Bill provides a role for the representative organisation in determining the level of levies.

FINANCIAL IMPACT STATEMENT

7. The measures set out in this Bill amending the PIERD Act and the Grape Research Levy Act 1986 will involve no change in financial outlays for the Commonwealth. They may cause slight increases in the administration costs of R&D Corporations and Councils, for example by the added cost of R&D Council Chairpersons attending an annual co-ordination meeting.

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NOTES ON INDIVIDUAL CLAUSES

PART 1 - PRELIMINARY

Clause 1: Short Title

8. Provides for the Act to be cited as the Primary Industries and Energy Legislation Amendment Bill (No. 2) 1990.

Clause 2: Commencement

- 9 This Bill will come into effect on the day it receives Royal Assent.

PART 2 - AMENDMENTS OF THE GRAPE RESEARCH LEVY ACT 1986

Claus 3: Principal Act

10. This refers to the Grape Research Levy Act 1986.

Clause 4: Interpretation

11. Provides for interpretation of representative organisation.

Clause 5: Regulations

12. Provides for inclusion of representative organisation in Regulations.

PART 3 - AMENDMENTS OF THE PRIMARY INDUSTRIES AND ENERGY RESEARCH AND DEVELOPMENT ACT 1989

Claus 6: Principal Act

13. Refers to the Primary Industries and Energy Research and Development Act 1989.

Clause 7: Approval of R&D Plans

14. R quires an R&D Corporation to notify its r presentative organisations of the Minister's approval of an R&D plan within a month of receiving approval.

Claus 8: Approval of annual operational plans

- 15 Provides that within a month of receiving the Minister's approval of an annual operational plan, th R&D Corporation will notify each of its

representative organisations of the Minister's approval.

Clause 9: Accountability to representative organisations

16. Provides procedures for reporting by R&D Corporations to each of their representative organisations. This Bill clarifies reporting arrangements on the source of their funds.

Clause 10: R&D Plans

17. Provides for an R&D Council to submit R&D plans and annual operational plans to the Minister at least one month prior to them taking effect, in line with requirements for R&D Corporations. R&D Councils are required to provide their R&D plans and annual operational plans to the Rural Industries Research and Development Corporation one month before submitting them to the Minister.

Clause 11: Approval etc. of Annual Operational Plans

18. Brings annual operational planning requirements for R&D Councils into line with those for R&D Corporations, allowing R&D Councils to submit their annual operational plans to the Minister at least one month before they come into effect.

Clause 12: Annual Reports of Selection Committees

19. Provides that subject to the agreement of the Presiding Member and Chairperson of the R&D Corporation concerned, a Selection Committee report of the financial year may be included in the Corporation's annual report as a discrete part.

Clause 13: Co-ordination Meetings

20. Provides that Chairpersons of R&D Councils be included in the annual co-ordination meetings in the same way as R&D Corporation Chairpersons are included.