

1987

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

WHEAT MARKETING AMENDMENT BILL (NO 2) 1987

EXPLANATORY MEMORANDUM

(Circulated by the Authority of the Honourable John Kerin

M.P., Minister for Primary Industries and Energy)

WHEAT MARKETING AMENDMENT BILL (NO 2) 1987GENERAL OUTLINE

The purpose of this Bill is to amend the Wheat Marketing Act 1984 to implement certain provisions of the Government's policy contained in the White Paper "Reform of Primary Industry Statutory Marketing Authorities" and to incorporate in that Act provisions consistent with the Government's policy on Equal Employment Opportunity.

2. The proposed amendments will provide for the Minister for Primary Industries and Energy to issue guidelines to the Australian Wheat Board governing the provision of funds to the Grains Council of Australia in relation to consultations between the Board and that organisation. Other changes in this Bill will give effect to the White Paper policy on membership of the Australian Wheat Board Selection Committee to bring it into line with Committees for the other major statutory marketing authorities.

3. The Bill also provides for the Australian Wheat Board to develop and implement an equal employment opportunity program which is consistent with the Government's policy being progressively introduced for other Commonwealth Authorities.

FINANCIAL IMPACT STATEMENT

4. The amendments should not involve any additional Commonwealth Government costs or revenue.

ABBREVIATIONS

5. The following abbreviations are used in this Explanatory Memorandum:

Act:	Wheat Marketing Act 1984 as amended prior to any amendments effected by this the Wheat Marketing Amendment Bill (No 2) 1987.
Bill:	Wheat Marketing Amendment Bill (No 2) 1987
Board:	Australian Wheat Board
Committee:	Australian Wheat Board Selection Committee

NOTES ON INDIVIDUAL CLAUSES

Clause 1: Short Title

6. This clause provides for the short title to be the Wheat Marketing Amendment Act (No 2) 1987 and establishes the Wheat Marketing Act 1984 as the Principal Act.

Clause 2: Commencement

7. This clause provides for all provisions to come into operation on the day the Act receives the Royal Assent.

Clause 3: Interpretation

8. This clause amends Section 3 of the Act by inserting definitions covering both the change of name of the Australian Wheatgrowers' Federation to the Grains Council of Australia and the terminology related to Equal Employment Opportunity policy. These definitions are consistent with Equal Employment Opportunity provisions in the legislation of other Commonwealth authorities. In particular the definitions of an equal employment opportunity program relates to a program designed to ensure that appropriate action is taken by the Board with respect to employment, to both eliminate discrimination against and promote equal opportunity for, women, Aborigines, Torres Strait Islanders, migrants and their children, persons who are physically or mentally disabled and any other class of persons prescribed by the Public Service Act 1922.

9. Paragraph 3(b) provides that discrimination in relation to employment matters, which is essential for the effective performance of duties and which is not unlawful under the Racial Discrimination Act 1975 or the Sex Discrimination Act 1984, is excluded from the provision of the Act.

Clause 4: Consultation

10. This clause inserts a new Section to provide for the Board to undertake consultations in relation to the performance of its functions and to meet the travel expenses of persons involved in such consultations. It complements the existing provisions of Section 12 of the Act which cover the establishment of specific purpose consultative groups.

Clause 5: Consultation with Grains Council

11. In addition to reflecting the change of name of the previous Australian Wheatgrowers' Federation, sub-clause 1 provides for the Board to make available additional funds to the Grains Council of Australia subject to guidelines issued by the Minister for Primary Industries and Energy.

12. Sub-clause 2 provides for such payments to be made retrospectively to 1 November 1986 to enable the Board to offer increase payments to the Grains Council in anticipation of the amendments to the legislation.

Clause 6: Membership of the Committee

13. In accordance with Government policy that Statutory Marketing Authority Selection Committees comprise only an independent Chairperson and persons from the industry financing the authority, paragraph 6(1)(a) provides that the Chairman of the Board and the representatives of the National Farmers Federation will no longer be included in the membership of the Australian Wheat Board Selection Committee. To ensure objectivity membership of the Committee should be independent from that of the Board.

14. Paragraphs 6(1)(b) and (c) are consequential amendments resulting from the changes to membership of the Committee.

15. Sub-clause 6(2) provides for a continuation of the appointments of the Presiding Member and grower members of the Committee which were made prior to the proposed amendments contained in paragraph 6(1)(a).

Clause 7: Casual Vacancy

16. This is a consequential amendment resulting from changes to membership of the Committee and the changed name of the Australian Wheatgrowers' Federation.

Clause 8: Meetings of Committee

17. This clause redefines a quorum of the Committee as 4 members of the Committee, to reflect the revised smaller membership.

Clause 9: Resolution without meetings

18. This clause provides for an amendment of Section 33S of the Act as a consequence of the redefinition of a quorum in Clause 8.

Clause 10: Membership of Board

19. This clause reflects the change of name of the Australian Wheatgrowers' Federation.

Clause 11: Equal Employment Opportunity Program

20. This clause inserts three new Sections in the Act to require the Board to develop, implement and give effect to an equal employment opportunity program consistent with the principal that employment matters should be dealt with on the basis of merit.

Clause 12: Corporate Plans

21. This clause provides for the Board's Equal Employment Opportunity Program to be included in its Corporate Plan which is submitted to the Minister for Primary Industries and Energy for approval.

Clause 13: Annual operational plans

22. This clause provides that the Board's Annual Operational Plans will include details of proposed action by the Board to implement its Equal Employment Opportunity Program.

Clause 14: Appointment of commercial auditors

23. This clause reflects the change of name of the Australian Wheatgrowers' Federation.

Clause 15: Annual report

24. To ensure accountability, the Board is required to include details of its Equal Employment Opportunity Program in its Annual Report including the results of any assessment of the achievement of objectives or the effectiveness of the program.

