**CITRUS INDUSTRY ORGANISATION ACT AMENDMENT BILL1984**

**Legislative Council, 17 April 1984, pages3644-5**

Second reading

 **The Hon. FRANK BLEVINS (Minister of Agriculture)** obtained leave and introduced a Bill for an Act to amend the Citrus Industry Organisation Act, 1965. Read a first time.

The Hon. FRANK BLEVINS: I move: That this Bill be now read a second time.

This Bill to amend the Citrus Industry Organisation Act, 1965, effects two changes to the principal Act. The first change relates to the name of the committee established under the Act called the ‘Citrus Organisation Committee of South Australia’. That body’s name is changed to ‘The Citrus Board of South Australia’. The second change is to increase from 100 to 200 the minimum number for a petition under section 36 of the Act.

Both changes were amongst the recommendations of the Report of the Committee of Inquiry into Citrus Marketing in South Australia released in 1979. The recommendations were considered by the various sectors of the industry at the time. The change in name is desirable to better reflect the committee’s functions and to identify both the name of the State and that of the industry in a simple and direct way. It also brings the name into line with sister organisations in other States and with similar agricultural boards within South Australia: for example, the South Australian Potato Board or the South Australian Egg Board. There is support from the industry itself for the name change.

Under section 36 of the principal Act, where not less than 100 growers petition the Minister requesting that a poll be taken on the question whether the Act shall continue in operation, such a poll must be held. The case for increasing the minimum number of growers for a petition from 100 to 200 rests with the fact that with an industry so compact in its geographical location, the ability of only 100 growers to demand a poll has in the past generated an atmosphere of uncertainty and conflict within the industry. This can have serious implications for marketing arrangements.

There is general agreement within the industry that the number should be increased. Both amendments the subject of this Bill are supported by the Citrus Organisation Committee of South Australia The industry has been consulted and is agreeable to the provisions of this measure. I seek leave to have the explanation of the clauses of the Bill inserted in Hansard without my reading it. Leave granted.

Explanation of

Clauses Clause 1 is formal. Clause 2 amends section 3 of the principal Act which is the arrangement provision. The amendment reflects the changes in the headings to the principal Act affected by the Bill. Clause 3 amends section 5 of the principal Act. References to the word ‘Committee’ are struck out and references to ‘Board’ are substituted. A new definition of ‘the Board’ is inserted (being the Citrus Board of South Australia continued in existence under section 8) and the definition of ‘the Committee’ is struck out.

Clause 4 amends section 6 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 5 strikes out the heading to Part II of the principal Act and substitutes a new heading: PART II—THE CITRUS BOARD OF SOUTH AUSTRALIA.

Clause 6 strikes out the heading to Division I of Part II of the principal Act and substitutes a new heading: Division I—The Board.

Clause 7 amends section 8 of the principal Act. Subsection (1) is struck out and a new subsection substituted, which provides that the corporation known as ‘The Citrus Organisation Committee of South Australia’ shall continue in existence under the name ‘Citrus Board of South Australia’ and the change of name shall not affect the corporation’s rights or obligations. The references in other parts of the section to ‘Committee’ are changed to ‘Board’. Clause 8 amends section 9 of the principal Act. Subsection (1), which is now obsolete, is struck out. The references in other parts of the section to ‘Committee’ are changed to ‘Board’.

Clause 9 amends section 11 of the principal Act. Subsection (1), which is now obsolete, is struck out, and a consequential amendment is made to subsection (1a). The references in other parts of the section to ‘Committee’ are changed to ‘Board’. Clause 10 amends section 12 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 11 amends section 13 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 12 amends section 15 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 13 amends section 16 of the principal Act. The reference to ‘Committee’ is changed to ‘Board’. Clause 14 amends section 17 of the principal Act. References to ‘Committee’ are changed to ‘Board’.

Clause 15 amends section 18 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 16 amends section 19 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 17 amends the heading to Division II of Part II of the principal Act. The word ‘COMMITTEE’ is struck out and the word ‘BOARD’ is substituted. Clause 18 amends section 20 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 19 amends section 21 of the principal Act. References to ‘Committee’ are changed to ‘Board’.

Clause 20 amends section 22 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 21 amends section 23 of the principal Act. Subsection (7) which is now obsolete, is struck out. The references in the other parts of the section to ‘Committee’ are changed to ‘Board’. Clause 22 amends section 23a of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 23 amends section 24 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 24 amends section 25 of the principal Act. The reference to ‘Committee’ is changed to ‘Board’. Clause 25 amends section 27 of the principal Act. References to ‘Committee’ are changed to ‘Board’.

Clause 26 amends section 28 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 27 amends section 30 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 28 amends section 31 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 29 amends section 32 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 30 amends section 33 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 31 amends section 34 of the principal Act. References to ‘Committee’ are changed to ‘Board’. Clause 32 amends section 35 of the principal Act. References to ‘Committee’ are changed to ‘Board’.

Clause 33 amends section 36 of the principal Act. The minimum number of growers required to petition the Minister to hold a poll on the question whether the principal Act should continue in operation is increased from one hundred to two hundred. The references in other parts of the section to ‘Committee’ are changed to ‘Board’. Clause 34 repeals section 37 of the principal Act and substitutes new section 37. The new section provides that the Board may be wound up in accordance with Division 6 of Part XII of the Companies (South Australia) Code. The purpose of the amendment is to update the existing provision which, although of the same effect, refers to the old Companies Act, 1962. Clause 35 amends section 38 of the principal Act. A reference in subsection (1) to ‘section 292 of the Companies Act, 1962-1965’ is changed to ‘section 441 of the Companies (South Australia) Code’. References in the section to ‘Committee’ are changed to ‘Board’.

The Hon. PETER DUNN secured the adjournment of the debate.