**EGG INDUSTRY STABILIZATION ACT AMENDMENT BILL 1984**

**Legislative Council, 17 April 1984, pages 3643-4**

Second reading

**The Hon. FRANK BLEVINS (Minister of Agriculture)** obtained leave and introduced a Bill for an Act to amend the Egg Industry Stabilization Act, 1973. Read a first time.

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

This Bill makes an amendment to the Egg Industry Stabilization Act, 1973. That Act regulates the egg industry and requires persons who keep hens for the production of eggs for human consumption to be licensed. It is a condition of each licence that the holder not keep more than his quota of hens for a licensing season. The quota system maintains the stability of the industry in ensuring that the total State egg production is kept within manageable limits. The quota system applies only to hens which are at least six months old and, in 1973, when the principal Act was passed, that age was a realistic guide to the age at which hens produced eggs in commercial quantities. However, as a result of research and improved breeding techniques, hens now produce eggs in such quantities at an earlier age. As a result, a significant number of hens that are capable of producing eggs in commercial quantities are not taken into account for the purposes of assessing quota under the Act. The Bill remedies this situation by amending the definitions of ‘hen’ and ‘pullet’ so that the relevant age is now 22 weeks, some four weeks younger than the present age of six months.

Another problem addressed by the Bill is one which arises under section 5 of the principal Act. That section provides that the Act does not apply to persons who do not own or keep more than 20 hens. Subsection (2) of that section provides that where, on a prescribed day which, by virtue of the Commonwealth Poultry Industry Levy Act, 1965, occurs every 14 days, a person is not liable to pay a levy under that Act, the principal Act does not apply to that person during that period of 14 days. The purpose of the provision was to provide similar criteria of operation as between the State and Commonwealth legislation. Under the Commonwealth provisions a person is not liable to pay a levy unless he kept hens, aged six months or older, for commercial purposes, and the subsection was intended to extend the latter criterion to the operation of the quota system under the State Act. However, the provision has been abused by some producers who raise an entire flock of hens of uniform age so that the flock achieves the age of six months one day after a prescribed day. Then during the next 13 days, the hens may be kept in contravention of the principal Act with immunity, and they are not taken into account for the purposes of assessing quota. The Bill remedies this situation by removing subsections (1) and (2) and providing simply that the Act does not apply except in relation to persons who own or keep more than 20 hens for commercial purposes.

These amendments have been considered in consultation with the South Australian Egg Board and the United Farmers and Stockowners of South Australia Incorporated. Both of those bodies support the measure. In summary, this Bill will substantially reduce the number of hens capable of producing eggs in commercial quantities kept in excess of the State hen quota, thus lessening the need to dispose of surplus eggs on unprofitable export markets. It is estimated that a saving of eight to 10 cents per dozen eggs will be achieved and it is hoped that this saving will be reflected in the retail price of eggs.

Clause 1 is formal. Clause 2 amends section 4 of the principal Act. The definition of ‘hen’ is amended so that that word now means a female domesticated fowl of the genus gallus domesticus that is not less than 22 weeks old. The definition of ‘pullet’ is also amended. That word now means a hen that is less than 22 weeks old. Clause 3 amends section 5 of the principal Act. Subsections (1) and (2) of that section are struck out and new subsection (1) is substituted. The new subsection provides that the principal Act does not apply except in relation to persons who own or keep more than 20 hens for commercial purposes.

The Hon. M.B. CAMERON secured the adjournment of the debate.