**SWINE COMPENSATION ACT AMENDMENT BILL 1940**

**House of Assembly, 20 August 1940, pages 286-7**

Second reading

A message was received from His Excellency the Governor recommending the house to make provision by Bill for appropriation out of general revenue for the purpose of making advances for the Swine Compensation Fund.

**The Hon. R. J. RUDALL (Angas-—Commissioner of Crown Lands)—**The Swine Compensation Act, 1936, provides for the imposition of a duty upon the sale of pigs sold by auction or for the purpose of being slaughtered. The duty imposed is at the rate of one penny for every ten shillings of the purchase price of the pig and the revenue derived from this tax is paid into a fund which is used to compensate the owners of pigs and the carcasses of pigs which are condemned because they are suffering or suspected of suffering from disease as defined by the Act. Up to June 30, 1940, payments into the fund amounted to £13,846 17s. 2d., and payments from the fund by way of compensation amounted to £4,946 16s. 2d., leaving a balance of £8,900 Is. Up to the present time no large-scale epidemic of disease has occurred, so that it has been possible to build up the fund. It is apparent, however, that, in order to carry out the purposes of the Act, the fund should be sufficient to meet claims for com­pensation in the event of condemnation being necessary if a serious outbreak of swine fever occurred.

As previously mentioned, swine stamp duty is payable only where a pig is sold by auction or where a pig is sold for the purpose of being slaughtered. No duty is payable where a pig is sold under other circumstances or where the carcass of a pig is sold, although the owners of all pigs and carcasses are entitled to compensation in the event of condemnation in the circumstances prescribed in the Act. The practice is becoming general not to sell pigs before slaughter but to sell the carcasses. By the adoption of this method of business, the payment of duty is evaded whilst the privileges given by the legislation are retained. The principal purpose of this Bill therefore is to provide that swine stamp duty shall be payable upon the sale of carcasses. This is provided for by clauses 7 and 8. The effect of these clauses is to render the sale of carcasses liable to the payment of the same duty as is payable upon the sale of pigs at auction or for the purpose of being slaughtered. In order to provide against the payment of double duty paragraph (d) of clause 7 provides that, where duty is paid on the sale of a pig and the pig is slaughtered within 14 days of the sale, no duty will be payable upon any sale of the carcass of the pig. The remaining clauses deal with less important matters. The proposals in the Bill were considered at a conference held on June 14 of representatives of the various bodies connected with the pig industry and there was general agreement on the amendments proposed.

The other clauses provide for the following matters:—Clause 2 amends the definition of “market value” so as to provide that the market value of a pig is to be the value of the pig as if the pig were free from disease. Clause 3 makes a drafting amendment to sec­tion 6 of the principal Act. Section 8 of that Act deals with the making of claims for com­pensation. Under this section, all claims for compensation must be made within 21 days after the destruction of the pig or condemna­tion of the carcass in respect of which the claim is made. It has been found in practice that this period is, in some cases, insufficient and paragraph (a) of clause 4 extends the time during which claims may be made from 21 days to one month. The period proposed is similar to that fixed in the corresponding provision of the Cattle Compensation Act of 1939.

Subsection (4) of section 8 of the principal Act provides, among other things, that no compensation is payable if the head only of any carcass is condemned as unfit for human consumption because of disease. It is proposed by paragraph (b) of clause 4 to repeal this provision, so that compensation will be paid upon heads. It is estimated that the additional compensation which will be payable by reason of this amendment will be approximately £800 per annum. Paragraph (c) of clause 4 makes an amendment to section 8 which is consequential upon the amendments proposed by clauses 7 and 8. Section 9 of the principal Act provides machinery whereby in certain instances compensation may be paid where pigs are sold in this State and are subsequently condemned because of disease in another State of Australia. One of the requisites to be complied with is the production of a certificate of a competent officer of the other State relating to the condemnation. Clause 5 amends the section so that this certificate may also be given by a competent officer of the Government of the Commonwealth. As previously mentioned, the fund may in the future be called upon to meet heavy claims for compensation in the event of an epidemic requiring extensive condemna­tion, and clause 6 provides that if the fund at any time is insufficient to meet claims the Treasurer may make advances to the fund from the general revenue. All such advances, together with interest at 5 per cent, are to be repaid from the fund to the Treasurer. A provision similar to that provided in clause 6 is included in the Cattle Compensation Act, 1939. I move the second reading.

Mr. LACEY secured the adjournment of the debate.