**DAIRY INDUSTRY ACT AMENDMENT BILL 1982**

**Legislative Council, 2 June 1982, pages 4206-7**

Second reading

The Hon. J. C. BURDETT (Minister of Community Welfare): I move:

That this Bill be now read a second time.

It is principally concerned with amendments to the Dairy Industry Act. The amendments are designed to broaden the application of the Act to include milk from goats, sheep or other animals. The previous Act refers only to cows in some sections and to cows and goats in others. Development in dairy product processing indicates that goat and sheeps milk needs to be included in this legislation.

It is found more expeditious to set licence fees by Regulation than by changes to the Act and this will now be possible for dairy farms, factories, stores or milk depots.

New technology has increased the capacity of dairy processors to analyse milk in order to determine the yield of its various components. The legislation enables these components to be measured and to form the basis of future payment if the industry so desires.

Improvements in technology have also increased the range of certificate courses that have been developed for dairy factory operatives. Consequently, the certification provisions of the Act needs to be expanded to cover these new developments. There is a need to set up a fund to receive the fees or penalties prescribed by this Act and this is defined as the Dairy Cattle Fund. This fund was previously prescribed under the Dairy Cattle Improvement Act which it is proposed to repeal, and the balance remaining will be transferred to the new Act, including the method of operating on the account.

During the mid-1970s dairy factories across the nation agreed to adopt a code of practice which sets out standards for manufacture which ensure the level of protection required by consumers of dairy products in both local and export markets. The Bill will make it possible for regulations to be made incorporating the standards required under the Code. The Bill also repeals the Dairy Cattle Improvement Act, 1921-1972 and the Dairy Produce Act, 1934-1974.

The former Act prescribed licence fees for dairy bulls. The system has been accepted as now inequitable and it has been agreed that the repeal of the Act as requested by industry should proceed. The latter Act is now redundant. It has been superseded by the Commonwealth Dairy Industry Stabilization Act and quota setting for the sale of butter and cheese is not now required. I seek leave to have the detailed explanation of clauses incorporated in Hansard without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3. The ‘Garden Suburb’ is now defined as portion of the municipality of Mitcham and the wording is redundant. Clause 4 (a). The definition of ‘animal’ is likely to be confusing in view of the new definition of ‘milk’. The present definition is accordingly removed, (b) The new definition of ‘dairy farm' broadens the concept to include other milk producing animals besides cows, (c) There is no need for a definition of‘margarine’ as this is dealt with in the Margarine Act. The definition is accordingly removed, (d) The definition for milk is expanded to include the milk from any milk producing animal.

Clause 5. Licence fees are now set out in the associated Regulations. Clause 6. The heading for sections 9 and 10 is broadened to include milk producing animals other than cows. Clauses 7, 8, 9 and 10a replace the word ‘cows’ wherever it occurs in various sections of the principal Act with reference to milk producing animals. Clauses 10b and 10c update the title to the Act formerly known as the Stock and Poultry Diseases Act but now known as the Stock Diseases Act.

Clause 11. (a) Enables milk or cream to be analysed for components other than butter fat, and for records to be kept of these test results as well as the volume or weight of the milk or cream, (b) Provides that the basis of the payment for milk or cream shall be according to the components as prescribed by Regulation, (c) Deals with the method of component estimation, (d) Removes superfluous words.

Clause 12. The Margarine Act and the Food and Drug Regulations cover all of the requirements for margarine, consequently there is no need for this section. Clause 13. The clause makes a consequential amendment. Clause 14. The heading to section 24 is broadened to include the testing of milk as well as cream.

Clause 15. The heading to section 24a and the content is broadened to cover any certificate prescribed by Regulation. Clause 16 enables the maintenance of a fund—formerly covered under the Dairy Cattle Improvement Act—now to be repealed, for the receipt of fees or penalties applying under this Act, the transfer of any balance from the previous fund, and the use of the funds.

Clause 17. This clause amends the regulation-making powers. Most of the amendments are of a consequential nature. However, provision is made for the adoption in the regulations of standards, as they exist from time to time, fixed by the Standards Association of Australia or the Minister. Clause 18. The Dairy Cattle Improvement Act, 1921- 1972, and the Dairy Produce Act. 1934-1974. are repealed by this clause.

The Hon. B. A. CHATTERTON secured the adjournment of the debate.