**BARLEY MARKETING (DEREGULATION OF STOCKFEED BARLEY) AMENDMENT BILL 1998**

**LEGISLATIVE COUNCIL, July 1998, page1022**

Second reading

Received from the House of Assembly and read a first time.

The Hon. K.T. GRIFFIN (Attorney-General)**:** I move:

*That this Bill be now read a second time.*

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

The purpose of this amending Bill is to deregulate the domestic, or non-export, stockfeed barley market in South Australia.

The *Barley Marketing Act 1993* was reviewed in 1997 under the National Competition Policy review of Legislative Restrictions on Competition jointly by This Government and the Victorian Government. One of the recommendations of this review was that the domestic stockfeed barley market be deregulated during the 1998/99 season.

Specifically, deregulation of the domestic stockfeed barley market is to be accomplished by amending the current *Barley Marketing Act* to remove the restrictions on—

* who may sell or deliver stockfeed barley;
* who may transport stockfeed barley for sale or delivery;
* who may buy stockfeed barley from a grower.

The effect of this Bill will formalise what is, by and large, already practice, as the Australian Barley Board is not active in enforcing the requirement that persons wishing to purchase barley for stockfeed purposes directly from a grower obtain a permit authorising the person to do so.

The barley harvest in South Australia can begin as early as mid October. Since most stockfeed barley in the State is now marketed through the Australian Barley Board, deregulation of the stockfeed barley market at an early date is critical to avoid confusion during the harvest.

It is intended that deregulation of the stockfeed barley market will take effect from 15 October 1998 in both South Australia and Victoria. The commencement provision included in the Bill will allow this to be co-ordinated.

I commend the Bill to honourable members.

Explanation of Clauses

*Clause 1: Short title*

*Clause 2: Commencement* These clauses are formal.

*Clause 3: Amendment of s. 33—Delivery of barley and oats* Section 33(1) and (2) of the principal Act provide that, subject to the Act, a person must not—

* sell or deliver barley to a person other than the Australian Barley Board (ABB); or
* transport barley which has been sold or delivered to a person other than the ABB or bought in contravention of section 33(4).

It is proposed to insert new paragraph *(da)* in section 33(3) which provides that section 33(1) and (2) do not apply to barley sold to a person who purchases the barley for use in Australia for stockfeed purposes.

The effect of proposed new paragraph (a) to be inserted in section 33(4) is that a person must not buy barley from a grower except under a section 43 licence *(ie* a maltster's licence) issued by the ABB or if it is for use in Australia for stockfeed purposes.

New subsection (4a) is proposed to be inserted which provides that a person must not use barley sold for use in Australia for stockfeed purposes for any other purposes.

The other amendments proposed by this clause are consequential.

*Clause 4: Amendment of heading to Part 5*

*Clause 5: Repeal of s. 42* These amendments are consequential.

The Hon. P. HOLLOWAYsecured the adjournment of the debate.

ADJOURNMENT

At 6.1 p.m. the Council adjourned until Tuesday 21 July at 2.15 p.m.