**STATUTE REVISION (FRUIT PESTS) BILL 1981**

**Legislative Assembly, 22 October 1981, page 1538**

Second reading

**The Hon. W. E. CHAPMAN (Minister of Agriculture)** obtained leave and introduced a Bill for an Act to amend the Fruit Fly Act, 1947-1978, and to repeal the Oriental Fruit Moth Act, 1962-1978, the Red Scale Control Act, 1962-1978, and the San Jose Scale Control Act, 1962-1978. Read a first time.

The Hon. W. E. CHAPMAN: 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.

Explanation of Bill

It makes extensive amendments to the Fruit Fly Act and repeals the Oriental Fruit Moth Control Act, the Red Scale Control Act and the San Jose Scale Control Act. With recent developments in biological and integrated control, the need for active committees to deal with oriental fruit moth, red scale, and San Jose scale no longer exists. (It should be noted however that the Waikerie Red Scale Committee will continue on a non-statutory basis and the Government will act to ensure that it retains its current assets for the purpose of its continuing operations.) The three pests are now widely dispersed and there is therefore no present need for concerted containment measures to prevent their spread from property to property. The Government believes that the committees together with the statutory framework under which they operate can now be abolished. Hence, the present Bill provides for the repeal of the Oriental Fruit Moth Act, the Red Scale Control Act and the San Jose Scale Control Act.

The Fruit Fly Compensation Committee has not operated since about 1974 when eradication methods were revised to operate in such a way that very little fruit removal occurs. The committee required a separate compensation Act to be passed each year before it could operate and this was appropriate where a large number of claims were involved. Compensation claims for fruit or damage are now extremely rare and are dealt with by direct Ministerial approval. The present Bill amends the Fruit Fly Act to reflect this altered position. The principal Act, as amended by the Bill, will provide simply that the Minister may, out of moneys provided by Parliament for the purpose, pay compensation to any person who suffers loss in consequence of measures taken in pursuance of Statute to control or eradicate fruit fly.

Clauses 1 and 2 are formal. Clause 3 amends the Fruit Fly Act in the manner outlined above. Clause 4 repeals the Oriental Fruit Moth Act, the Red Scale Control Act and the San Jose Scale Control Act. The assets and liabilities of the statutory committees established under those Acts will vest in the Crown. But in the case of the Waikerie Red Scale Control Committee it is the Government’s intention to return the assets to the proposed new non-statutory committee when satisfactory arrangements have been completed.

Mr LYNN ARNOLD secured the adjournment of the debate.