**PHYLLOXERA ACT AMENDMENT BILL 1937**

**House of Assembly, 21 September 1937, pages 721-2**

Second reading.

**The Hon. M. McINTOSH (Albert—Commissioner of Crown Lands)—This** Bill makes a number of amendments to the Phylloxera Act, 1936, which have been suggested by the Phylloxera Board. Clause 2 amends the definition of “owner” in section 5. Under the existing definition ***“***owner***”*** means owner in fee simple. The Phylloxera Act was first passed in 1889, the scheme of the Act being that vineyards should be rated with a view to the creation of a fund to be used by the board in various measures to combat phylloxera infestation. Many vineyards are now established on land held under lease or agreement from the Crown, and it is, therefore, suggested by the board that all vineyards, whether established on land held in fee simple or under lease or agreement from the Crown, should be subject to phylloxera rates. To achieve this purpose clause 2 extends the definition of *“*owner*'’* to include a person holding land under a perpetual lease or agreement for sale and purchase from the Crown.

Clause 3 proposes to repeal section 12 of the Phylloxera Act, which provides that a board meeting is to take place within 14 days of the publication of the notice of the election of a board, at a time and place to be appointed by the Minister. This section was necessary when the board was first established, and machinery had to be provided for calling the board together. It is now not necessary that the board should meet immediately after an election, and the board therefore suggests that the section should be repealed. Section 16 of the principal Act provides that members of the board are not to be paid for their services. The board has performed very important services to the viticultural industry and it is probably due in large measure to its activities and vigilance that, so far, the State has not been infested with phylloxera. It is therefore right that the industry which secures the benefit of the services of the board should pay to the members some remuneration for their services. It is accordingly provided by clause 4 that the chairman of the board is to receive £2 a meeting and other members £1. If any member is, by direction of the board, engaged upon the business of the board, other than at a meeting of the board, he will receive a fee of £1 a day. In addition, a member may be paid his travelling expenses while engaged upon the business of the board. These amounts will be payable out of the fund.

With regard to the fees suggested for members when engaged upon the business of the board, the board suggests it is essential that there should be somebody with experience of vineyard administration connected with the administration of the board. Recently the secretary of the board, who had considerable viticultural experience, retired from his position and it is thought that it will be very difficult to secure the services of a secretary possessing his experience. In these circumstances, it will probably be necessary for members of the board to exercise general supervision over the carrying out of the board’s policy between board meetings, and if the board’s members are required to undertake this work of administration it is reasonable that they should be recompensed for so doing.

Section 29 of the principal Act provides that phylloxera rates are to be collected and levied by the Commissioner of Taxes in like manner as is the land tax. Land tax is upon the land to be taxed, but it has been suggested by the Crown Solicitor that there is doubt whether phylloxera rates are also a charge upon the land. Clause 5, therefore, enacts a provision similar to that contained in the Land Tax Act, 1935

and provides that rates declared upon a vineyard are to be a charge upon the land. I move the second reading.

Mr. LACEY secured the adjournment of the debate.