**PHYLLOXERA ACT AMENDMENT BILL 1935**

**House of Assembly, 27 August 1935, pages 417-9**

Second reading

**The Hon. M. McINTOSH (Albert—Commis­sioner of Crown Lands**)—This Bill is intended to make a number of administrative amendments to the Phylloxera Act. This Act. was passed in 1899 in order to provide a method of combating phylloxera in this State. A Board was set up and a fund established, to which all concerned in the industry were required to contribute, so that, on the occurrence of phylloxera the Board would have ample funds to take any necessary steps. So far, this State has been free from phylloxera, and the Board’s funds have accumulated to such an extent that the levies have been discontinued. The Board’s activities have, of course, not been' curtailed, and if necessary, the levies could be re-imposed. The amendments made by the Bill have all been suggested by the Board in the light of administrative experience.

Clause 3 makes a slight change in the procedure for election of members of the Board. Under section 9 of the principal Act nominations are to be given to the secretary on or before January 31. The amendment requires them to be in by noon of that day. Clause .4 deals with the payment of the expenses of members of the Board. Under section 13 of the principal Act it is provided that members are not to be paid for their services, but may receive actual and necessary travelling expenses. Members are called upon to carry out inspections and generally to police the legislation, and it is largely dependent upon their efforts whether or not the objects of the legislation will continue to be successful. As before stated, the Board has discontinued its levies. It now holds assets of over £40,000 in value, and its administrative costs can be met from the interest from the investments made from the fund. It therefore follows that the Board is in a position to provide some remuneration to the members for their services. Clause 4 accordingly provides that members shall be entitled to £1 a day for every attendance at a meeting or while engaged in the business of the Board. The chairman is to receive £2 a day for similar services. The existing provision as to the payment of travelling expenses is retained. I think members will agree that these men are entitled to receive some remuneration for their services.

The Hon. R. S. Richards—Should not growers have a say?

The Hon. M. McINTOSH—Growers have had their say.

The Hon. R. S. Richards—How?

The Hon. M. McINTOSH—In the election of members. If they were not satisfied that members should receive payment they would elect, others who would not want it.

The Hon. R. S. Richards—I do not think so. That is not the point.

The Hon. M. McINTOSH-—There is no other provision. Surely members opposite will not say that the labourer is unworthy of his hire?

The Hon. R. S. Richards—That is not the point. The growers contributed the money, and they should have a say as to how it is to be distributed.

The Hon. M. McINTOSH—It is for this House to set up a basis on which this board should operate. It is not fair that men should give their time and services free when abundant funds are available to pay for their services.

Section 19 of the principal Act enables the Board to declare a rate on vineyards and winemakers. The section provides for a rate of 3d. an acre on vineyards planted for two years, 6d. when planted for 4 years, and Is. when planted for 4 years but less than 8 years. It is doubtful whether the Board could declare a rate at a less amount than those mentioned. Clause 5 therefore gives this power. The rate must be reduced uniformly and in such an event the levy of 6d. a ton on winemakers and distillers provided by the section is to be reduced accordingly. Clauses 6 and 7 make unimportant changes to the principal Act. Clause 6 deals with the requirements for payments out of the fund and provides that this may be done on the warrant of two members. The present provision requires the warrant of the chairman and a member. Clause 7 makes drafting changes only to clause 30 and re-arranges the provisions of that clause. Section 31 (as amended by the Act of 1911) gives power to the Board to destroy vineyards which have been unused or abandoned for two years. Clause 8 extends this power to vineyards, which have not been pruned or cultivated for two years. In many cases, it may be impossible to prove actual non-use or abandonment for two years, but if a vineyard is unpruned for two years it is necessary for the Board to take control, as it is from such vineyards that it is feared phylloxera may be introduced into the State.

Clause 9 deals with the districts constituted for the purposes of elections. In the present Act, these districts are defined by reference to local government areas. There have been many changes made in local government areas and it is therefore necessary to bring the districts up to date. This is done by clause 9. No material change in the districts is made but the names of district council districts appearing in the present schedule have been altered to conform to changes made pursuant to the Local Government Areas (Rearrangement) Act, 1929. Clause 10 makes a slight alteration dealing with the revision of the vignerons roll and clause 11 provides for the payment of rates on 1st July instead of 1st June. Clause 12 repeals section. 13 of the amending Act of 1911. The scheme of the Act is based on the principle that only vineyards of one acre or more in extent are to be rated. This section, however, provides that notice is to be given to the Board of every vineyard of less than one acre so that the owner of one vine is required to notify that fact. This provision has never been enforced and obviously would be impossible to enforce and is therefore repealed. It must be understood that the Board’s powers to destroy vines infected with phylloxera extend to all vines, however, so that the repeal of this section will not impair the efficacy of the legislation.

Clause 13, which is the most important, deals with the powers of the Board to establish a nursery for the propagation of phylloxera resistant stocks. In 1922 power was given to establish such a nursery outside South Australia and a nursery was accordingly established in Howlong, in New South Wales. The purpose of this nursery is to secure a supply of phylloxera resistant stocks so that, in the event of the outbreak of phylloxera in South Australia, in such proportion that control is impossible, the stocks could be distributed to vignerons. The Board now asks that power be given to establish such a nursery in South Australia and this is accordingly provided by clause 13. The Board is not entirely satisfied with the nursery at Howlong and considers that from an administrative point of view it would be better to establish a nursery in some part of South Australia where danger from infection is non-existent. The Board points out that the cuttings and rootings from which such a nursery would be established would be effectively sterilised before introduction into South Australia. The Board further points out that in the event of an outbreak of disease the Howlong supplies would be insufficient, and it feels that this matter should be remedied. The Board is representative of the industry', and it is felt that in this regard the views of the Board should be given effect. The nursery in New South Wales is not in a suitable location, and the country does not meet requirements. If the Board is granted power its intention is to start a nursery in some isolated spot in this State—the West Coast, or somewhere else where the danger of infection from vineyards will be remote. I move the second reading.

Mr. THOMPSON secured the adjournment of the debate.