**MARKETING OF EGGS ACT AMENDMENT BILL 1987**

**Legislative Assembly, 13 August 1987, pages 215**

Second reading

**The Hon. T.H. Hemmings, for the Hon. M.K. MAYES (Minister of Agriculture**), obtained leave and introduced a Bill for an Act to amend the Marketing of Eggs Act 1941. Read a first time.

The Hon. T.H. HEMMINGS: 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

The Marketing of Eggs Act which was proclaimed as a wartime measure in 1941 provides for the establishment of the South Australian Egg Board and all eggs from commercial farms in South Australia are vested in the board. The board has powers to control egg marketing, set egg prices, administer egg weight and quality regulations and carry out promotional activities. The board generally does not handle eggs other than to manufacture egg pulp; the majority of shell eggs are graded, packed and distributed by packers and producers registered with the board. The board operates the only egg pulping facility in South Australia and all eggs surplus to local shell requirements are pulped and either sold on the local market or exported.

At the present time the Marketing of Eggs Act applies to all egg producers with more than 20 laying hens and there are about 380 such producers in South Australia.

The South Australian Egg Board currently consists of seven members, four appointed by the Minister and three elected by 120 licensed egg producers who keep more than 500 laying hens. The board currently has a full-time chairman.

The United Farmers and Stockowners of South Australia developed proposals for changes to the structure and function of the board which they asked the Minister to consider.

These included the proposal that all members of the board should be appointed by the Minister, including the producer members who are currently elected by producers who keep more than 500 hens. Also that the board should exercise greater flexibility in its control of the production, grading, packing and distribution of eggs.

The Auditor-General has also expressed concerns about his reporting responsibilities under the current Act. He is concerned that he is required to report on aspects of the board’s operations about which he has insufficient information and which also require subjective assessments.

The amendments provide for a reduction in the size of the board from seven to five members. Membership will include two producer members and a part-time chairman. All members will be appointed by the Minister, with the producer members being appointed from a panel of names put forward by the United Farmers and Stockowners of South Australia Incorporated. It is my intention to appoint non-producer members with skills in financial management and marketing to complement the industry knowledge and expertise of the producer members. In view of the relatively small numbers of producers who actually elect producer representatives at the present time I feel that it is appropriate that producer members are nominated by the United Farmers and Stockowners who represent the majority of egg producers. This measure will also save the expense of holding elections for Egg Board members every year.

The newly constituted board will continue to play the major role in managing the egg industry and must have members who will be responsive to the needs of both the egg industry and consumers.

The amendments also meet the reporting requirements indicated by the Auditor-General and bring the South Australian Egg Board into line with the reporting procedures required from other statutory bodies and Government agencies.

The amended legislation will apply to all egg producers keeping more than 50 laying hens. The board will continue to exercise overall control of egg production and marketing and will continue to administer egg quality and weight grade regulations and to manufacture egg pulp. It is my intention to appoint members who will encourage producers and packers to develop the necessary flexibility in the production, grading, packing and marketing of eggs to ensure that egg producers and consumers benefit from a more efficient egg industry in South Australia.

Clauses 1 and 2 are formal.

Clause 3 removes some redundant provisions and brings the definition of ‘hen’ into line with the Egg Industry Stabilisation Act 1973.

Clause 4 removes another redundant provision.

Clause 5 removes section 3, the substance of which is now provided by section 22a of the Acts Interpretation Act 1915.

Clause 6 replaces sections 4 to 18 of the principal Act with standard provisions.

Clause 7 removes reference to the penalty in section 2la of the principal Act. Section 32, which is a general penalty provision, will apply to the provision.

Clauses 8 to 10 remove redundant provisions from the Act.

Mr GUNN secured the adjournment of the debate.