EGG EXPORT LEGISLATION REPEAL BILL 1984

Date Introduced: 5 September 1984
House: House of Representatives
Presented by: Hon. John Kerin, M.P., Minister for Primary Industry

Short Digest of Bill

Purpose

To abolish the Australian Egg Board (AEB) by repealing the Egg Export Control Act 1947, which established the AEB, and the Egg Export Charges Act 1947, which provided funding for AEB's operations.

Background

The Minister's Second Reading Speech outlines the history of the AEB as well as the reasons prompting this legislation.

The AEB was established to ensure continuity in orderly export marketing of eggs and egg products as well as to provide safeguards for contracts between the United Kingdom and the Commonwealth following termination of control under the war-time National Security (Egg Industry) Regulations. It commenced operations on 1 January 1948.

The AEB is empowered to buy and sell eggs intended for export, subject to any direction of the Minister for Primary Industry. In practice, however, the State Egg Boards have carried out the physical packaging and handling of eggs or egg products to be exported, while the AEB set the terms and conditions of export.

In recent years, production controls (hen quotas) administered by the States have resulted in a reduction in export quantities and in the number of States wishing to export.

In 1982, an internal review by the AEB concluded that substantial cost savings could be achieved if the AEB and State Board activities were rationalised. From 1 July 1983, the States took over some of the AEB's administrative functions. Further consideration by the Commonwealth, States and industry of the need for the AEB, led to the conclusion for its abolition. In a press release, dated 2
August 1984, the Minister for Primary Industry announced that the AEB will be abolished with appropriate legislation being introduced in the Budget Session. Abolition of the AEB "is consistent with labor Government policy to review the continuing need for primary industry statutory corporations".

The Minister stated, in his Second Reading Speech, that future "export marketing is to be co-ordinated by a non-statutory exporters committee under the aegis of the Australian Egg Marketing Council which is representative of all State Egg Marketing Boards/Corporations. Funding of these arrangements will be met from proceeds of sale".

Main Provisions

By clause 2, this Bill will come into operation on 1 January 1985.

The AEB will be abolished by clause 4. However, under clause 5, the AEB will continue for a period after 31 December 1984 in order to complete winding-up arrangements.

The AEB is required to prepare, and submit to the Minister for Primary Industry by 31 March 1985, a final report as to the general operation of the Egg Export Control Act 1947, for the period 1 July 1984 to 31 December 1984. The Minister is then required to table this report, together with the Minister's statement on that Act, before each House of the Parliament (clause 6).

Clause 7 places an obligation on the AEB to discharge its debts and liabilities as soon as practicable after 1 January 1985. An Egg Export Trust Account will be established which must have sufficient funds set aside by AEB to meet liabilities that may reasonably be expected to arise.

The AEB will be required, under clause 8, to prepare financial statements which must be audited before being submitted to the Minister. The Minister is required to table copies of the financial statements, together with a copy of the Auditor-General's report, before each House of the Parliament.

Clause 10 provides for the Minister to vest any assets of the AEB, after providing for all liabilities, jointly in the State Egg Marketing Authorities.

Under clause 11, when the Minister is satisfied that all liabilities have been discharged and that no more are likely to arise, he may declare, by way of a Gazette
notice that the AEB ceases to exist, and vest any residual monies in the Trust Account jointly in the State Egg Marketing Authorities.

For further information, if required, contact:

13 September 1984

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