AUSTRALIAN DRIED FRUITS CORPORATION BILL 1978

Date Introduced: 15 November 1978
House: House of Representatives
Presented by: Rt. Hon. Ian Sinclair, M.P., Minister for Primary Industry

Short Digest of Bill

Purpose

To establish an Australian Dried Fruits Corporation to replace the Australian Dried Fruits Control Board.

Background

The Australian Dried Fruits Control Board (ADFCB), established by the Dried Fruits Export Control Act 1924, commenced operations on 6 February 1925. The Board's functions are to control and promote the export, and sale and distribution after export, of Australian dried fruits (meaning dried currants, dried sultanas and dried raisins). To effect such control exports are prohibited except by persons holding licences granted by the Minister for Primary Industry on the recommendation of the Board. The activities of the Board are to allocate exports to the various overseas markets, determine minimum prices (for exports), negotiate freight rates and finance sales promotion campaigns overseas. The Board has 11 members.

Recently, a review of the constitution and functions of the ADFCB was undertaken by the Commonwealth, in consultation with the national industry organisation, the Australian Dried Fruits Association (ADFA), whose membership includes agents, packers and growers. As a consequence, this Bill provides for a restructured body, the Australian Dried Fruits Corporation (ADFC), to replace the ADFCB. The Corporation will continue the export control role of the Board and will be given new powers to trade and borrow. In addition, the Corporation will administer the new statutory Dried Vine Fruits Equalization Scheme (DVFES) which will be provided for by the Dried Vine Fruits Equalization Bill 1978 and the Dried Vine Fruits Equalization Levy Bill 1978.

Main Provisions

This Bill repeals the various Dried Fruits Export Control Acts (clause 3) and provides for the establishment
of the ADFC (clause 5) and its commencement on 1 January 1979 (clause 2). The functions of the Corporation will be to promote and control the export and sale and distribution after export of Australian dried fruit, to promote the overseas consumption of Australian dried fruit and other functions (clause 6). Dried fruit means currants, sultanas and raisins (clause 4).

The powers conferred on the ADFC are provided for by clauses 7 to 13. Such powers include the making of recommendations to the Minister in relation to the export and sale and distribution after export of Australian dried fruit (paragraph 7 (1) (a)), to engage in trade in dried fruit (with the written approval of the Minister) (paragraph 7 (1) (c)), to accept control of any dried fruit for export placed under its control (clause 9) and approve persons as carriers from Australia of dried fruit for export (sub-clause 11 (1)), with such carriage being required to conform with conditions approved by the Corporation (sub-clause 11 (2)). In addition, the Corporation may determine the quantity of dried fruit, or of a particular kind of dried fruit, produced in a season which may be exported from Australia as a whole, from each State, from a particular port, to a particular port and to a particular country (clause 8). Before making such determinations, the Corporation must consult the ADFA.

The Corporation will have 8 members, all to be appointed by the Minister, namely, a Chairman, 4 persons to represent producers (ie., growers) (to be appointed from a list of names submitted to the Minister by the ADFA), 1 person to represent the Commonwealth and 2 persons with special qualifications in marketing, promotion, commerce, finance, economics, science or industrial matters (such 2 to be appointed after the Minister has consulted the ADFA or any other appropriate body) (clause 15).

The Corporation will be financed, as was the Board, by payments from the Consolidated Revenue Fund equal to amounts raised by the export charge imposed under the Dried Fruits Export Charges Act 1924 (clause 27). The Corporation may, with the Treasurer's approval, borrow moneys to conduct its export promotion functions and to engage in trade (sub-clause 28 (1)). Such borrowings may be guaranteed by the Commonwealth (sub-clause 28 (2)).

The Governor-General may make regulations as required or permitted by this Act, including the prohibiting of export of dried fruit from Australia except that which complies with prescribed conditions. Such conditions may include the requiring of an exporter to hold an export licence, the purchaser to be a person approved by the
Corporation, the form of export consignment and commission to be charged by exporters (clause 39).

9 January 1979

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