

FRUIT MARKETING ORGANISATION AMENDMENT BILL 1995

EXPLANATORY NOTES

GENERAL OUTLINE

Objective of the Legislation

The objective of the legislation is to amend the *Fruit Marketing Organisation Act 1923* (“the Act”) to allow the term of office of members of the Committee of Direction of Fruit Marketing (“COD”) to be extended from 31 August 1995 until 29 February 1996, with provision for a further extension until 31 August 1996 by regulation. The legislation will also dissolve the Pineapple Group Committee and enable pineapple growers to be represented by the Other Fruits Committee.

Reasons for the Bill

The Act is in the process of review. It is anticipated that one outcome of the review will be a recommendation for a restructuring of the fruit marketing organisation to establish a more effective representational organisation for all horticulture producers. The present 3 tier structure of local associations, sectional group committees and the COD has been in place since 1923.

The term of membership of members of the peak body, the COD, is due to expire on 31 August 1995. An extension of the term of office of members of the COD until 29 February 1996, with provision for a further extension until 31 August 1996, will enable the review process to be completed and provide sufficient time for a restructuring to be achieved under new legislation.

The legislation will dissolve the Pineapple Group Committee and allow pineapple growers to be represented by the Other Fruits Committee. Since

the Cannery Board converted to a company (Golden Circle Ltd) under the Corporations Law in 1991, the broader industry interests of pineapple growers have been represented by the company. Consequently, growers no longer require to be represented by their own sectional group committee.

Estimated Cost for Government Implementation

There will be no additional cost to Government from the implementation of the legislation.

Consultation

Consultation has taken place with the COD. The Pineapple Group Committee has been consulted in relation to dissolving the committee. Passage of the legislation is supported by these bodies.

NOTES ON PROVISIONS

Clause 1 provides that the short title of the Act is to be the *Fruit Marketing Organisation Amendment Act 1995*.

Clause 2 provides that the Act is to commence on 31 August 1995.

Clause 3 states that the Act amends the *Fruit Marketing Organisation Act 1923*.

Clause 4 amends section 2 (definitions) to—

- (a) omit “pineapples” from the definition of “fruit”; and
- (b) insert “pineapples” in the definition of “other fruits”.

Clause 5 amends section 11 of the Act—

- (a) in section 11(1) and (5), by omitting “six” in reference to the number of sectional group committees; and
- (b) in section 11(1) by omitting the words “pineapple group committee”.

Clause 6 amends section 21 of the Act—

- (a) in section 21(1), (3) and (5)(a) by omitting “28 February 1995” and inserting “29 February 1996” which is the date on which the term of office of members of the COD is to expire;

- (b) in section 21(1)(a) after “COD” inserting “(other than the representatives of the pineapple group committee)”;
- (c) in section 21(4) omitting “1995” and inserting “1996”; and
- (d) inserting a new section 21(4A) to provide that a person is not entitled to be paid compensation because the person’s period of office is not extended.

Clause 7 inserts two new sections in the Act—

- (a) section 22 to provide for dissolution of the pineapple group committee and termination of the period of office of its members; and
- (b) section 23 to provide that the assets, rights and liabilities of the pineapple group committee vest in the other fruits committee.