



Speech by

## Hon. Tim Mulherin

MEMBER FOR MACKAY

Hansard Tuesday, 17 April 2007

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### PRIMARY INDUSTRIES ACTS AMENDMENT AND REPEAL BILL

#### Second Reading

**Hon. TS MULHERIN** (Mackay—ALP) (Minister for Primary Industries and Fisheries) (12.46 pm): I move—

That the bill be now read a second time.

The Primary Industries Acts Amendment and Repeal Bill 2007 amends and repeals the Banana Industry Protection Act 1989 and makes amendments to the Sugar Industry Act 1999 with respect to the office of the Sugar Industry Commissioner. With regard to the repeal of the Banana Industry Protection Act 1989, the bill makes a further number of procedural amendments to provide for the orderly dissolution of the Banana Industry Protection Board. This part of the bill is the outcome of an independent review, commenced in 2003, which recommended the repeal of this act and dissolution of the board.

The review was supported by an extensive consultation process and in December 2006 the opportunity was provided for final industry and public comment through the release of a position paper. This process was completed on 31 January 2007 with the review recommendations receiving support, particularly from the major banana industry representative bodies.

In terms of the historical background, the act was first put in place in 1929. It provided a mechanism for the collection and management of an industry levy to fund prevention and management of pest and disease incursions, surveillance and research and development activities in the banana industry. The Banana Industry Protection Board was established to manage the fund. The review took account of major changes in the circumstances under which the act and board had previously operated. These include changes to the structure of the industry, such as the establishment of Plant Health Australia which has a national approach to plant biosecurity.

In addition, core regulatory biosecurity services, including banana biosecurity services, are now delivered by the Department of Primary Industries and Fisheries under the Plant Protection Act 1989 which has evolved into the main regulatory instrument in the state for plant biosecurity. Also, the compulsory banana industry levy provisions were removed in 2000 and the subsequent voluntary industry contributions declined and then ceased. The Department of Primary Industries and Fisheries has continued to deliver core banana biosecurity services to industry, and there will be no reduction in these services through this repeal.

Industry agrees that this banana-specific legislation is no longer needed and it is no longer financially supported by industry. Industry is looking to develop a national focus to its biosecurity and research and development needs, an issue which was addressed in the independent review. This is an act which has had its day. While it has provided a useful service in the past, industry has signalled its intent to move on and the repeal before the House supports this initiative.

The bill will also progress amendments to the Sugar Industry Act 1999 with respect to the office of the Sugar Industry Commissioner. The amendments are required as the current legislative obligation on

Queensland Sugar Ltd to fund the office is no longer justifiable following the removal in 2005 of statutory vesting of the Queensland sugar crop. In addition, the responsibilities of the office of the commissioner have been considerably reduced following the deregulation associated with the sugar industry reforms in 2004 and 2005 and the development of a more commercial focus by industry.

The bill proposes amendments to—

- remove the Queensland Sugar Ltd funding requirement; and
- discontinue the commissioner's current responsibilities for mediation and dispute resolution.

The bill provides the first step in a process, being undertaken with the support of the major sugar industry representative bodies, to phase out the office of the commissioner by June 2010. The commissioner's major continuing function will be the administration of access rights for the harvest and supply of cane which involves the granting and variation of cane railway easements and permits to pass.

An industry-government working group is to be established to consider longer term alternatives for the future administration of access rights and further legislative amendments in this regard are to be anticipated. In the interim, complementary administrative actions are being taken to—

- establish the commissioner's position on a part-time basis from 1 July 2007; and
- negotiate a joint non-legislated interim funding approach for the commissioner's budget between the Department of Primary Industries and Fisheries and the major millers and growers organisations.

This government is prepared to support the industry in this matter as it continues to implement the adjustments associated with sugar reform. These reform processes are aimed at securing a viable long-term future through the introduction of more commercial and competitive practice. I commend the bill to the House.