

1987

THE PARLIAMENT OF THE COMMONWEALTH  
OF AUSTRALIA  
HOUSE OF REPRESENTATIVES

AUSTRALIAN MEAT AND LIVE-STOCK INDUSTRY  
LEGISLATION AMENDMENT BILL 1987

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for  
Primary Industry,  
the Hon John Kerin, MP)

THE AUSTRALIAN MEAT AND LIVE-STOCK INDUSTRY  
AMENDMENT BILL 1987

OUTLINE

The purpose of this Bill is to amend a number of the Acts dealing with the Australian meat and livestock industry namely:

the Australian Meat and Live-stock Corporation Act 1977;  
the Australian Meat and Livestock Research and Development Corporation Act 1985;  
the Australian Meat and Live-stock Industry Policy Council Act 1984;  
and the Australian Meat and Live-stock Industry Selection Committee Act 1984.

The changes to the Australian Meat and Live-stock Corporation Act 1977 will formalise the involvement of the Australian Meat and Live-stock Corporation (AMLC) with the Australian Pork Corporation in the development of marketing schemes for meat and live-stock. Also the AMLC will be required to consult with industry in its corporate planning process and will be required to report on progress towards its goals.

Other changes are intended to streamline the operation of the AMLC's Annual General Meeting require the AMLC to introduce an equal employment opportunity program and also remove redundant provisions from the AMLC Act.

The changes to the Australian Meat and Live-stock Research and Development Corporation Act 1985 will streamline the operation of the Australian Meat and Live-stock Research and Development Corporation's (AMLRDC) Annual General Meeting. Also the AMLRDC is to be required to update its five year plan annually, and consult with industry in the preparation of such plans. The changes mirror those for the AMLC Act.

The changes to the Australian Meat and Live-stock Industry Policy Council Act 1984 remove the requirement for the Australian Meat and Live-stock Industry Policy Council (AMLIPC) to hold an industry wide conference at least every two years to canvass industry views on matters currently affecting the industry. Instead the AMLIPC is to retain its power to call such conferences whenever it feels they are needed.

The amendments to the Australian Meat and Live-stock Industry Selection Committee Act 1984 provide for the appointment of members of the Australian Meat and Live-stock Industry Selection Committee, for periods up to three years and also removes the requirement for the preparation of an Annual Report.

FINANCIAL IMPLICATIONS

The changes outlined above will have no effect on Commonwealth income or expenditure.

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NOTES ON CLAUSES

No of Clause	Explanation
PART 1 - PRELIMINARY	
1.	Short title
2.	Act comes into force when it receives the Royal Assent
PART II - AMENDMENT OF THE AUSTRALIAN MEAT AND LIVE-STOCK CORPORATION ACT 1977	
3.	Principal Act
4.	Deletes sub-sections 3(6) to 3(10) - redundant provisions
5.	Introduces a number of new definitions into the Bill
5(a)	"assessment action" - action to assess how the Corporations Equal Employment Opportunity (EEO) Program is working
5(b)	"consultation action" - consultations on the EEO program
5(c)	Updates references to "the corporate plan"
5(d)	"designated group" - persons to whom EEO is intended to apply  "discrimination " - actions to be eliminated by the EEO program
5(e)	"eligible industry body" - the main meat and livestock industry groups  "employee" - any person working for the Corporation  "employee information action" - action to inform employees on EEO and the results obtained  "employment matter" - procedures relating to conditions of recruitment and employment  "equal employment opportunity program" - a program to eliminate discrimination amongst Corporation employees
5(f)	"policy action" - implementation of EEO
5(g)	"trade union" - self explanatory  "woman" - self explanatory

- 5(h) Provides that any discrimination that is essential for the job being performed or not unlawful under relevant legislation, is not discrimination under this Act
- 6(a) Extends the powers of the Australian Meat and Live-stock Corporation to allow it to participate with the Australian Pork Corporation in the development and operation of marketing schemes for meat and live-stock
- 6(b) Updates references to the corporate and annual operational plans
- 7 Restricts payments by the AMLC of expenses over and above travel costs incurred in consultations with industry bodies, to eligible industry bodies; also payments are only to be made in accordance with guidelines issued by the Minister for Primary Industry
- 8 Removes the requirement for Ministerial approval of export quota entitlement schemes to which objections have been lodged
- 9 Updates references to sections of the Act being amended
- 10(a) Updates reference
- 10(b) Provides that members of the AMLC other than the Managing Director may be appointed for periods of up to three years, and are eligible for re-appointment
- 10(c) Removes redundant provision
- 11(a) Provides that the AMLC shall hold an Annual General Meeting (AGM)
- 11(b) Provides that AGM's shall be held each financial year and no more than fifteen months apart
- 11(c) Provide that the AGM date shall be Gazetted at least seventy days before the meeting.
- (d)
- 11(e) Removes unnecessary phrase
- 12 Extends the time prior to an annual general meeting by which notices of motion shall be lodged from 49 to 56 days
- 13 Reduces the number of persons on the voting register required to support a notice of motion from 100 to 50
- 14 Reduces the period prior to an annual general meeting by which a proxy must be lodged from 14 days to 3 days
- 15 Amends the voting procedure at AGM's

- 15(a) - new sub-clause 30G(4) provides that motions other than those from the AMLC seeking an increase in levies or charges or no confidence motions shall be passed by a simple majority
- new sub-clause 30G(5) provides that a motion from the Corporation to increase levies or charges can be defeated by a vote of 75% of the votes cast
- new sub-clause 30G(6) provides that a motion of no confidence in the Chairman or AMLC can be passed if more than 75% of those voting support it
- 15(b) Provides that a poll on special motions is not required unless called for by one or more persons entitled to vote
- 16 Updates the title of Part III
- 17 Amends the heading of Division 1 of Part III
- 18 Amends and updates provisions relating to the preparation and subjects to be covered by AMLC's corporate plan
- new sub-clause 30N(1)(a) provides that a plan shall be developed before 1 April 1988
- new sub-clause 30N(1)(b) provides that the plan shall be reviewed each financial year
- new sub-clause 30N(2) provides that the AMLC shall consult with the eligible industry bodies on the corporate plan
- new sub-clauses 30N(3)&(4) provide that the plan shall cover five years and relate to the current year and the next four years
- new sub-clauses 30NA(1)&(2) provide that the plan shall contain an assessment of the market outlook for the five years it covers
- new sub-clause 30NA(3)(a) provides the plan includes criteria used in deciding whether any export restrictions should be applied
- new sub-clause 30NA(3)(b) provides that the corporate plan shall include details of the AMLC's EEO program
- 19 Updates provisions relating to the approval of the AMLC's corporate plan
- 20 Updates provisions relating to variations in the AMLC's corporate plan

- 21 Updates provisions allowing the Minister to request changes to the corporate plan
- 22 Repeals redundant provision
- 23 Amends provisions relating to the Annual Operational Plan
  - 23(a) Period to be a financial year
  - 23(b) Removes unnecessary phrase
  - 23(c) Updates wording
  - 23(d) Provides that the annual operational plan shall cover EEO and that before developing the plan the Corporation shall consult with eligible industry bodies
- 24 Updates wording of section
- 25 Details the requirement and provisions of the Corporations equal employment opportunity program. Also specifies that nothing in the program is to be incompatible with employment matters being dealt with on the basis of merit
- 26 Requires the AMLC to include in its annual report details of capital works, property purchases, futures trading activities, formation, acquisition and disposal of interests in companies and entry into partnership agreements. The report will also have to reflect the objectives of the Corporate and Annual Operational plans and progress towards their achievement. The annual report shall also include details of the Corporation's EEO program
- 27 Provides that current Corporate Plan continues until 1 July 1988

PART III - AMENDMENTS OF THE AUSTRALIAN MEAT AND LIVE-STOCK RESEARCH AND DEVELOPMENT CORPORATION ACT 1985

- 28 Principal Act
- 29(a) Adds the definition of an eligible industry body
- 29(b) Updates the reference to the research and development plan
- 29(c) Adds the definition of "the industry"
- 30 Updates reference to the research and development and annual operational plans
- 31(a) Provides that the AMLRDC shall hold an AGM
- 31(b) Provides that AGM's shall be held once every financial year and be no more than 15 months apart

- 31(c) Require the AMLRDC to announce the day, time and  
and (d) place of the AGM at least 70 days in advance
- 31(e) Removes unnecessary phrase
- 32 Extends the time before an AGM for notices of motion  
to be lodged from 49 to 56 days
- 33 Reduces the number of persons on the voting registers  
required to support a notice of motion from 100 to 50
- 34 Reduces the period prior to an AGM by which a proxy  
must be lodged from 14 days to 3 days
- 35 Amends and updates voting procedures at AGM's
- 35(a) - new sub-clause 27(4) provides that motions other  
than those by the AMLRDC seeking a levy or export  
charge increase or no confidence motions can be  
passed by a simple majority
- new sub-clause 27(5) provides that a motion from  
the AMLRDC to increase levies or export charges  
can be defeated by a vote of 75% of the votes cast
- new sub-clause 27(6) provides that a motion of no  
confidence in the Chairman or AMLRDC can be passed  
if more than 75% of those voting support it
- 35(b) Provides that a poll on special motions is only  
required if such is called for by one or more persons  
entitled to vote
- 36 Updates the title of Part V
- 37 Amends the heading of Division 1 of Part V
- 38 Amends and updates provisions relating to the  
preparation and content of the AMLRDC's corporate plan
- new sub-clause 30(1)(a) provides that a plan shall  
be developed before 1 July 1988
- new sub-clause 30(1)(b) provides that the plan  
shall be reviewed each financial year
- new sub-clause 30(2) provides that the AMLRDC  
shall consult with eligible industry bodies on the  
corporate plan
- new sub-clause 30(3) provides that the corporate  
plan shall cover five years from 1 April 1988
- new sub-clause 30(4) provides that when the  
corporate plan is reviewed and updated it shall  
cover the current year plus the next four years

- 39 Updates provisions relating to the approval by the Minister of the AMLRDC's corporate plan
- 40 Updates provisions allowing the Minister to request changes to the AMLRDC corporate plans
- 41 Updates references to the corporate plan
- 42 Repeals redundant provision
- 43 Provides that the AMLRDC's annual operating plan shall cover financial years and also that before the AMLRDC develops such a plan it shall consult with eligible industry bodies
- 44 Updates references to the annual operating plan and deletes unnecessary provisions
- 45 Provides that the current AMLRDC corporate plan continues in force to 1 July 1988

PART IV - AMENDMENTS OF THE AUSTRALIAN MEAT AND LIVE-STOCK INDUSTRY POLICY COUNCIL ACT 1985

- 46 Principal Act
- 47 Deletes the requirement to hold a conference of people concerned with industry at least every two years
- 48 Deletes reference to Australian Meatworks' Federal Council, a body which is no longer a separate entity

PART V - AMENDMENTS TO THE AUSTRALIAN MEAT AND LIVE-STOCK INDUSTRY SELECTION COMMITTEE ACT 1985

- 49 Principal Act
- 50 Amends the long title to bring it into line with the short title
- 51 Provides that members shall be appointed for periods of up to three years, but be eligible for reappointment
- 52 Deletes the requirement for an annual report to Parliament