

TASMANIA

**TASMANIAN BEEF INDUSTRY (RESEARCH AND
DEVELOPMENT) TRUST AMENDMENT BILL
2014**

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**TASMANIAN BEEF INDUSTRY (RESEARCH AND
DEVELOPMENT) TRUST AMENDMENT BILL
2014**

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

P. R. ALCOCK, *Clerk of the House*
6 November 2014

*(Brought in by the Minister for Primary Industries and Water,
the Honourable Jeremy Page Rockliff)*

A BILL FOR

An Act to amend the *Tasmanian Beef Industry (Research and Development) Trust Act 1990*

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the Tasmanian Beef Industry (Research and Development) Trust Amendment Act 2014.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

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3. Principal Act

In this Act, the *Tasmanian Beef Industry (Research and Development) Trust Act 1990** is referred to as the Principal Act.

4. Section 3 amended (Interpretation)

Section 3 of the Principal Act is amended by inserting before the definition of *the Minister* the following definitions:

beef producer means a natural person who –

- (a) is engaged in breeding, rearing or managing beef cattle; and
- (b) derives a substantial proportion of his or her annual income from one or more of those activities;

Meat Council means the Meat Council established in accordance with the constitution of the TFGA;

TFGA means the Tasmanian Farmers and Graziers Association;

5. Section 6 amended (Members of the Trust)

Section 6 of the Principal Act is amended as follows:

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(a) by omitting subsection (1) and substituting the following subsection:

(1) The Trust consists of 5 members, appointed by the Minister, of whom –

(a) 2 are beef producers selected by the Minister from a panel of names provided by the Board of the TFGA in consultation with the Meat Council; and

(b) 3 are persons with experience in the beef industry, at least one of whom has expertise in agricultural science and knowledge of contemporary beef research and development.

(b) by inserting the following subsection after subsection (2):

(3) A member may not serve more than 2 consecutive terms of office.

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6. Section 12 inserted

Before section 13 of the Principal Act, the following section is inserted in Part 4:

12. Reporting

- (1) The Trust must provide to the Minister, by not later than 30 September in each year, a comprehensive annual report showing, in particular –
 - (a) the number and location of, and attendance at, meetings held by the Trust; and
 - (b) the number of applications received for grant funding; and
 - (c) a list of the recipients of grants provided in the year and the amount and purpose of those grants; and
 - (d) copies of all final reports on any activities funded by the Trust in that year.
- (2) The Minister and the Trust may make the report available in any way considered appropriate.

7. Section 13A inserted

After section 13 of the Principal Act, the following section is inserted in Part 4:

13A. Power of Minister to dissolve Trust

- (1) If the Minister is satisfied that the Trust has failed to meet its obligations under section 8, 11 or 12 or clause 1, 2, 3 or 4 of Schedule 2, the Minister may serve notice on the Trust, advising it of the Minister's intention to dissolve the Trust.
- (2) The notice is to state that, unless the Trust meets the obligations specified in the notice within a specified period, being not less than 3 months, the Minister will dissolve the Trust.
- (3) The Minister may extend the period specified in the notice.
- (4) If the Minister, after exploring all other reasonable options to rectify the Trust's failure to meet the obligations specified in the notice, including by the replacement of the trustees, is satisfied that the Trust has failed to meet those obligations within the period specified, or extended under subsection (3), the Minister may dissolve the Trust.
- (5) If the Minister dissolves the Trust, the Minister –
 - (a) has all the powers and functions of the Trust; and

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- (b) must ensure that any remaining Trust funds are used for the purposes of this Act; and
 - (c) is to lay a copy of the reasons for the dissolution of the Trust before each House of Parliament within 21 sitting-days of that House after the dissolution.
- (6) A notice under this section is not a statutory rule for the purposes of the *Rules Publication Act 1953*.

8. Schedule 1 amended (Members of the Trust)

Schedule 1 to the Principal Act is amended as follows:

- (a) by inserting the following paragraph after paragraph (d) in clause 1(1):
 - (da) if the member is or becomes a salaried officer or employee of the TFGA; or
- (b) by inserting in clause 2 “only” after “paid”.

9. Schedule 2 amended (Meetings of the Trust)

Schedule 2 to the Principal Act is amended as follows:

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- (a) by omitting from clause 1(2) “all 3” and substituting “4”;
- (b) by inserting the following subclause after subclause (2) in clause 1:
 - (3) The Minister must be invited to attend, or send a representative to, every meeting of the Trust as an observer.
- (c) by omitting subclause (1) from clause 2 and substituting the following subclause:
 - (1) The members are to elect annually one of their number to be chairperson who is to preside at each meeting of the Trust.
- (d) by omitting from clause 2(2) “2” and substituting “3”.

10. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.