



New South Wales

# Rice Marketing Amendment Bill 2024

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The objects of this Bill are as follows—

- (a) to initially exclude rice cultivated and harvested in the Northern Rivers region from the operation of the *Rice Marketing Act 1983* (*the Act*),
- (b) to provide that all other rice vests in the Rice Marketing Board for the State of New South Wales (the *Board*) until 30 June 2025 only,
- (c) to provide for the winding up and dissolution of the Board,
- (d) to enable the Governor to repeal the Act by proclamation after the Board is dissolved,
- (e) to provide for consequential and savings and transitional matters.

## Outline of provisions

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

## Schedule 1 Amendment of Rice Marketing Act 1983 No 176

**Schedule 1** gives effect to the objects set out in the overview.



New South Wales

# Rice Marketing Amendment Bill 2024

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*This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.*

*Legislative Council*

*Clerk of the Parliaments*



New South Wales

## **Rice Marketing Amendment Bill 2024**

No           , 2024

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### **A Bill for**

An Act to amend the *Rice Marketing Act 1983* to provide for the partial and complete end to rice vesting arrangements; and for other purposes.

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*The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*

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**The Legislature of New South Wales enacts—**

1

**1 Name of Act**

2

This Act is the *Rice Marketing Amendment Act 2024*.

3

**2 Commencement**

4

This Act commences on the date of assent to this Act.

5

<b>Schedule 1</b>	<b>Amendment of Rice Marketing Act 1983 No 176</b>	1
<b>[1] Part 3, Division 5</b>		2
	Omit the division. Insert instead—	3
<b>Division 5</b>	<b>Special provisions relating to rice</b>	4
<b>67A</b>	<b>Definition</b>	5
	In this division—	6
	<i>Board</i> means the Rice Marketing Board for the State of New South Wales.	7
<b>67B</b>	<b>Exclusion of rice grown in Northern Rivers region from application of Act</b>	8
(1)	This Act does not apply to rice cultivated and harvested in the excluded area.	9
(2)	The area for which the Board is constituted is taken not to extend to the excluded area.	10 11
(3)	The Board must wind up its affairs in relation to the excluded area.	12
(4)	Section 60(2) does not apply to a producer of rice in the excluded area.	13
(5)	Section 60(3) does not apply to a person who buys or receives rice from a producer of rice in the excluded area.	14 15
(6)	In this section—	16
	<i>excluded area</i> means the local government areas of Ballina, Byron, Clarence Valley, Kyogle, City of Lismore, Richmond Valley and Tweed.	17 18
<b>67C</b>	<b>End of rice vesting period and dissolution of Board</b>	19
(1)	Despite an earlier proclamation in force immediately before this section commences, all rice vests in and is the property of the Board until 30 June 2025 only.	20 21 22
(2)	On and from 1 July 2025—	23
(a)	rice ceases to be a primary product to which this Act applies, and	24
(b)	the Board must take all reasonable steps to wind up its affairs before 1 July 2026.	25 26
(3)	Section 35(3), (5) and (6) apply in relation to the dissolution of the Board as if a reference to a proclamation of the Governor were a reference to an order of the Minister.	27 28 29
(4)	If the Board is not dissolved before 1 July 2026, the Minister must table a report on the dissolution in each House of Parliament within 3 months of that date.	30 31 32
<b>67D</b>	<b>Functions of Board</b>	33
	Schedule 6 contains provisions about the functions of the Board.	34
<b>[2] Section 166</b>		35
	Insert after section 165—	36
<b>166</b>	<b>Repeal of Act</b>	37
	The Governor may, by proclamation, repeal this Act if satisfied all boards and committees are dissolved.	38 39

<b>[3] Schedule 4 Savings, transitional and other provisions</b>	1
Insert at the end of the schedule, with appropriate part and clause numbering—	2
<b>Part Provisions consequent on enactment of Rice Marketing Amendment Act 2024</b>	3
	4
<b>Definition</b>	5
In this part—	6
<i>Board</i> means the Rice Marketing Board for the State of New South Wales.	7
<b>Vesting of existing rice grown in Northern Rivers region</b>	8
(1) Despite section 67B, rice cultivated and harvested in the excluded area before 1 September 2024 is taken to be a commodity vested in the Board by section 56(2).	9 10 11
(2) The exemptions in section 67B(4) and (5) do not apply in relation to rice referred to in this clause.	12 13
<b>End of rice vesting</b>	14
(1) Despite section 67C, an entitlement or function conferred by or under this Act on an authorised buyer, including a condition of appointment, continues to apply in relation to rice purchased before 1 July 2025.	15 16 17
(2) For section 67C, the Minister may, by order, do the following—	18
(a) decrease the number of members of the Board to at least 3 while the Board winds up its affairs,	19 20
(b) dissolve the Board if satisfied the affairs of the Board are wound up,	21
(c) provide for the transfer of the assets, rights and liabilities of the Board to a public authority,	22 23
(d) provide for other savings or transitional matters.	24
(3) If the number of members of the Board is decreased under subclause (2)(a), the quorum for a meeting of the Board is a majority of members.	25 26
(4) In this clause—	27
<i>public authority</i> means the following, but does not include a person or body prescribed by the regulations for this definition—	28 29
(a) a Public Service agency within the meaning of the <i>Government Sector Employment Act 2013</i> ,	30 31
(b) a statutory body representing the Crown,	32
(c) a statutory State owned corporation or subsidiary within the meaning of the <i>State Owned Corporations Act 1989</i> ,	33 34
(d) a council, county council or joint organisation within the meaning of the <i>Local Government Act 1993</i> .	35 36

<b>[4] Schedule 6 Special provisions relating to Rice Marketing Board</b>	1
Omit “(Section 67B)”. Insert instead “section 67D”.	2