

Campbell, Ms
Carli, Mr
Crutchfield, Mr
D'Ambrosio, Ms
Duncan, Ms
Eren, Mr
Graley, Ms
Green, Ms
Haermeyer, Mr
Hardman, Mr
Harkness, Dr
Helper, Mr
Herbert, Mr
Holding, Mr
Howard, Mr
Hudson, Mr
Hulls, Mr

Munt, Ms
Nardella, Mr
Neville, Ms
Overington, Ms
Pallas, Mr
Pandazopoulos, Mr
Perera, Mr
Pike, Ms
Richardson, Ms
Robinson, Mr
Scott, Mr
Seitz, Mr
Stensholt, Mr
Thomson, Ms
Thwaites, Mr
Trezise, Mr
Wynne, Mr

Noes, 32

Asher, Ms
Baillieu, Mr
Blackwood, Mr
Burgess, Mr
Clark, Mr
Crisp, Mr
Delahunty, Mr
Dixon, Mr
Fyffe, Mrs
Hodgett, Mr
Ingram, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Morris, Mr
Mulder, Mr

Napthine, Dr
Northe, Mr
O'Brien, Mr
Powell, Mrs
Ryan, Mr
Shardey, Mrs
Smith, Mr K.
Smith, Mr R.
Sykes, Dr
Thompson, Mr
Tilley, Mr
Victoria, Mrs
Wakeling, Mr
Weller, Mr
Wells, Mr
Wooldridge, Ms

Question agreed to.

Ordered to be returned to Council with message intimating decision of house.

18:07

GRAIN HANDLING AND STORAGE AMENDMENT BILL

Statement of compatibility

Mr HELPER (Minister for Agriculture) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Grain Handling and Storage Act Amendment Bill 2007.

In my opinion, the Grain Handling and Storage Act Amendment Bill 2007, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The bill amends the Grain Handling and Storage Act 1995 ('the act') to:

reduce the regulation of the grains handling and storage sector by the Essential Services Commission ('the commission') to a light-handed access regime; and

extend access regulation to the port of Melbourne by way of this new access regime.

Human rights issues

There are no human rights protected by the charter that are impacted by the bill.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because it does not limit, restrict or interfere with human rights.

JOE HELPER, MP
Minister for Agriculture

Second reading

Mr HELPER (Minister for Agriculture) — I move:

That this bill be now read a second time.

The Essential Services Commission was required by the Grain Handling and Storage Act 1995 to review the regulatory arrangements for the handling and storage of grain for export by 30 June 2006.

The review concluded that, given the significant degree of change in the grains industry at this time, some form of limited regulation of this sector was still warranted in the short term.

The commission recommended that rather than the current licence regime, where the cost of activities undertaken by the commission in regulating grain handling facilities are recovered through licence fees, the commission should adopt more of a monitoring role. In this role, the commission would require each of the terminals to prepare an access undertaking that would contain the principles upon which access is to be provided, including a binding dispute resolution process. The commission would only intervene if this undertaking was not adhered to.

The commission also found in its review that the GrainCorp facilities at Portland and Geelong are no longer the dominant grain handlers in Victoria. Instead, a relatively balanced duopoly has developed between these facilities and those operated by the Australian Bulk Alliance at the port of Melbourne. The commission therefore recommended that there be no discrimination in the regulatory treatment of grain handling and storage services in Victoria. As a result, regulation should also be extended to the grain handling