



## LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

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### SELECT COMMITTEE ON ESTIMATES 2023-2024

Mr Mark Parton MLA (Chair), Ms Jo Clay MLA (Deputy Chair),  
Mr Michael Pettersson MLA

### ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

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Asked by Mr Mark Parton MLA on 24 July 2023: Mr Rynehart took on notice the following question(s):

[Ref: Uncorrected Hansard Transcript 24 July 2023 [PAGE 48]]

In relation to: Enforcement of Food Safety Notices

**THE CHAIR:** Mr Rynehart and or the minister, if I can then just go to close that one off, you have talked about the bricks and mortar and you have talked about trailers. I want to go with the third one, because there has recently been an increase in people selling processed and cooked foods online through communities like Facebook Marketplace and others. I mean, I guess sometimes it is difficult to—where is the line, in terms of what is a food business? How are these pop-up online businesses regulated, if at all?

**Mr Rynehart:** That specific question may be better for the Health Protection Service, just about the enforcement element of it. What I can say is that at the point that a business is selling food, they do need a licence. I might need to take that detail on notice and come back just about that specific element.

**THE CHAIR:** If you could, that would be worthwhile, because—I mean, obviously we can deflect to health, but surely it is an Access Canberra enforcement issue. And I am just trying to get a handle on—

**Ms Cheyne:** Health protection does the enforcement for food.

**THE CHAIR:** Right, okay.

**Ms Cheyne:** Yes.

**THE CHAIR:** Okay.

**Ms Cheyne:** So, they work as a team—

**THE CHAIR:** Yes.

**Ms Cheyne:** But it is—we are not passing it over to health—

**THE CHAIR:** No—

**Ms Cheyne:** —health does do the enforcement.

**THE CHAIR:** If you have taken it on notice, Mr Rynehart, that is good.

**Acting Minister for Better Business Regulation:** The answer to the Member's question is as follows: –

Access Canberra and the Health Protection Services work closely together under a Memorandum of Understanding to provide a coordinated regulatory approach in the ACT.

Food businesses are obligated to be aware of their food safety responsibilities and take appropriate steps to ensure compliance with the *Food Act 2001* and the Food Standards Code.

Under ACT law, businesses that sell cooked and processed food via online platforms generally require a food business registration.

Food businesses, including those that sell food through online communities such as Facebook Marketplace, must comply with relevant parts of the Australia New Zealand Food Standards Code, including:

- Standard 3.2.2 Food Safety Practices and General Requirements
- Standard 3.2.3 Food Premises and Equipment
- Part 1.2 Labelling and other information requirements.

Where a food business is found to not have a food business registration, they are contacted by the Health Protection Service's Environmental Health team. The Environmental Health team takes a risk-based compliance approach to ensure that resources are targeted to where the risks of harm, unsafe practices or misconduct are greatest.

Members of the public can raise concerns or complaints about licensed venues through the [Access Canberra website](#) or by calling 13 22 81. They can also contact the Health Protection Service by calling 5124 9700 or emailing [hps@act.gov.au](mailto:hps@act.gov.au).

Access Canberra provides support to ACT businesses across several teams, including through its Event Coordination and Business Assist (ECBA) team.

ECBA works closely with the licensing and regulatory areas across the ACT Government to support local business discover and navigate the various approvals and endorsements relevant to start or grow a business, including food business registrations.

As well as internal government referrals, the ECBA team operates a direct phone line (6205 4400) and email ([ACBusinessTeam@act.gov.au](mailto:ACBusinessTeam@act.gov.au)) for businesses to engage and link in with relevant areas from across government for support and information. Businesses can also submit a [Business Support Enquiry](#) via the Access Canberra website at any time of day, which is sent directly to the team for the allocation of a case officer.

From 1 May 2023 the ECBA team also began offering an appointment option for businesses supported by a communications campaign focusing on promoting its support service. To date, ECBA services have been well received with 3 appointments conducted since 1 May 2023 and advice provided to 24 businesses. Those appointments have included other regulatory areas of Access Canberra and TCCS to facilitate provision of coordinated advice.

Approved for circulation to the Select Committee on Estimates 2023-2024

Signature:



Date:

2/8/23

By the Acting Minister for Better Business Regulation, Mr Chris Steel MLA