

Ms Chiaka Barry MLA  
Chair  
Standing Committee on Legal Affairs (Legislative Scrutiny Role)  
ACT Legislative Assembly  
By email: [scrutiny@parliament.act.gov.au](mailto:scrutiny@parliament.act.gov.au)

Our ref: 25/0236075

Dear Ms Barry

I write in response to the comments made by the Standing Committee on Legal Affairs (Legislative Scrutiny Role) (the Committee) in Scrutiny Report 7, of June 2025. Specifically, this letter addresses the Committee's comments about the Environment Legislation Amendment Bill 2025 (the bill).

Amendments to the *Biosecurity Act 2023*

1. The Committee has requested clarification as to whether the word 'document' in new section 232A, as proposed by clause 4 of the bill, is the appropriate term.

I acknowledge that the use of the word 'document' in new section 232A(2), instead of the word 'instrument', is an inconsistent use of terminology. The Parliamentary Counsel's Office (PCO) has advised that this inconsistency has no unintended legal effect, and that new section 232A (2) is confined in its scope by referring to 'a document' in subsection (1). PCO has also advised that this inconsistency is a template drafting issue that is present across the ACT statute book, and that it intends to address this issue holistically across the Territory's legislation.

2. The Committee has noted that proposed new section 232A in the bill is different to the corresponding provisions in the regulations it is replacing; namely section 47 of the *Biosecurity Regulation 2005* and section 92 of the *Biosecurity (National Livestock Identification System) Regulation 2025*. The Committee has requested that the explanatory statement for the bill be amended to clearly provide an assessment of the impact of new section 234G, given those differences.

The City and Environment Directorate will draft a supplementary explanatory statement to outline how new section 232A is different from the provisions it is replacing, and provide an assessment of any consequences arising from those differences.

Amendments to the *Biosecurity (Livestock Identification System) Regulation 2025* and *Biosecurity Regulation 2025* (the "Biosecurity Regulations")

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3. The committee has requested confirmation that the Standards referred to in the notes that are proposed to be inserted into the Biosecurity Regulations by parts 3 and 4 of the bill, are not Australian Standards.

I can confirm that, with the exception of AS 5008 referred to in clause 10, the standards referred to in the proposed new notes are not Australian Standards. They are defined in section 7(2) of the *Biosecurity Regulation 2025* and the dictionary of the *Biosecurity (National Livestock Identification System) Regulation 2025*, are published by the Australian Renderers Association<sup>1</sup> and the NLIS Administrator<sup>23</sup> respectively and freely available on the internet. AS 5008 is the Australian Standard on Hygienic rendering of animal products, as defined in section 7(2) of the *Biosecurity Regulation 2025*.

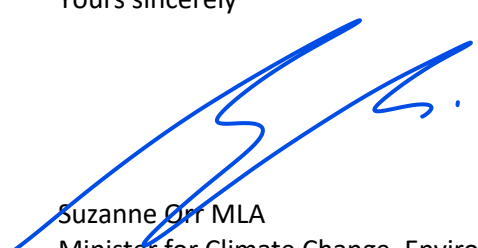
Amendments to the *Fisheries Act 2000*

4. The Committee has requested clarification on the amendment to section 24 of the *Fisheries Act 2000* proposed by clause 19 of the bill.

The Committee has noted the amendment proposed by clause 19 of the bill has already been enacted by the *Biosecurity Legislation Amendment Act 2024*. The inclusion of this clause in this bill is an unfortunate drafting error. PCO has advised that substituting words in the Act for the same words means that the amendment will have no legal effect and therefore the amendment can be commenced with no unintended consequences.

Thank you for bringing these matters to my attention.

Yours sincerely



Suzanne Orr MLA  
Minister for Climate Change, Environment, Energy and Water  
05/08/25

<sup>1</sup> <https://www.ausrenderers.com.au/wp-content/uploads/2023/09/National-Standards-for-Recycling-of-Fats-and-Oils.pdf>

<sup>2</sup> [cattle-traceability-standards.pdf](#)

<sup>3</sup> [sheep--goat-traceability-standards-booklet-updated-june-2024.pdf](#)