



**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**2008–2009–2010–2011**

**MINUTES OF PROCEEDINGS**

**No. 116**

**WEDNESDAY, 24 AUGUST 2011**

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**1** The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Mr Rattenbury) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

**2 CHILDREN AND YOUNG PEOPLE (TRANSITION TO INDEPENDENCE)  
AMENDMENT BILL 2011**

Ms Hunter, pursuant to notice, presented a Bill for an Act to amend the *Children and Young People Act 2008*.

*Paper:* Ms Hunter presented an explanatory statement to the Bill.

Title read by Clerk.

Ms Hunter moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Corbell—Attorney-General) and the resumption of the debate made an order of the day for the next sitting.

**3 CRIMES (OFFENCES AGAINST POLICE) AMENDMENT BILL 2011—  
EXPOSURE DRAFT—PAPER AND STATEMENT BY MEMBER**

Mr Seselja (Leader of the Opposition), by leave, presented the following paper:

Crimes (Offences Against Police) Amendment Bill 2011—Exposure draft.

and, by leave, made a statement in relation to the paper.

**4 RESIDENTIAL TENANCIES (MINIMUM HOUSING STANDARDS)  
AMENDMENT BILL 2011**

Mr Rattenbury, pursuant to notice, presented a Bill for an Act to amend the *Residential Tenancies Act 1997* and the *Residential Tenancies Regulation 1998*.

*Paper:* Mr Rattenbury presented an explanatory statement to the Bill.

Title read by Clerk.

Mr Rattenbury moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Corbell—Attorney-General) and the resumption of the debate made an order of the day for the next sitting.

## 5 **CRIMES (PENALTIES) AMENDMENT BILL 2011**

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Mr Corbell (Attorney-General) moved—That debate be adjourned.

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*Suspension of standing and temporary orders moved—Debate on adjournment of debate:* Mrs Dunne moved—That so much of the standing and temporary orders be suspended as would prevent debate on the motion to adjourn debate being debated.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 5	NOES, 10
Mr Coe	Mr Barr
Mrs Dunne	Dr Bourke
Mr Hanson	Ms Bresnan
Mr Seselja	Mr Corbell
Mr Smyth	Ms Gallagher
	Mr Hargreaves
	Ms Hunter
	Ms Le Couteur
	Ms Porter
	Mr Rattenbury

And so it was negatived.

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Question—That debate be adjourned—put.

The Assembly voted—

AYES, 9	NOES, 4
Mr Barr	Mr Coe
Dr Bourke	Mr Hanson
Ms Bresnan	Mr Seselja
Mr Corbell	Mr Smyth
Ms Gallagher	
Ms Hunter	
Ms Le Couteur	
Ms Porter	
Mr Rattenbury	

And so it was resolved in the affirmative.

Question—That the resumption of the debate be made an order of the day for the next sitting—put and passed.

## 6 **FOOD (NUTRITIONAL INFORMATION) AMENDMENT BILL 2011**

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Question—That this Bill be agreed to in principle—put.

The Assembly voted—

AYES, 9		NOES, 4
Mr Barr	Ms Hunter	Mr Coe
Dr Bourke	Ms Le Couteur	Mr Hanson
Ms Bresnan	Ms Porter	Mr Seselja
Mr Corbell	Mr Rattenbury	Mr Smyth
Ms Gallagher		

And so it was resolved in the affirmative—Bill agreed to in principle.

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*Detail Stage*

Clause 1 agreed to.

Clause 2—

On the motion of Ms Bresnan, her amendment No. 1 (*see* [Schedule 1](#)) was made, after debate.

Clause 2, as amended, agreed to.

Clauses 3 and 4, by leave, taken together and agreed to.

Clause 5—

On the motion of Ms Bresnan, by leave, her amendments Nos. 2 to 4 (*see* [Schedule 1](#)) were made together, after debate.

On the motion of Ms Gallagher (Minister for Health), her amendment No. 1 (*see* [Schedule 2](#)) was made after debate.

*Paper:* Ms Gallagher presented a supplementary explanatory statement to the Government amendment.

Clause 5, as amended, agreed to.

Clause 6 agreed to.

Clause 7—

On the motion of Ms Bresnan, her amendment No. 6 (*see* [Schedule 1](#)) was made.

Clause 7, as amended, agreed to.

Remainder of Bill, by leave, taken as a whole and agreed to.

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Question—That this Bill, as amended, be agreed to—put and passed.

## 7 GOVERNMENT OFFICE BLOCK PROJECT

Mr Seselja (Leader of the Opposition), pursuant to notice, moved—That this Assembly:

- (1) notes:
  - (a) the ACT Labor Government's determination to push ahead with a \$432 million Government Office Block;
  - (b) the ACT has the highest office vacancies in the country;

- (c) the failure to appropriately consult with the private sector and the community at large on the project;
  - (d) the proposed Government Office Block is the most expensive project in the history of the ACT Government;
  - (e) the ongoing failure of ACT Labor to deliver infrastructure on time and on budget; and
  - (f) the need for critical infrastructure to be given priority over a new office block; and
- (2) calls on the ACT Government to:
- (a) release all documents in relation to the costings and financial analysis on the proposed project; and
  - (b) immediately abandon this project to save taxpayers the \$432 million slated for this initiative.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour this day.

## 8 QUESTIONS

Questions without notice were asked.

## 9 PAPER—PETITION OUT-OF-ORDER

Mr Corbell (Manager of Government Business) presented the following paper:

Petition which does not conform with the standing orders—Farrer shops—Proposed IGA supermarket—Mr Doszpot (1293 signatures).

## 10 GOVERNMENT OFFICE BLOCK PROJECT

The order of the day having been read for the resumption of the debate on the motion of Mr Seselja (Leader of the Opposition) (*see entry 7*)—

Debate resumed.

Ms Hunter moved the following amendment: Omit all words after “That this Assembly”, substitute:

- “(1) notes:
- (a) that the 2011-2012 Budget appropriated \$500 000 for further evaluation of options for government office accommodation;
  - (b) that funding for the final project has not yet been approved by the Assembly;
  - (c) that the Government has committed to market testing the delivery of a government office building;
  - (d) the Government commitment to house public servants in buildings that achieve and maintain a minimum 4.5 star NABERS rating, and to pursuing carbon neutrality in ACT Government operations by 2020;
  - (e) Resource Management Plans were supposed to be completed for all agencies by 2009 and most remain outstanding; and

- (f) ACT public servants should be provided with accommodation that:
- (i) provides safe and professional workplaces;
  - (ii) provides more efficient services to the community;
  - (iii) meets our responsibility to the environment and our legislated greenhouse gas reduction targets; and
  - (iv) delivers the most financially responsible option for the ACT budget and taxpayers; and
- (2) calls on the Government to:
- (a) ensure the feasibility studies and market testing both include:
    - (i) examination of the adaptive reuse of existing office buildings; and
    - (ii) consideration of the options for an ACT Government office precinct, as opposed to just a single building model;
  - (b) ensure that whole of life cycle analysis of the environmental impact is considered;
  - (c) finalise the government office accommodation strategy; and
  - (d) report back to the Assembly on progress by December 2011.”.

Debate continued.

Mr Barr (Minister for Economic Development) moved the following amendment to Ms Hunter’s proposed amendment: Insert subparagraph (1)(g):

“(g) the ACT Government’s immediate priority is the delivery of the Gungahlin office accommodation and Cox Architects have been engaged to identify a suitable site, the most appropriate procurement process, the most appropriate tenants and the building specifications for this project;”.

Debate continued.

Question—That Mr Barr’s amendment to Ms Hunter’s proposed amendment be agreed to—put.

The Assembly voted—

AYES, 10		NOES, 5
Mr Barr	Ms Gallagher	Mr Coe
Dr Bourke	Ms Hunter	Mr Doszpot
Ms Bresnan	Ms Le Couteur	Mr Hanson
Ms Burch	Ms Porter	Mr Seselja
Mr Corbell	Mr Rattenbury	Mr Smyth

And so it was resolved in the affirmative.

Question—That Ms Hunter’s amendment, as amended, be agreed to—put.

The Assembly voted—

AYES, 10		NOES, 5
Mr Barr	Ms Gallagher	Mr Coe
Dr Bourke	Ms Hunter	Mr Doszpot
Ms Bresnan	Ms Le Couteur	Mr Hanson
Ms Burch	Ms Porter	Mr Seselja
Mr Corbell	Mr Rattenbury	Mr Smyth

And so it was resolved in the affirmative.

Debate continued.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
  - (a) that the 2011-2012 Budget appropriated \$500 000 for further evaluation of options for government office accommodation;
  - (b) that funding for the final project has not yet been approved by the Assembly;
  - (c) that the Government has committed to market testing the delivery of a government office building;
  - (d) the Government commitment to house public servants in buildings that achieve and maintain a minimum 4.5 star NABERS rating, and to pursuing carbon neutrality in ACT Government operations by 2020;
  - (e) Resource Management Plans were supposed to be completed for all agencies by 2009 and most remain outstanding;
  - (f) ACT public servants should be provided with accommodation that:
    - (i) provides safe and professional workplaces;
    - (ii) provides more efficient services to the community;
    - (iii) meets our responsibility to the environment and our legislated greenhouse gas reduction targets; and
    - (iv) delivers the most financially responsible option for the ACT budget and taxpayers; and
  - (g) the ACT Government’s immediate priority is the delivery of the Gungahlin office accommodation and Cox Architects have been engaged to identify a suitable site, the most appropriate procurement process, the most appropriate tenants and the building specifications for this project; and
- (2) calls on the Government to:
  - (a) ensure the feasibility studies and market testing both include:
    - (i) examination of the adaptive reuse of existing office buildings; and
    - (ii) consideration of the options for an ACT Government office precinct, as opposed to just a single building model;
  - (b) ensure that whole of life cycle analysis of the environmental impact is considered;
  - (c) finalise the government office accommodation strategy; and
  - (d) report back to the Assembly on progress by December 2011.”—

be agreed to—put.

The Assembly voted—

AYES, 9		NOES, 4
Mr Barr	Ms Hunter	Mr Doszpot
Dr Bourke	Ms Le Couteur	Mr Hanson
Ms Bresnan	Ms Porter	Mr Seselja
Ms Burch	Mr Rattenbury	Mr Smyth
Mr Corbell		

And so it was resolved in the affirmative.

## 11 COMMONWEALTH PUBLIC SERVICE—PROPOSED JOB CUTS

Ms Porter, pursuant to notice, moved—That this Assembly:

- (1) notes:
  - (a) the steps taken by the Commonwealth and ACT Governments in recent years to create jobs for Canberrans;
  - (b) the Federal Liberal Party's scheme to sack up to 12 000 Canberrans from the Commonwealth Public Service;
  - (c) this will impact on the ACT economy and community in a similar way as when the Federal Liberals sacked Canberrans from the Commonwealth Public Service in 1996;
  - (d) the impact job losses will have on the cost of living for Canberra families; and
  - (e) that the Chief Minister has written to the Federal Liberal Party regarding this issue; and
- (2) calls on the Leader of the Opposition:
  - (a) to follow the Leadership of the Chief Minister and write to his Federal colleagues about the Federal Liberal scheme to sack Canberrans; and
  - (b) to stand up for the Canberra community and publicly denounce the Federal Liberal scheme to sack Canberrans.

Mr Seselja (Leader of the Opposition) moved the following amendment: Omit all words after "notes", substitute:

- (a) the cuts to national institutions instigated by the Federal Labor Government;
- (b) the cuts to the National Capital Authority instigated by the Federal Labor Government and supported by ACT Labor;
- (c) the 500 job cuts to Centrelink instigated by the Federal Labor Government;
- (d) the 1.5% efficiency dividend imposed by the Federal Labor Government that will rip over \$1 billion out of the public service in the budget forward estimates;
- (e) prospective job cuts from the Federal Labor Government to protect their promise of a budgetary surplus in 2012-2013;

- (f) that the ACT Leader of the Opposition has written to both Labor and Liberal Federal leaders in relation to protecting Commonwealth Public Service jobs in Canberra;
  - (g) that the Leader of the Opposition has personally approached the Federal Leader of the Opposition in relation to protecting Commonwealth Public Service jobs in Canberra; and
  - (h) that the leader of the ACT Labor Party and the leader of the ACT Greens have written only to the Federal Liberal leader in relation to protecting Commonwealth Public Service jobs in Canberra; and
- (2) calls on the leaders of ACT Labor and the ACT Greens to:
- (a) write to Federal parliamentarians, without fear, favour or prejudice;
  - (b) stand up for Canberra and protect local jobs regardless of which party is in power or which party is instigating job cuts; and
  - (c) hold their Federal colleagues to account in the same manner the Leader of the Opposition has already done.”.

Debate continued.

Question—put.

The Assembly voted—

AYES, 4		NOES, 9
Mr Doszpot	Mr Barr	Ms Hunter
Mr Hanson	Dr Bourke	Ms Le Couteur
Mr Seselja	Ms Bresnan	Ms Porter
Mr Smyth	Ms Burch	Mr Rattenbury
	Mr Corbell	

And so it was negatived.

Ms Hunter, by leave, moved the following amendment: Insert new subparagraph (1)(ba):

“(ba) the scheme to sack 12 000 public servants includes disbanding the Department of Climate Change;”.

Debate continued.

Amendment agreed to.

Debate continued.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
  - (a) the steps taken by the Commonwealth and ACT Governments in recent years to create jobs for Canberrans;
  - (b) the Federal Liberal Party’s scheme to sack up to 12 000 Canberrans from the Commonwealth Public Service;
  - (c) the scheme to sack 12 000 public servants includes disbanding the Department of Climate Change;

- (d) this will impact on the ACT economy and community in a similar way as when the Federal Liberals sacked Canberrans from the Commonwealth Public Service in 1996;
  - (e) the impact job losses will have on the cost of living for Canberra families; and
  - (f) that the Chief Minister has written to the Federal Liberal Party regarding this issue; and
- (2) calls on the Leader of the Opposition:
- (a) to follow the Leadership of the Chief Minister and write to his Federal colleagues about the Federal Liberal scheme to sack Canberrans; and
  - (b) to stand up for the Canberra community and publicly denounce the Federal Liberal scheme to sack Canberrans.”—

be agreed to—put.

The Assembly voted—

	AYES, 9		NOES, 4
Mr Barr	Ms Hunter	Mr Coe	
Dr Bourke	Ms Le Couteur	Mr Dospot	
Ms Bresnan	Ms Porter	Mr Hanson	
Ms Burch	Mr Rattenbury	Mr Smyth	
Mr Corbell			

And so it was resolved in the affirmative.

## 12 PARKWOOD ROAD RECYCLING ESTATE

Mr Coe, pursuant to notice, moved—That this Assembly:

- (1) notes:
  - (a) that a significant fire started at the Parkwood Road Recycling Estate on Saturday, 20 August 2011;
  - (b) that in excess of 15 fire units from the fire brigade and the ACT Rural Fire Service were required to attend to the blaze;
  - (c) the outstanding efforts of all Emergency Service personnel who attended the blaze;
  - (d) past inspections by the Emergency Services Authority and the Property Group established that there were fire risks at the Estate; and
  - (e) the Government was advised that a thorough risk management plan of the entire Parkwood site should be conducted; and
- (2) calls on the Government to table:
  - (a) a list of dates that the Property Group or the Emergency Services Authority has visited sites at the Parkwood Road Recycling Estate to assess fuel stockpile;
  - (b) a list of advice given to tenants regarding reducing fuel loads at the Parkwood Road Recycling Estate;
  - (c) any risk management plans related to the Parkwood Road Recycling Estate;

- (d) what plans they have for the future management of fire risk at the site; and
- (e) these documents in the Assembly by the first sitting day in September 2011.

Mr Corbell (Minister for Police and Emergency Services), by leave, moved the following amendments together:

- (1) Omit subparagraph (1)(e).
- (2) Omit paragraph (2), substitute:

“(2) notes:

- (a) following an inspection in March 2011, the ACT Fire Brigade (ACTFB) determined that the pallets were not a significant immediate risk;
- (b) inspections of the sites identified on 5 May 2010 were conducted by ACT Property Group (ACTPG) on 17 and 29 September 2010, 22 October 2010, 11 and 23 February 2011;
- (c) tenants of the Parkwood Estate have been advised orally and in writing of their obligations to properly maintain their sites;
- (d) fire management risks at the Parkwood Estate have been monitored by the ACTFB and directions issued, when appropriate, in accordance with the *Emergencies Act 2004*; and
- (e) as existing licenses expire for Parkwood Estate tenancies new licences will be issued with specific requirements for the management of waste stockpiles.”.

Ms Le Couteur addressing the Assembly—

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*Adjournment negatived:* It being 6 p.m.—The question was proposed—That the Assembly do now adjourn.

Mr Corbell (Manager of Government Business) requiring the question to be put forthwith without debate—

Question—put and negatived.

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Debate continued.

Mr Corbell, who had already spoken, by leave, again addressed the Assembly.

Question—That Mr Corbell’s amendments be agreed to—put.

The Assembly voted—

AYES, 6	NOES, 9
Mr Barr	Ms Bresnan
Dr Bourke	Mr Coe
Ms Burch	Mr Doszpot
Mr Corbell	Mr Hanson
Mr Hargreaves	Ms Hunter
Ms Porter	Ms Le Couteur
	Mr Rattenbury
	Mr Seselja
	Mr Smyth

And so it was negatived.

Debate continued.

Question—That the motion be agreed to—put and passed.

**13 NATIONAL DISABILITY INSURANCE SCHEME AND NATIONAL INJURY INSURANCE SCHEME—ESTABLISHMENT**

Mr Hargreaves, pursuant to notice, moved—That this Assembly:

- (1) notes:
  - (a) the release of the Productivity Commission’s Final Report into Disability Care and Support and its recommendation to establish a National Disability Insurance Scheme and a National Injury Insurance Scheme;
  - (b) that the National Insurance Disability Scheme will potentially deliver support to 410 000 people with a disability and may take up to seven years to be fully established;
  - (c) the Federal Government’s commitment to establish an Advisory Council and the Federal Government’s sector reforms fund of \$10 million; and
  - (d) the interest of the disability sector in establishing a National Disability Insurance Scheme and a National Injury Insurance Scheme; and
- (2) calls on the ACT Government to:
  - (a) actively participate in all relevant national discussions on the National Disability Insurance Scheme and a National Injury Insurance Scheme;
  - (b) continue to progress implementation of *Future Directions: Towards Challenge 2014* and other relevant disability initiatives until final implementation of the National Disability Insurance Scheme; and
  - (c) keep the Assembly informed of progress with the implementation of a National Disability Insurance Scheme and a National Injury Insurance Scheme.

Mr Doszpot moved the following amendment: Omit all words after “National Injury Insurance Scheme” in subparagraph (1)(a), substitute:

- “(b) that the National Disability Insurance Scheme will potentially deliver support to 410 000 people with a disability and may take up to seven years to be fully established;
- (c) the Federal Government’s commitment to establish an Advisory Council and the Federal Government’s sector reforms fund of \$10 million;
- (d) the Chief Minister’s comments in relation to the National Disability Insurance Scheme, viz: “At the end of the day, whether you have a disability in Kaleen or a disability in Queanbeyan, it doesn’t really make a huge amount of difference. You need the support, you need those dollars, and if you want to move around, you need those dollars to follow you.” (ABC Canberra Radio 666); and
- (e) the interest of the disability sector in establishing a National Disability Insurance Scheme and a National Injury Insurance Scheme; and

- (2) calls on the ACT Government to:
- (a) actively participate in all relevant national discussions on the National Disability Insurance Scheme and a National Injury Insurance Scheme;
  - (b) continue to progress implementation of *Future Directions: Towards Challenge 2014* and other relevant disability initiatives, including the true portability and equity in funding for disabled students in both government and non-government schools as the Chief Minister has proposed and improve upon these initiatives until final implementation of the National Disability Insurance Scheme; and
  - (c) keep the Assembly informed of progress with the implementation of a National Disability Insurance Scheme and a National Injury Insurance Scheme.”.

Debate continued.

Question—put.

The Assembly voted—

AYES, 5

Mr Coe  
Mr Doszpot  
Mr Hanson  
Mr Seselja  
Mr Smyth

NOES, 10

Mr Barr  
Dr Bourke  
Ms Bresnan  
Ms Burch  
Mr Corbell  
Mr Hargreaves  
Ms Hunter  
Ms Le Couteur  
Ms Porter  
Mr Rattenbury

And so it was negatived.

Ms Bresnan, by leave, moved the following amendment: Omit all words after “That this Assembly”, substitute:

“(1) notes:

- (a) the release of the Productivity Commission’s Final Report into Disability Care and Support and its recommendation to establish a National Disability Insurance Scheme and a National Injury Insurance Scheme;
  - (b) that the National Disability Insurance Scheme will potentially deliver support to 410 000 people with a disability and may take up to seven years to be fully established;
  - (c) the Federal Government’s commitment to establish an Advisory Council and the Federal Government’s sector reforms fund of \$10 million; and
  - (d) the interest of the disability sector in establishing a National Disability Insurance Scheme and a National Injury Insurance Scheme;
- (2) supports the move by governments around Australia to a National Disability Insurance Scheme and a National Injury Insurance Scheme; and
- (3) calls on the ACT Government to:
- (a) actively participate in all relevant national discussions on the National Disability Insurance Scheme and a National Injury Insurance Scheme and advocate for the advancement of the schemes;

- (b) continue to progress implementation of *Future Directions: Towards Challenge 2014* and other relevant disability initiatives, and improve upon these initiatives, until final implementation of the National Disability Insurance Scheme; and
- (c) keep the Assembly informed of progress with the implementation of a National Disability Insurance Scheme and a National Injury Insurance Scheme.”.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
  - (a) the release of the Productivity Commission’s Final Report into Disability Care and Support and its recommendation to establish a National Disability Insurance Scheme and a National Injury Insurance Scheme;
  - (b) that the National Disability Insurance Scheme will potentially deliver support to 410 000 people with a disability and may take up to seven years to be fully established;
  - (c) the Federal Government’s commitment to establish an Advisory Council and the Federal Government’s sector reforms fund of \$10 million; and
  - (d) the interest of the disability sector in establishing a National Disability Insurance Scheme and a National Injury Insurance Scheme;
- (2) supports the move by governments around Australia to a National Disability Insurance Scheme and a National Injury Insurance Scheme; and
- (3) calls on the ACT Government to:
  - (a) actively participate in all relevant national discussions on the National Disability Insurance Scheme and a National Injury Insurance Scheme and advocate for the advancement of the schemes;
  - (b) continue to progress implementation of *Future Directions: Towards Challenge 2014* and other relevant disability initiatives, and improve upon these initiatives, until final implementation of the National Disability Insurance Scheme; and
  - (c) keep the Assembly informed of progress with the implementation of a National Disability Insurance Scheme and a National Injury Insurance Scheme.”—

be agreed to—put and passed.

## 14 ADJOURNMENT

Ms Burch (Minister for Community Services) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 7.24 p.m., adjourned until tomorrow at 10 a.m.

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**MEMBERS' ATTENDANCE:** All Members were present at some time during the sitting.

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**Tom Duncan**  
Clerk of the Legislative Assembly

# SCHEDULE OF AMENDMENTS

## Schedule 1

### FOOD (NUTRITIONAL INFORMATION) AMENDMENT BILL 2011

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Amendments circulated by Ms Bresnan

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1

#### Clause 2

Page 2, line 5—

*omit clause 2, substitute*

2

#### **Commencement**

This Act commences on 1 January 2013.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

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2

#### Clause 5

Proposed new section 107, definition of *ready-to-eat food*

Page 4, line 17—

*omit*

that are intended to be hulled, peeled or washed by the consumer

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3

#### Clause 5

Proposed new section 110 (7)

Page 7, line 22—

*omit*

subsection (5).

*substitute*

subsection (5), but only if the person has been given procedural fairness in relation to that finding of guilt.

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4

#### Clause 5

Proposed new section 111A

Page 8, line 14—

*insert*

#### 111A Commencement of regulation made for s 110 or s 111

Subject to any disallowance or amendment under the Legislation Act, chapter 7, a regulation made for section 110 or section 111 commences—

- (a) if there is a motion to disallow the regulation and the motion is negated by the Legislative Assembly—on the day after the day the disallowance motion is negated; or
  - (b) on the day after the 6th sitting day after the day the regulation is presented to the Legislative Assembly under that chapter; or
  - (c) if the regulation provides for a later date or time of commencement—on that date or at that time.
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**5****Clause 5****Proposed new section 114 (2) and (3)****Page 9, line 7—**

*omit proposed new section 114 (2) and (3), substitute*

- (2) The review must include a consideration of whether 1 or more of the following should be prescribed for display:
    - (a) salt content;
    - (b) fat content;
    - (c) carbohydrate content.
  - (3) The Minister must present a report of the review to the Legislative Assembly within 1 year after the review is started.
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**6****Clause 7****Proposed new section 14 (1) (b)****Page 10, line 14—**

*omit*

recommended

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## **Schedule 2**

### **FOOD (NUTRITIONAL INFORMATION) AMENDMENT BILL 2011**

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Amendment circulated by the Minister for Health

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**1**

#### **Clause 5**

#### **Proposed new section 114**

**Page 9, line 4—**

*omit proposed new section 114, substitute*

#### **114 Review of pt 9**

- (1) The Minister must review the operation of this part as soon as practicable after the end of its 3rd year of operation.
  - (2) The Minister must present a report of the review to the Legislative Assembly within 1 year after the review is started.
  - (3) The Minister must also present with the report any study or review prepared by the Commonwealth or a State that deals with the requirement to display at food outlets nutritional information about the following contents of food sold at the outlet:
    - (a) salt content;
    - (b) fat content;
    - (c) carbohydrate content.
  - (4) This section expires 5 years after the day it commences.
-