

DRAFT SECOND READING SPEECH

HON JEREMY ROCKLIFF MP

Food Amendment Bill 2021

Mr Speaker,

The purpose of the Food Amendment Bill 2021 is to clarify and enhance the data exchange provisions in the *Food Act 2003* and to correct references to out-of-date Australian Government legislation.

The Food Act seeks to ensure the provision of food that is safe and suitable for human consumption and to prevent misleading conduct in connection with the sale of food. It also enables the application of the Australia New Zealand Food Standards Code in Tasmania.

Since the Act was proclaimed almost 20 years ago, there have been numerous changes and reforms in food safety regulation. These changes reflect the evolving nature of the food system, technology and business practices.

In 2015, the Act was amended to allow a greater range of mobile food businesses to apply for state-wide registration. Before the amendments, many mobile food businesses were required to register in each local government area in which they operated.

The 2015 amendments have successfully reduced compliance costs for mobile food businesses. The administrative burden on councils associated with processing applications has also been reduced, enabling Environmental Health Officers to concentrate on compliance and inspection activities in order to more effectively protect public health.

Mr Speaker, while the 2015 amendments have been effective at reducing regulatory burden and enhancing public health protection measures, their operation has highlighted deficiencies in the data exchange provisions contained in the Food Act.

Specifically, the existing provisions do not easily allow councils or Departmental officers to exchange food safety data with each other or with other jurisdictions.

The Food Amendment Bill proposes amendments to the Food Act to provide for enhanced and clarified information exchange mechanisms.

The Food Amendment Bill also proposes amendments enabling the Director of Public Health to establish and maintain a food business database.

The amendments will facilitate compliance with, and enforcement of, the Food Act's provisions to enhance food safety and prevent food safety incidents.

Under the new provisions, the Director of Public Health may establish a database and authorise a council, State Service Agency, authorised officer and others to enter data to the database, to access and use the data in the database, and to disclose information contained in the database if the Director is satisfied that this would assist in achieving or implementing the Food Act's objectives.

Mr Speaker, these changes will help regulators to better manage food safety in Tasmania.

They will essentially allow an Environmental Health Officer from anywhere in the state to access information relating to a mobile food business' compliance history regardless of where the food business is registered. This will in turn enable Environmental Health Officers to prioritise food business inspections in a risk-based manner.

The Food Amendment Bill clarifies that information obtained in connection with the administration of the Act may be disclosed to a person developing, administering or enforcing a law of New Zealand, the Australian Government or a territory or other state, that corresponds to the Food Act. The ability to exchange data in this way is important when authorities are managing a food safety issue that involves the movement of food across jurisdictional borders, or when working to co-ordinate a national food recall or incident response.

These changes will support a consistent regulatory environment for our local councils and Departmental officers, thereby helping to protect our community's health and Tasmania's reputation as a supplier of safe and suitable food. It will also facilitate responsive actions to food safety incidents, support national food safety response efforts and strengthen local council performance.

Mr Speaker, the Food Amendment Bill also corrects outdated legislative references associated with the Food Standards Code.

Councils have been consulted on the Food Amendment Bill and have given support to the changes.

I commend the Bill to the House.