

SECOND READING SPEECH

HON Bridget Archer MP

Legislation and Regulatory Review (Health) Bill 2026

Madam Speaker

I move that the Bill now be read a second time.

I am pleased to present the Legislation and Regulatory Review (Health) Bill 2026 as the Health, Mental Health and Wellbeing portfolio contribution to this year's Parliamentary (Red Tape) Repeals Day.

This Bill does not make substantive changes to rights, obligations or government policy. Its primary purpose is to repeal spent, obsolete and redundant subordinate legislation that no longer has any practical operation. Tidying the statute book in this way is an important aspect of good governance. It improves the transparency and accessibility of the law by removing provisions that have served their purpose, reducing complexity and making it easier for Tasmanian people, businesses, courts and regulators to identify the laws that are actually in force.

To this end, this Bill will remove three pieces of primary legislation from the Tasmanian statute book. These enactments were identified for repeal due to being either redundant or outdated. The policy intent of both the *Poisons Amendment Act 2009* and the *North West Maternity (Employee Entitlements) Act 2023* was time-limited, but the Acts remained in force. There is no ongoing need for their provisions, and the Acts can be repealed.

The Bill also repeals the *Blood Transfusion (Limitation of Liability) Act 1986*, which was made in the early years of the HIV/AIDS epidemic. At a time of heightened concern, this Act provided protection to authorised blood suppliers and others involved in blood transfusions from legal liability for HIV transmission, provided they comply with specified safety procedures.

In the intervening decades, scientific and regulatory practice have advanced significantly. Blood collection and transfusion today operate in a fundamentally different regulatory environment, in which blood is routinely tested for HIV and multiple other pathogens. In 2026, blood services are subject to comprehensive national regulation and quality

standards and operate within an extensive national therapeutic goods and health regulatory framework.

As such, there is no ongoing need for this Tasmanian Act. Indeed today, retaining an Act that addresses HIV only, and no other blood-borne pathogens, may perpetuate the stigma that may be experienced by people living with HIV. I am pleased to recommend repeal of this Act through the Bill.

In addition to these primary enactments, the Bill will remove 26 pieces of spent subordinate legislation, including amending Acts whose provisions have been incorporated into primary legislation and Orders without ongoing effect but with no revocation date.

This Bill also contains sensible amendments to the Food Act 2003 ensures regulation is applied in a proportionate and commonsense manner to the activities and risks it is intended to address.

The Bill refines the definition of “public institution” to ensure that it does not unintentionally capture activities that were never intended to be subject to the full regulatory requirements of the Food Act. In practice, the current drafting can create uncertainty and impose administrative requirements on organisations and activities that present limited food safety risk. These amendments will provide greater clarity and certainty while maintaining appropriate food safety protections.

The Bill also introduces a regulation-making power to exempt specified classes of food businesses or food supply activities where appropriate. This will support a more flexible and risk-based regulatory framework, reducing unnecessary red tape from low-risk activities, including community fundraising activities such as school and charity barbecues and bake sales. This will help ensure that worthwhile community events are not discouraged by unnecessary regulatory burden.

Madam Speaker, legislative repeal and tidy-up is an important aspect of red tape reduction, and I am pleased to be able to report on other, complementary actions of the Department of Health to further reduce administrative burden. Through its Getting Rid Of Waste (or GROW) program, the Department is identifying and implementing opportunities to reduce waste, improve flow and simplify systems.

Many GROW actions are reducing red tape, including encouraging the use of electronic signatures, remedying out-of-date or duplicative

policies, and streamlining pre-employment credentialing processes. In addition, several GROW ideas also assist with environmental sustainability, such as moving away from single-use clinical and office equipment where possible. I am encouraged to see this program in action and the ways in which it complements the Government's Repeals Day initiative.

I commend the Bill to the House.