

## SECOND READING SPEECH

### ***GENE TECHNOLOGY (TASMANIA) BILL 2012***

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

The purpose of this Bill is to uphold the Tasmanian Government's commitment to maintain legislation that corresponds to Commonwealth gene technology laws. That commitment was made when we signed the inter-governmental Gene Technology Agreement in 2001. The IGA underpins a nationally consistent scheme for gene technology regulation. Members may recall that a review in 2008 found no cause for the Government to change its commitment to the IGA. Nothing has occurred in the interim to suggest it should do otherwise now.

The object of the Bill and the national scheme is to protect the health and safety of people, and to protect the environment. This is achieved by identifying risks posed by gene technology, and by managing those risks through regulating certain dealings with genetically modified organisms (GMOs).

Corresponding legislation enables the national Gene Technology Regulator to regulate gene technology consistently across Australia. In particular, corresponding legislation allows the national Regulator to regulate dealings with GMOs that are likely to be outside the Australian Government's constitutional reach. GMO research in universities is an example.

Since commencement, the Commonwealth legislation has been amended many times, largely to address technical and regulatory efficiency matters. However, Tasmania's corresponding legislation, which commenced in 2001, has never been amended and is now out of step with the Commonwealth legislation. This Bill resolves that issue and ensures it won't happen again.

The Bill replaces the previous Tasmanian legislation. It adopts the Commonwealth legislation as law of Tasmania using the 'application of laws' approach. As Members will know, this approach is advantageous for several reasons. First, Tasmania's corresponding laws will always be up to date with the Commonwealth legislation, meaning our IGA obligations are always met. Furthermore, this legislation will provide clarity to the regulated community in Tasmania – largely researchers

conducting experiments on GMOs in secure, laboratories. Lastly, avoiding the need to update also saves government resources.

I emphasise that the Bill does not represent, or open a door to, a change in the Government's policy on use of gene technology in primary industries. It will have the same effect as the legislation it replaces. The moratorium on commercial release of GMOs is unaffected by this Bill.

There is a legal basis to that statement. The right of States and Territories to regulate GMOs for marketing purposes is recognised under the statutory *Gene Technology (Recognition of Designated Areas) Principle 2003*. Further, Clause 7 of the Bill ensures that a licence issued by the national Regulator for any dealing with a GMO cannot operate in Tasmania if the dealing would contravene the GMO moratorium.

Thus, under this Bill the national scheme of gene technology regulation will operate in Tasmania efficiently and to full effect, while our ability to pursue a GMO-free path for marketing purposes remains unaffected.

Mr Speaker, I commend this Bill to the House.