

## DEPARTMENT OF JUSTICE

### SPEECH NOTES

#### The Trade Measurement (Repeal) Bill 2010

Mr Speaker, I move that the *Trade Measurement (Repeal) Bill 2010* be read a second time.

The *Trade Measurement Act 1999* is part of the national Uniform Trade Measurement Legislation (UTML) scheme which regulates trade measurement in Australia. Under this national scheme, amendments to the Queensland Trade Measurement Act are mirrored in other jurisdictions. In accordance with the UTML and Administration Agreement of 1990, states and territories are jointly responsible for the regulation of trade measurement.

In February 2006, the Council of Australian Governments (COAG) identified trade measurement as an area requiring reform. Following a review of national arrangements, undertaken by the Ministerial Council on Consumer Affairs, on 13 April 2007, COAG agreed to establish a national system of trade measurement funded and administered by the Commonwealth. COAG further agreed that the Commonwealth's administration of trade measurement would commence on 1 July 2010.

On 8 December 2008, the Federal Parliament passed the *National Measurement Amendment Act 2008* to provide the basis for the Commonwealth's legislative regime, operating through the National Measurement Institute. Transition to the new administrative arrangements has now effectively taken place.

Repeal of the *Trade Measurement Act 1999* is now the final step in meeting Tasmania's COAG commitment to allow the national regulation of trade measurement to begin from 1 July 2010.

Mr Speaker, currently the Act commences on the day of receiving Royal Assent. However, the regulations to the Bill expire under the *Subordinate Legislation Act 1992* on 6 September 2010. To ensure that there is no gap in regulation, I propose that the Bill be amended by inserting the following words at the end of clause 2.

"but if it does not receive the Royal Assent by 6 September 2010 this Act is taken to have commenced on 6 September 2010."

The effect of this amendment is that the Act is taken to have commenced on 6 September 2010, or upon Royal Assent whichever occurs first.

The *Trade Measurement (Repeal) Bill 2010* effects the necessary legislative arrangements for the transfer by repealing the *Trade Measurement Act 1999* and the *Trade Measurement (Tasmania) Administration Act 1999* and establishes appropriate transitional arrangements.

The new arrangements will result in:

- a nationally consistent licensing system administered by the National Measurement Institute;
- consistent standards, compliance and enforcement rules, operating across all jurisdictions; and
- a 'seamless' regulatory environment for businesses operating across state and territory boundaries.

Mr Speaker, I commend the Bill to the House.