**GENETICALLY MODIFIED CROPS MANAGEMENT (EXTENSION OF REVIEW PERIOD AND CONTROLS) AMENDMENT BILL 2006**

**Legislative Assembly, 20 September 2006, pages 888-9**

Second reading

**The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries)** obtained leave and introduced a bill for an act to amend the Genetically Modified Crops Management Act 2004. Read a first time.

The Hon. R.J. McEWEN: I move: That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in Hansard without my reading it. Leave granted.

The Commonwealth’s Gene Technology Act 2000 established a national co-operative regulatory scheme for gene technology that seeks “to protect the health and safety of people and to protect the environment by identifying risks posed by or as a result of gene technology, and by managing those risks through regulating certain dealings with GMOs”. The Commonwealth’s Office of the Gene Technology Regulator (OGTR) manages the scheme.

In accordance with the Commonwealth/State/Territory regulatory framework, States and Territories can regulate genetically modified (GM) crops where there are risks to markets and trade, as these are not addressed as part of the national regulatory process.

South Australia’s Genetically Modified Crops Management Act 2004 gives effect to the Government’s commitment to regulate the cultivation of GM food crops in South Australia. It has the primary purpose of permitting the regulation of GM food crops in order to prevent adverse market outcomes that may otherwise occur from the unregulated introduction of GM food crops into the State’s agricultural production systems. Similar legislation has been enacted by all other State/Territory jurisdictions except Queensland.

At present, GM food crops cannot be grown commercially anywhere in South Australia, by virtue of the Genetically Modified Crops Management (Designation of Areas) Regulations 2004. The transitional provisions of the Genetically Modified Crops Management Act 2004 will cause these regulations to expire on 29 April 2007. The purpose of this Bill is to extend the transitional provisions so that the prohibition in South Australia expires on 29 April 2008.

The Government considers it highly desirable that any review of the regulation of GM food crops that seeks to protect market access be undertaken following consultation, and ideally in collaboration, with the other jurisdictions that have similar legislation. Victoria and New South Wales must complete reviews of their respective regulatory arrangements by the end of March 2008. Extending the transitional provisions in the current Act will allow South Australia, Victoria and New South Wales to work together to develop a shared position on the regulation of GM food crops.

Section 29(1) of the Genetically Modified Crops Management Act 2004 requires the Minister to cause a review of the Act to be undertaken by the third anniversary of the commencement of the Act – 29 April 2007. Such a review should explore whether the conditions that resulted in the Act are still valid and if so, whether there are there alternatives to legislation to achieve the desired outcomes. A review of the Act in advance of the multi-jurisdictional consideration of market and trade issues has the potential to pre-empt efforts to achieve national consensus on these issues.

 The Bill also extends the date by which a review of the Act must be undertaken from the third anniversary of the commencement of the Act to the fourth anniversary, so that the review of the Genetically Modified Crops Management Act 2004 must be undertaken by 29 April 2008.

I am able to inform the House that the GM Crop Advisory Committee, an expert committee comprising supply chain representatives with the responsibility to provide advice on the issues and risks posed to markets by GM crops, supports the proposal to extend the prohibition and the due date for completing a review of the Act to 29 April 2008. The Gene Technology Task Force of the SA Farmers Federation also supports the 12-month extension of the prohibition on the commercial cultivation of GM food crops in South Australia.

I commend the Bill to Members.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title This clause is formal.

2—Commencement The measure is to take effect on 1 January 2007. This arrangement will give a clear indication as to intention to extend the time periods under the Act.

3—Amendment provisions This clause is formal.

Part 2—Amendment of Genetically Modified Crops Management Act 2004

4—Amendment of section 29—Review of Act The period for the review of the Act under section 29 is to be extended by one year.

5—Amendment of Schedule 1—Transitional provisions The scheme for the introduction of controls on the commencement of the principal Act is to be extended by one year.

The Hon. R.G. KERIN secured the adjournment of the debate.