**GENE TECHNOLOGY (MISCELLANEOUS) AMENDMENT BILL 2008**

**Legislative Assembly, 11 September 2008, page 83**

Second Reading

**The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:54):** 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.

This Bill amends the *Gene Technology Act 2001* (the *South Australian Act*) in a manner consistent with amendments made to the *Gene Technology Act 2000* of the Commonwealth (the *Commonwealth Act*), in order to preserve consistency with the national regulatory scheme for gene technology. The purpose of the amendments is to improve the operation of the Act without changing the underlying policy intent or overall legislative framework of the regulatory scheme.

The South Australian Act is the State Government’s component of the nationally consistent regulatory scheme for gene technology. Under the *Gene Technology Agreement 2001* (the *Intergovernmental Agreement*), all States and Territories are committed to maintaining corresponding legislation. The object of the Act is 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 genetically modified organisms (*GMOs*).

In 2005-06, an independent review of the Commonwealth Act and the Intergovernmental Agreement was conducted. This review found that the national regulatory scheme had worked well in the 5 years following introduction, and that no major changes were required. However, it suggested a number of minor changes, aimed at improving the operation of the legislation.

On 27 October 2006, the Gene Technology Ministerial Council, an intergovernmental body comprised of State, Territory and Australian Government Ministers, agreed to proposals to implement the recommendations of the Review which included amendments to the Commonwealth Act which took effect on 1 July 2007.

This Bill proposes to implement the corresponding amendments in the South Australian Act. These changes include introducing emergency powers that give the Federal Minister, in consultation with the Gene Technology Ministerial Council, the ability to expedite the approval of a dealing with a GMO in an emergency. Such an emergency could be, for example, the need to allow a genetically modified vaccine to enable a timely response to a disease outbreak or use of a genetically modified organism to aid in degrading an environmental toxin. Other changes proposed in the Bill include improving the mechanisms for providing advice to the Gene Technology Regulator (the *Regulator*); streamlining the processes for the initial consideration of licences; reducing the compliance burden for low risk dealings; providing clarification on the circumstances in which licence variations can be made and the circumstances under which the Regulator can direct a person to comply with the South Australian Act; providing the Regulator with the power to issue a licence to persons who find themselves inadvertently dealing with an unlicensed GMO, for the purpose of disposing of that organism; and technical amendments to improve the operation of the South Australian Act.

I commend the Bill to Members.