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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

SENATE

**AUSTRALIA NEW ZEALAND FOOD AUTHORITY
AMENDMENT BILL 2001**

SUPPLEMENTARY EXPLANATORY MEMORANDUM

(Amendment to be moved on behalf of the Government)

Circulated by the authority of the Parliamentary Secretary to the Minister for Health and
Aged Care, Senator the Hon Grant Tambling

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OUTLINE

This amendment to the Australia New Zealand Food Authority Amendment Bill 2001 (the Bill) will include “consumer rights” as a possible area of expertise for members of the Board of Food Standards Australia New Zealand. The Bill already provides that the Board of this statutory authority must have a member with a background in “consumer rights”. This amendment will also enable the Minister to appoint a person with expertise in consumer rights as Chair of the Board, as one of the New Zealand nominees to the Board, or to any of the remaining positions on the Board other than that reserved for the Chief Executive Officer of FSANZ.

FINANCIAL IMPACT STATEMENT

This amendment will involve no additional costs.

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NOTES ON CLAUSES

Amendment 1

This amendment amends Item 120 of the Bill to insert a new paragraph (ca) after paragraph (c) in new subsection 40(3). New paragraph (ca) inserts “consumer rights” into the “discretionary list” of possible fields of expertise of members of the Board of Food Standards Australia New Zealand.

As a result of this amendment, the Minister may appoint a person with expertise in the field of ‘consumer rights’ as the Chairperson or to any of the other positions on the Board (other than to the positions reserved for a person with a background in consumer rights and for the Chief Executive Officer of the Authority). The Minister could also appoint such a person as a member nominated by the New Zealand lead Minister on the new Australia and New Zealand Food Regulation Ministerial Council, provided the person has been so nominated.

The Minister will only be able to make such an appointment (other than an appointment of a member nominated by the New Zealand Minister) with the agreement of the Council. The Council must agree to all Ministerial appointments of Board members who are to have expertise in a field listed in new subsection 40(3) except for those nominated by the New Zealand Minister. The Food Regulation Agreement 2000 also provides that the Minister must seek to ensure that there is an appropriate balance of skills on the Board covering the fields of expertise listed in new subsection 40(3).