

1996

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

SENATE

PRIMARY INDUSTRIES AND ENERGY LEGISLATION AMENDMENT  
BILL (No 2) 1996

SUPPLEMENTARY EXPLANATORY MEMORANDUM

Amendments to be moved on behalf of the Government

(Circulated by the authority of the Minister for Primary Industries and  
Energy, the Hon John Anderson, MP)

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THIS EXPLANATORY MEMORANDUM TAKES ACCOUNT OF  
AMENDMENTS TO BE MADE BY THE GOVERNMENT HAVING  
LIAISED WITH THE STANDING COMMITTEE FOR THE SCRUTINY OF  
BILLS

PRIMARY INDUSTRIES AND ENERGY LEGISLATION AMENDMENT  
BILL (No 2) 1996

GENERAL OUTLINE

1. The Primary Industries and Energy Legislation Amendment Bill (No.

2) 1996 amends the Imported Food Control Act 1992 by allowing the Secretary to appoint a person, other than an officer of the Australian Quarantine and Inspection Service (AQIS), to be an authorised officer.

2. The amendment sets out the specific powers flowing to a person appointed as an authorised officer under the Act.

3. Generally, enforcement powers are to be limited to AQIS officers only.

4. The ability to appoint persons, other than AQIS officers, to be authorised officers under the Act will achieve a more effective and efficient service to the importing community by providing a more flexible delivery component to the Imported Food Inspection Program especially in locations where an AQIS appointed officer is not readily available.

5. The importing community has been consulted at length and fully supports the amendment.

#### FINANCIAL IMPACT STATEMENT

6. The amendment has no impact on the Commonwealth Budget.

#### NOTES ON CLAUSES

#### SCHEDULE 6 - AMENDMENT OF THE IMPORTED FOOD CONTROL ACT 1992

Item 1: Section 3 (definition of authorised officer)

7. This item defines an authorised officer to mean the Secretary, an officer of AQIS or other person.

Item 2: Section 40

8. This item amends Section 40 by allowing the Secretary to appoint an officer of AQIS as an authorised officer with all of the powers under the Imported Food Control Act 1992. It also allows the Secretary to appoint persons other than an AQIS officer as an authorised officer under the Act with all of the powers of an authorised officer with the exception of specific enforcement provisions.