

House of Representatives

Supplementary Order Paper

Tuesday, 6 December 2005

Hazardous Substances and New Organisms (Approvals and Enforcement) Amendment Bill

Proposed amendments

Hon David Benson-Pope, in Committee, to move the following amendments:

New clause 8A

To insert, after *clause 8* (after line 30 on page 5), the following clause:

- 8A Prohibition of storage of persistent organic pollutants**
Section 25B(2)(a) of the principal Act is amended by omitting the words “(other than polychlorinated biphenyls)”.

New clause 12A

To insert, after *clause 12* (after line 29 on page 7), the following clause:

- 12A Applications required to be publicly notified**
Section 53(1) of the principal Act is amended by adding the following paragraph:

“(f) an application under **section 96C** to issue, amend, or revoke a group standard.”

Clause 20: new section 96D

To omit subsection (2) (lines 33 and 34 on page 21), and substitute the following subsection:

- “(2) Where the Authority proposes to issue, amend, or revoke group standards on its own initiative, sections 53 to 61 apply, with all necessary modifications, for the purposes of this section, as if the proposal were an application.”

New clause 20A

To insert, after *clause 20* (after line 11 on page 23), the following clause:

20A Pre-commencement consultation on group standards

Consultation on group standards completed in accordance with sections 53 to 61 of the Hazardous Substances and New Organisms Act 1996 is to be treated as complying with those sections even though some or all of the consultation occurred before the commencement of this Act.

Clause 28A

To insert in *subclauses (1), (2)(b), (3), (4), and (5)(a)* (lines 25, 30, and 33 to 34 on page 26 and lines 2, 5 to 6, 9, and 12 to 13 on page 27), after the word “standard,” in each place where it occurs, the words “notice of transfer,”.

To insert in *subclauses (2)(a) and (5)(b)* (line 28 on page 26 and line 15 on page 27), after the word “standard”, the words “, notice of transfer,”.

Explanatory note

This Supplementary Order Paper amends the Hazardous Substances and New Organisms (Approvals and Enforcement) Amendment Bill (the **Bill**) by—

- amending section 25B(2)(a) of the Hazardous Substances and New Organisms Act 1996 (the **Act**) to enable the Authority to set storage conditions for polychlorinated biphenyls (*new clause 8A*);
- providing that an application to issue, amend, or revoke a group standard made under *new section 96C* of the Act must be publicly notified in accordance with section 53 of the Act (*new clause 12A*);
- substituting *new section 96D(2)* to provide that where the Authority issues, amends, or revokes a group standard on its own initiative (under *new section 96C(4)(a)*), sections 53 to 61 of the Act apply, with all necessary modifications, as if the proposal were an application (*clause 20*);
- providing that consultation on group standards completed in accordance with sections 53 to 61 of the Act is to be treated as consultation for the purposes of those sections even though some or all of the consultation was undertaken before the commencement of this Bill (*new clause 20A*);
- including references to a notice of transfer in section 141A of the Act, which relates to incorporation of material by reference (*clause 28A*).

