

forfeited items, and payment of compensation in certain circumstances.

The Food Bill requires all food businesses to register their business with the Chief Health Officer. The registration of food businesses allows an enforcement agency to identify the inherent risks of a food business. The enforcement agency is then able to establish a number of appropriate responses, ranging from the exchange of food safety information to a more comprehensive inspection regime. Food business registration also provides enforcement agencies with information to expedite food recalls; allows for better controlling of sources of food-borne illness; and provides better information to respond to complaints more effectively.

While the registration of food businesses will be compulsory, registration fees will not be applied and a streamlined registration process will be introduced. In addition, it is not intended that the registration system will duplicate any existing registration requirements. This means that Eating Houses, which currently pay a registration fee under the *Public Health Act* will, following the repeal of that act, no longer be required to pay a fee for registration as a food business.

The Chief Health Officer may, under section 32 of the act, exempt certain food businesses from the requirement to be registered. It is anticipated that charities and low risk *ad hoc* events, such as sausage sizzles, will be exempt from registration. The Chief Health Officer will prepare a number of food business categories for exemption which will be notified in the government *Gazette*. These categories will be the basis of widespread consultation. A range of national food safety guidelines will inform the Chief Health Officer in this task.

There has already been considerable consultation in the preparation of the Food Bill. Nevertheless, further information and assistance will be provided by enforcement agencies to food businesses and community groups to enhance their understanding of their obligations under this legislation.

The Chief Health Officer is able to impose conditions on the registration of a business. Businesses will be required to renew their registration annually. The Chief Health Officer may cancel the registration of a food business if the proprietor of a registered food business contravenes or fails to comply with the conditions of registration, or is found guilty of an offence against the act. The proprietor has the right to have the decision reviewed.

Sampling of food is a critical part of the enforcement powers of authorised officers. The bill sets out the procedural requirements for the process of obtaining, paying for and sampling of food. Samples are generally taken for the purpose of determining compliance with the Foods Standards Code. A detailed procedure is required, as the result of such samples may be used in evidence in prosecution under food legislation.

The Food Bill proposes that an enforcement agency can issue an improvement notice in relation to food business if they are satisfied that premises, equipment or food transport vehicles are unclean, unsanitary or otherwise unfit; do not comply with the food safety standards; or if any provision of the Food Standards Code relating to the handling of food is not being complied with. The improvement notice will require the offending behaviour or equipment to be remedied within a specified time period. It will be an offence to contravene or fail to comply with an improvement notice.

The Chief Health Officer will also have power to issue a prohibition order in cases where an improvement notice has not been complied with, or the Chief Health Officer believes that issuing the order is necessary to prevent or mitigate a serious danger to public health. Where a prohibition order has been issued, the proprietor can request that the premises be reinspected. If reinspection does not take place within 72 hours of the receipt of a request, a certificate of clearance is deemed to have been given to the proprietor. This ensures that the Chief Health Officer must respond quickly, where a prohibition order is enforced, to minimise the time during which a food business is unable to operate. It is an offence not to comply with a prohibition order. The bill provides for a right of appeal to the local court.

Madam Speaker, the Food Bill 2003 adopts agreed food safety and quality provisions whilst reducing the regulatory burden on industry. It is an important and fundamental step towards ensuring the safety and integrity of food in the Northern Territory.

Debate adjourned.

HEALTH PRACTITIONERS BILL (Serial 201)

Bill presented and read a first time.

Mrs AAGAARD (Health and Community Services): Madam Speaker, I move that the bill be now read a second time.

The Health Practitioners Bill has been developed from the recommendations of the National