

2008

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**EXPLANATORY STATEMENT
ACT GENE TECHNOLOGY ADVISORY COUNCIL
APPOINTMENTS 2007 (NO 1)
DI2007-297**

**Presented by
Ms Katy Gallagher MLA
Minister for Health**

Australian Capital Territory

Explanatory Statement

ACT Gene Technology Advisory Council Appointments 2007 (No. 1)

Disallowable Instrument DI2007- 297

made under the

Gene Technology (GM Crop Moratorium) Act 2004 s 11 (Advisory council)

The ACT Gene Technology Advisory Council (the Council) is established under Section 11 of the *Gene Technology (GM Crop Moratorium) Act 2004* (the Act). Under subsection 11 (2) of the Act, the Council consists of eight (8) members, appointed by the Minister for Health.

Under subsection 11(3) of the Act, the Minister must try to ensure that the following people are appointed as members: a person nominated by the Chief Executive who is to be the chairperson; a person nominated by the Commonwealth Scientific and Industrial Research Organisation (CSIRO); a person nominated by a university based in the Act who has professional skills or experience in research in a field relevant to gene technology; a person nominated by the ACT Rural Lessees' Association; a person nominated by the ACT Sustainable Lands Group; a person nominated by the Canberra Region Branch Biotechnology Group of AusBiotech; a person who has professional skills or experience in the marketing of food crops; and a person to represent the community generally, nominated by the Health Care Consumers' Association.

The effect of the Act is to designate the ACT as an area in which certain genetically modified food plants may not be cultivated, in order to preserve the identity of GM and/or non-GM crops for marketing purposes.

This instrument makes appointments to which the *Legislation Act 2001*, division 19.3.3 applies. Accordingly, the instrument is a disallowable instrument (see *Legislation Act 2001*, s 229) and applies to Council members Dr Mikael Hirsch (CSIRO), Professor Phillip Board (Australian National University), Dr Anthony William Griffin (President of the ACT Rural Landholders Association), Mr John Lowe (President of the ACT Sustainable Rural Lands Group Incorporated), Professor John Lovett (Member of the AgBio Advisory Group to AusBiotech), Ms Sally Rae Milner (co-owner and co-manager of Pialligo Estate Wines), and Mr Thoma van Dooren (consumer representative).

None of these appointees is a public servant. Dr Charles Guest, who is a public servant, did not require appointment according to this instrument to his position as Chair of the Council.

Consultation with the Standing Committee for Health and Disability has taken place in accordance with the *Legislation Act 2001*.