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

ELEVENTH ASSEMBLY

BETTER REGULATION LEGISLATION AMENDMENT BILL 2026

**EXPLANATORY STATEMENT
and
HUMAN RIGHTS COMPATIBILITY STATEMENT
(*Human Rights Act 2004, s 37*)**

**Presented by
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May 2026**

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BETTER REGULATION LEGISLATION AMENDMENT BILL 2026

This explanatory statement relates to the Better Regulation Legislation Amendment Bill 2026 (the **Bill**) as presented to the Legislative Assembly (the **Assembly**). It has been prepared to assist the reader of the Bill and to help inform debate on it. It does not form part of the Bill and has not been endorsed by the Assembly.

The statement is to be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the amendments. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

OVERVIEW OF THE BILL

The purpose of the Bill is to:

- a. improve public access to information and, where relevant, remove regulatory burden;
- b. ensure legislation remains up-to-date and fit-for-purpose; and
- c. ensure alignment between legislation and regulator best practice.

Transparency is an essential aspect for accountability for public agencies and government. Public access to information is an underlying necessity for participation and trust in government. Public registers provide Canberrans with access to meaningful information to make informed commentary, discussion, decisions and understand actions taken by government. Access to certain registers may also increase consumer protection, guard against corruption, and allow for greater trust in regulators.

This Bill is an Omnibus Bill which will amend the following 18 Acts and four Regulations to improve public access to information and, where relevant, remove regulatory burden:

- *ACT Teacher Quality Institute Act 2010 and ACT Teacher Quality Institute Regulation 2010*
- *Architects Act 2004 and Architects Regulation 2004*
- *Board of Senior Secondary Studies Act 1997*
- *Building Act 2004*
- *Cemeteries and Crematoria Act 2020*
- *Climate Change and Greenhouse Gas Reduction Act 2010*
- *Construction Occupations (Licensing) Act 2004*
- *Domestic Animals Act 2000 and Domestic Animals Regulation 2001*
- *Food Act 2001*
- *Gambling and Racing Control Act 1999*
- *Gaming Machine Act 2004*
- *Gas Safety Act 2000*

- *Professional Engineers Act 2023*
- *Public Health Act 1997*
- *Race and Sports Bookmaking Act 2001* and *Race and Sports Bookmaking Regulation 2001*
- *Radiation Protection Act 2006*
- *Utilities (Technical Regulation) Act 2014*
- *Veterinary Practice Act 2018*

These amendments are summarised as follows:

New public registers which will be accessible electronically:

- Accredited assistance animal registrations.
- Approvals of gaming machines and peripheral equipment for gaming machines.
- Race bookmaking licences.
- Race bookmaker's agent licences.
- Sports bookmaking licences.
- Sports bookmaker's agent licences.
- Totalisator licences.
- Building stop notices.
- Approved type A and type B gas appliances.
- Who is licensed to deal with a regulated radiation source.
- Public health risk activity licences.
- Public health procedure licences.
- Registered people under the Public Health Act.
- Food businesses.

Registers where information was accessible electronically which is now enshrined in legislation:

- Education programs.
- Who is registered to provide architectural services in the ACT.
- Courses provided under the Board of Senior Secondary Studies legislation.
- Cemetery and crematoria facilities.
- Sector agreements to assist in reducing greenhouse gas emissions and meet legislated targets.
- Construction occupation licensees.
- Who is registered as assistance animal trainers and assessors.
- Who is registered as a professional engineer.
- Dams in the ACT.
- Veterinary practitioners and veterinary premises.

The Bill will also make the following additional amendments to four Acts to ensure legislation remains up-to-date, relevant, and removes unnecessary burden:

- amendments to the *Legislation Act 2001* to provide for payment neutrality;

- amendments to the *Medicines, Poisons and Therapeutic Goods Act 2008* to remove administrative burdens on businesses and the regulator by removing an offence provision so a licence-holder no longer has to return a licence if it is amended;
- updating gender references in the *Pool Betting Act 1964* to provide for gender-neutral language; and
- amendments to the *Waste Management and Resource Recovery Act 2016* to align the legislation with regulator best practice, remove regulatory burdens, and provide for a more agile regulatory framework for licence and registration holders. To increase transparency, a number of amendments will also see more reviewable decisions added to the Act.

Technical amendments to existing offences

The Bill also makes technical amendments to a number of offence provisions in current legislation. These amendments are purely incidental to other amendments made in this Bill and are necessary to ensure the proper functioning of the regulatory frameworks.

Three offences are amended in the *Public Health Act 1997* which are incidental to the amendments that the Bill makes to public registers provided in the Act. These offences are in relation to the inspection of licences for licensable public health risk activities (section 42B) and licensable public health risk procedures (section 56B), along with the inspection of records for registered persons (section 56U). The wording of the three provisions is being substituted to align with other amendments in the Bill, however, there is no change to the existing offences or associated penalty units.

Additionally, a strict liability offence for the contravention of a container approval condition is being amended in the *Waste Management and Resource Recovery Act 2016*. The Bill introduces new section 64VA into the Act which contains this offence which was previously located in sections 64V(8) and (9). The intent of moving this provision is to provide clarity for the offence. The Bill does not propose a change to the existing offence or associated penalty units. This strict liability offence was justified when it was introduced into the Act by the Waste Management and Resource Recovery Amendment Bill 2017, with the Explanatory Statement noting this offence limited the right of the presumption of innocence.

CONSULTATION ON THE PROPOSED APPROACH

As the Bill is an Omnibus Amendment Bill, targeted consultation on the Bill was conducted internally with relevant ACT Government agencies only.

CLIMATE IMPACT

Not applicable.

CONSISTENCY WITH HUMAN RIGHTS

The Bill **is not** a Significant Bill. Significant Bills are bills that have been assessed as likely to have significant engagement of human rights and require more detailed reasoning in relation to compatibility with the *Human Rights Act 2004* (the **HR Act**).

Rights engaged

The Bill engages the following rights under the HR Act:

- Section 12 – Right to privacy and reputation (limited).
- Section 16 – Right to freedom of expression (promoted).
- Section 21 – Right to fair trial (promoted).
- Section 22 – Rights in criminal proceedings (limited).

Rights Promoted

Section 16 – Freedom of expression

Section 16(2) of the HR Act provides that everyone has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, regardless of borders, whether orally, in writing or in print, by way of art, or in another way chosen by them. This right places obligations on public authorities to provide access to government held information.

The Bill amends 18 Acts and four Regulations to improve public access to government held information. The Bill achieves this by:

- establishing new public registers for information which will be publicly accessible electronically; and
- enshrining in legislation the requirement for certain public registers to be accessible electronically.

This Bill promotes the right to freedom of expression as the amendments in relation to public registers will improve the accessibility and transparency of government information to ensure Canberrans can find and use information that matters to them. This will allow Canberrans to be better informed, more involved in decisions that affect them, and more aware of government services that are available to them. Access to information can have positive impacts on health and safety, animal welfare, consumer protections, and environmental welfare.

Section 21 – Right to fair trial

Section 21 (1) of the HR Act provides that everyone has the right to have criminal charges, and rights and obligations recognised by law, decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

The Bill promotes the right to fair trial as it will make amendments to the *Waste Management and Resource Recovery Act 2016* to include that decision-makers must give reasons for their decisions. This will improve procedural fairness.

Rights Limited

Section 12 – Right to privacy and reputation

1. Nature of the right and the limitation (s28(2)(a) and (c))

Section 12 of the HR Act protects individuals from unlawful or arbitrary interference with privacy, family, home or correspondence. The right to privacy includes communication and informational privacy, and protects personal and confidential information. Individuals should also have a right to access any information held about them.

The Bill limits the right to privacy as it provides for the publication of certain personal information on public registers that will be publicly accessible electronically. The Bill will limit the privacy of individuals as the amendments either:

- establish new public registers for information which will be publicly accessible electronically; or
- enshrine in legislation the requirement for certain public registers to be accessible electronically.

The following table identifies the current requirements for the public registers, the proposed amendments and how these will limit the right to privacy:

Legislation	Current and future requirements for publishing personal information under the Act
<i>Architects Act 2004</i> and <i>Architects Regulation 2004</i>	A register must be kept that allows the public to get information about who is registered to provide architectural services in the ACT (s 14(1)). The Act currently requires the register to be open for free inspection by the public at reasonable times (s 14(4)). The personal information included in the register is prescribed under the <i>Architects Regulation 2004</i> and includes a full name, business contact details and business address. However, the Act

	<p>does not specify which details are to be made publicly available. The list of licensed architects is publicly accessible electronically here: List of licensed Architects. It currently includes an architect's name and general business location (suburb and state).</p> <p>While this list is already publicly accessible electronically, the amendment proposed in the Bill will limit the right to privacy as the amendments will enshrine the requirement for the register to be made accessible to the public, without charge on an ACT government website, or by a link on an ACT government website.</p>
<p><i>Building Act 2004</i></p>	<p>The construction occupations registrar is required to keep a register of stop notices issued under the Act (s 59A(1)). Stop notices are issued to prohibit the carrying out of further building work in a range of circumstances, such as necessary approvals have not been issued, the work is not in accordance with relevant plans, or the building work is being done contrary to conditions and approvals.</p> <p>Under the current Act, the registrar may make information available to the public that is included in the register if the registrar is satisfied on reasonable grounds that publishing the information is appropriate and necessary or desirable to protect the public (s 59A(5)). The register must include the name of the person to whom the stop notice was issued and the address of the parcel of land where the building work is being, or is to be, carried out (s 59A(3)).</p> <p>The Bill proposes to amend s 59A to require the registrar to make the register accessible to the public without charge on an ACT government website or by a link on an ACT government website.</p> <p>The amendments will limit the right to privacy as they propose a new public register which will include publishing the name of the person to whom the stop notice was issued.</p>
<p><i>Cemeteries and Crematoria Act 2020</i></p>	<p>A register must be kept which includes the name and contact details of the licensee permitted to operate a cemetery or crematorium (s 58(2)(a)(i)). The register must also include the name of the person to whom a licence is transferred (s 58(2)(d)). The regulator is required to make</p>

	<p>the information on the register available for public inspection (s 58(3)). The register is publicly accessible electronically here: Cemeteries and Crematoria Regulator - City Services. However, the public register does not currently list the name of a licensee.</p> <p>While this register is already publicly accessible electronically, the amendment proposed in the Bill will limit the right to privacy as the amendments will enshrine the requirement for the register to be made accessible to the public, without charge on an ACT government website, or by a link on an ACT government website.</p>
<p><i>Construction Occupations (Licensing) Act 2004</i></p>	<p>The registrar must keep a register of licensees (s 107(1)). Particulars are prescribed by regulation (Part 3 of the regulation), and include the licensee’s business telephone number and email address. Information included in the register must be made available to the public. The register is publicly accessible electronically here: Construction Occupation Licensees.</p> <p>While this register is already publicly accessible electronically, the amendment proposed in the Bill will limit the right to privacy as the amendments will enshrine the requirement for the register to be made accessible to the public, without charge on an ACT government website, or by a link on an ACT government website.</p> <p>The registrar must also publish a register of public information at least once a week on a website (s107A(1)). This information is in relation to occupational discipline against a licensee. The public register must include the name of each licensee.</p> <p>While this information is already publicly accessible electronically, the amendment proposed in the Bill will limit the right to privacy as the amendments will enshrine the requirement for the register to be made accessible to the public, without charge on an ACT government website, or by a link on an ACT government website.</p>
<p><i>Domestic Animals Act 2000 and</i></p>	<p>Individuals are required to apply to the registrar to be registered as an assistance animal trainer or assessor (ss 100 and 104 respectively).</p>

<p><i>Domestic Animals Regulation 2001</i></p>	<p>The Bill proposes new s 106AA which will require the registrar to make available to the public information in the register about a registered assistance animal trainer or assessor that is prescribed by regulation. New regulations are proposed which would require an assistance animal trainer or assessor's name and contact details to be made publicly available on the register (see new part 3A, 9I of the regulation).</p> <p>The proposed public register must be made accessible to the public without charge on an ACT government website, or by a link on an ACT government website.</p> <p>While the current Act does not require it, the name and contact details of assistance animal trainers and assessors is publicly available: https://www.cityservices.act.gov.au/pets-and-wildlife/domestic-animals/assistance-animals#Find</p> <p>However, the amendments will limit the right to privacy as it proposes a new public register and enshrines in legislation the personal information required to be made public on the register.</p>
<p><i>Food Act 2001</i></p>	<p>The Chief Health Officer (CHO) must keep a register of food businesses registered under the Act (s 105(1)). The register must include the name of the proprietor of the food business and the address the business is mainly conducted from (s 105(2)). The CHO must make arrangements for people to inspect the food business register and buy a copy of part or all of it.</p> <p>The amendments proposed in the Bill will limit the right to privacy as the amendments will enshrine the requirement for the register to be made accessible to the public, without charge on an ACT government website, or by a link on an ACT government website.</p>
<p><i>Gambling and Racing Control Act 1999</i></p>	<p>Under the <i>Race and Sports Bookmaking Act 2001</i> (the Race and Sports Bookmaking Act), the ACT Gambling and Racing Commission (the commission) is required to keep a register of licensees (s 89). The <i>Race and Sports Bookmaking Regulation 2001</i> sets out the prescribed particulars that must be entered in the register for licensees. This includes the name and address of race</p>

	<p>bookmaking licensees, race bookmaker’s agent licensees, sports bookmaking licensees, and sports bookmaker’s agent licensees (see sections 2-4 of the Regulation). There are no requirements under the Race and Sports Bookmaking Act to make this register publicly available.</p> <p>The proposed amendments in the Bill will establish a register for the above-mentioned licensees in the <i>Gambling and Racing Control Act 1999</i>. This is because the <i>Gambling and Racing Control Act 1999</i> is considered a more appropriate legislative framework for certain administrative matters relating to the gambling and racing industry.</p> <p>The Bill will require the registers to be publicly accessible without charge on an ACT government website or by a link on an ACT government website.</p> <p>The public register will include the name and address of the licensee and, for a race bookmaker’s agent or sports bookmaker’s agent licence, the name and address of the person who nominated the licensee for the licence. The public register will also include the name and business address of agents of the licensee and authorised persons in relation to a totalisator licence.</p> <p>The amendments will limit the right to privacy as they propose a new public register which will include the name and address of licensees, and in relation to those who have a race bookmaker’s agent or sports bookmaker’s agent licence, the name and address of the person who nominated the licensee for the licence.</p> <p>The amendments will also limit the right to privacy in relation to totalisator licences as the public register will also include the name and business address of agents of the licensee and authorised persons in relation to that licence.</p>
<p><i>Professional Engineers Act 2023</i></p>	<p>The registrar must keep a professional engineers register which includes certain details about professional engineers (s 30). The registrar must make the name of a professional engineer available to the public (s 31(1)) and may make the name of a former professional engineer available to the public (s 31(2)). Currently, the legislation</p>

	<p>does not specify how this register is to be made publicly available. However, the register is publicly accessible electronically here: List of Professional Engineers.</p> <p>While this register is already publicly accessible electronically, the amendment proposed in the Bill will limit the right to privacy as the amendments will enshrine the requirement for the register to be made accessible to the public, without charge on an ACT government website, or by a link on an ACT government website.</p>
<p><i>Public Health Act 1997</i></p>	<p>The Bill introduces two new registers in new sections 21A and 42CA. New section 21A requires the Minister to keep a register of licensees who are licensed to undertake a public health risk activity. This will include the name of the licensee and the licensed premises.</p> <p>New section 42CA requires the Minister to keep a register of licensees who are licensed to undertake a public health risk procedure. This will include the name of the licensee.</p> <p>Both new registers will be required to be made available to the public without charge by making it accessible on an ACT government website or by link on an ACT government website and available for inspection during ordinary business hours at an ACT government office.</p> <p>The two proposed new registers will limit the right to privacy as the Bill will introduce new public registers that will include personal information about licensees.</p> <p>Under existing section 56E of the Act, the Minister is required to keep a register of registered people. The register is required to include the information on the person's registration certificate, if it is transferred, suspended or cancelled, or surrendered.</p> <p>Currently the register in s 56E is required to be available for public inspection (at no cost) during normal business hours on business days. The Bill will require the Minister to ensure the register is made available to the public without charge by making it accessible on an ACT Government website or by link on an ACT Government website and available for inspection during ordinary business hours at an ACT Government office. This will limit the right to</p>

	<p>privacy as it enshrines that certain information about registered people will be more widely available.</p>
<p><i>Radiation Protection Act 2006</i></p>	<p>The Chief Health Officer (CHO) is required to keep a register of licences issued under section 17 of the Act for individuals to deal with a regulated radiation source (s 33A(1)). The register must include the full name of the licensee (s 33A(2)(a)(i)).</p> <p>The CHO may make certain information in the register, including a licensee’s full name, available for public inspection if satisfied it is in the public interest for the information to be publicly available (s 33A(4)). The register is not currently available online.</p> <p>The Bill will limit the right to privacy as the full name of individuals who are licensed to deal with a regulated radiation source will be publicly accessible electronically.</p>
<p><i>Veterinary Practice Act 2018</i></p>	<p>A register of veterinary practitioners and veterinary premises is required to be kept under the Act. Currently, the register must be open for inspection by the public at reasonable times (s 129(1)). The register must include the name, address and place of work (if any) of a veterinary practitioner (s 124). The register must include the name and address of the registration holder for a veterinary premises, along with the name of the superintendent for the premises (s 125).</p> <p>The register is currently made publicly available electronically here: Find a registered veterinarian or veterinary premises - City Services.</p> <p>While this register is already publicly accessible electronically, the amendment proposed in the Bill will limit the right to privacy as the amendments will enshrine the requirement for the register to be made accessible to the public, without charge on an ACT government website, or by a link on an ACT government website. Additionally, amendments to s 129(4) will require the publication of a veterinary practitioner’s address if this is also the place they practice.</p>

2. *Legitimate purpose (s28(2)(b))*

The overall objective of these amendments is to improve public access to government information, increasing transparency and promoting the freedom of expression (s 16(2) HR Act) by allowing the public to seek and receive information from the government.

The Acts which are proposed to be amended in this Bill to enshrine public registers are responsible for the regulation of individuals engaged in their relevant industry. Individuals who wish to engage in these industries are required to be registered and/or licensed by the relevant regulator. The public registers provide information on individuals who are appropriately licensed and regulated to work in these industries.

The limitation on the right to privacy by publishing personal information regarding licensed individuals in their relevant industries is for the legitimate purpose of protecting consumers who engage individuals from these regulated industries, and to foster an improved culture of transparency and quality of services provided. The public registers will provide confidence to consumers by allowing them to verify that individuals they are engaging with in these regulated industries are appropriately licensed and/or registered to be performing services.

3. *Rational connection between the limitation and the purpose (s28(2)(d))*

The industries that are regulated by the above legislation are subject to regulation due to the impact on the health and safety of the community, as well as consumer protection, animal welfare, and the environment. Regulation of these industries is required to mitigate the risks posed by the work that these occupations undertake. The ability of people engaging with these occupations to access reasonable information relating to their licensing and credentials to undertake the work is integral to the effectiveness of the regulation of these industries. The personal information that is published on the public register is purely related to the business activities and is necessary for the community to accurately identify that a relevant individual has the appropriate licensing and credentials required of their occupation. Protecting free, electronic accessibility in the legislation itself is vital to provide certainty, legitimacy, and to create precedence for the drafting of future legislative frameworks.

4. *Proportionality (s28(2)(e))*

Disclosure of personal information for public registers provided in this Bill is limited to the minimal requirements needed to provide the public with information about registered professionals, and to support enforcement and compliance activity.

Individuals who engage in these regulated professions will be made aware of the requirements for their limited personal details to be included in a register which will purely be for business reasons. This will be communicated during the application

process for professionals requesting new registrations, and by communications following the successful passage of the Bill for those professionals already registered. For those professionals already registered, as a consequence of the information that will now be available on a public register, it should be noted that multiple regulatory burdens will be removed in relation to the administration of licences and registrations. These will include the return of certificates for amending and the removal of having to display certificates. Making information electronically accessible can be considered as a proportional, modern reform for the benefit of consumers and businesses.

The information that is required to be available on the public registers is only information that is necessary to enable consumers to make informed decisions about whether to engage with a particular professional in their field, and to provide sufficient information to protect consumers and the broader community.

The approach of publishing minimal personal details is the least restrictive means available, as the only alternative would be to provide fewer personal details, or none at all. The result of this would be that consumers would have insufficient information to identify registered professionals or, in some cases, providers who are subject to a stop notice or similar restriction on their licence/credentials. This would affect the integrity of the registers, creating barriers to accessing government information and potentially creating risks for consumer protection. The information published on the public registers is the minimal necessary information to achieve the objectives of promoting transparency of information and protecting consumers, while not arbitrarily interfering with an individual's right to privacy.

The Bill and existing legislation contain a number of safeguards to prevent the publication of personal information that is not necessary to achieving the objectives of these amendments. These are identified below:

Legislation	Safeguards
<i>Architects Act 2004</i> and <i>Architects Regulation 2004</i>	Section 15 of the Act provides an important safeguard against any limitations on the right to privacy and will be retained in the Act. This section limits when information can be made public in the register if a person listed on the register is subject to an occupational discipline order. This section prevents details of disciplinary action against an individual being made public, until it has been finalised. Section 16 of the Act ensures the registrar is able to correct mistakes, errors or omissions in the register. Additionally, sections 19 and 20 provide for when an individual can be removed from the register.

<i>Building Act 2004</i>	Section 59A(6) provides a safeguard that requires the construction occupations registrar to not make public personal information, or other information about a stop notice, available to the public if the registrar is satisfied on reasonable grounds publishing the information is not necessary or desirable to protect the public or it would be inappropriate or illegal to disclose the information.
<i>Cemeteries and Crematoria Act 2020</i>	The Act contains two safeguards for reviewing personal information contained in the register. In particular, the regulator may correct mistakes, errors or omissions in the register (s 58(4)), and the regulator may change a detail in the register to keep it up to date (s 58(5)).
<i>Construction Occupations (Licensing) Act 2004</i>	<p>Section 10 of the Act allows the registrar to correct a mistake, error or omission in the register, or to correct or omit an entry that has become inaccurate.</p> <p>A further safeguard in the Act to allow for the removal of information from the register (s 111) in relation to rectification orders, contravention of rectification orders, and interim licence suspensions. An entity may apply for the removal of the information from the register if the information relates to something the entity did or did not do (s 111(3)).</p>
<i>Food Act 2001</i>	<p>A safeguard in the Act allows the CHO to correct mistakes, errors or omissions in the food business register subject to the requirements (if any) of the regulations (s 105(5)).</p> <p>The Bill will introduce two additional safeguards to prevent the unnecessary publication of any personal details. Proposed new section 106(2) will allow the CHO to publish all or part of the food business register in any way the CHO considers appropriate.</p> <p>Additionally, proposed new section 106(3) states that the CHO must not make information publicly available if the CHO is satisfied it is not in the public interest for the information to be publicly available.</p> <p>These amendments will require the publication of the address of the premises at, or from, which the food business is mainly conducted. It is acknowledged that this would limit the right to privacy, notably for licensees who</p>

	<p>conduct their food business out of their home address. However, publishing this address is considered proportionate and necessary to achieve the objectives. It is critical that the community is able to identify where food is being produced in order to provide them surety that a business they are engaging with is a registered food business, and to provide them with protection as a consumer. Additionally, this measure is considered proportionate, noting that the Bill proposes the new safeguard in new section 106(3), ensuring a food business owner can engage with the CHO regarding the publication of their home address if it is not in the public interest to do so.</p>
<i>Gambling and Racing Control Act 1999</i>	<p>The Bill proposes new safeguards to prevent against the unnecessary publication of personal details. These powers will allow the commission to review and update the register and include that:</p> <ul style="list-style-type: none"> • The commission may correct an error or omission in the bookmaker and totalisator register (new s 52A(3)). • The commission may change information in a register to keep the register up-to-date (new s 52A(4)).
<i>Professional Engineers Act 2023</i>	<p>Safeguards in the Act ensure that the personal information can be reviewed and to prevent the unnecessary publication of personal information.</p> <p>Existing section 30(5) of the Act allows the registrar to correct mistakes, errors or omissions in the register. A further safeguard is that the registrar must not make information about a professional engineer or former professional engineer available to the public if requested by the professional engineer or former engineer, and the registrar is satisfied that the publication of the information would, or could reasonably be expected to endanger the life or physical safety of any person; or jeopardise national security (s 31(3)).</p>
<i>Public Health Act 1997</i>	<p>A safeguard will be inserted into the two proposed new registers in s 21A and 41CA, and in the existing register in s 56E. This safeguard will ensure that for all three registers, the Minister must not make information publicly</p>

	<p>available in relation to a licensee who is licensed to undertake a public health risk activity if the Minister is satisfied it is not in the public interest for the information to be publicly available.</p>
<p><i>Radiation Protection Act 2006</i></p>	<p>The Bill proposes a new safeguard which requires the CHO not to make information publicly available if the CHO is satisfied it is not in the public interest for the information to be publicly available (new s 33A(4B)).</p>
<p><i>Veterinary Practice Act 2018</i></p>	<p>Existing s 129(3) includes an important safeguard that will be retained that provides the board with discretion in allowing public inspection of a condition on the registration of a veterinary practitioner if the information is confidential or in the board's opinion, the benefit to the public of knowing the condition is outweighed by the personal or prejudicial nature of the condition. This power will be retained although the wording of the provision will be substituted in the Bill to omit <i>allow public inspection of</i> and replace with <i>make accessible to the public</i>.</p> <p>New s 129(4) will prevent the publication of the address of a veterinary practitioner. However, new s 129(5) will require the publication of this address if it is the place a veterinary practitioner practices.</p> <p>It is acknowledged that new s 129(5) would limit the right to privacy, notably for veterinary practitioners whose occupational practice is located at their address. However, the publication of a place where it may also be the address of a veterinary practitioner is considered proportionate and necessary to achieve the objectives. The publication of the place a veterinary practitioner works provides confidence to the public that they can appropriately identify those people registered as veterinary practitioners and to allow for access to these people for lawful, occupational purposes. The publication also ensures the regulatory framework, including administration, compliance and enforcement, can operate effectively and provides protection for members of the public who engage with these practitioners.</p> <p>Existing s 130 also allows a practitioner or registration holder to apply to change information in the register. This is a reviewable decision by the ACAT, providing additional</p>

	oversight mechanisms in instances where the board may not agree to the changes, and allows the practitioner or registration holder to seek review of that decision.
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Section 22 – Rights in criminal proceedings

1. Nature of the right and the limitation (s28(a) and (c))

Section 22 of the HR Act provides that everyone charged with a criminal offence has the right to be presumed innocent until proved guilty according to law. Strict liability offences limit the presumption of innocence as they allow for the imposition of criminal liability without the need to provide fault.

The Bill introduces two new strict liability offences which will be introduced in new sections 103A and 106AA of the *Domestic Animals Act 2000* (Domestic Animals Act) that require assistance animal trainers and assessors to inform the registrar as soon as possible if they are convicted or found guilty on an offence under the Domestic Animals Act, *Animal Welfare Act 1992* or substantially corresponding laws in other jurisdictions. These two offences will carry a maximum penalty of 50 penalty units and are strict liability offences.

2. Legitimate purpose (s28(b))

Assistance animal trainers and assessors play an important role in the regulatory framework for assistance animals as they have responsibility for ensuring that assistance animals are appropriately trained to assist their handlers and that they meet the standards of behaviour for public places. The objective of introducing these new offences for assistance animal trainers and assessors is to protect individuals who have registered, or are seeking to register, assistance animals, as well as ensuring animal welfare. Individuals using assistance animals are often vulnerable and the offences are considered legitimate in order to ensure public safety, and promote animal welfare protection. These amendments also promote the rights of people with disabilities and other vulnerable persons who rely on assistance animals in their daily lives.

3. Rational connection between the limitation and the purpose (s28(d))

The introduction of these strict liability offences places a responsibility on assistance animal trainers and assessors to provide the registrar with all necessary information regarding convictions and findings of guilt about animal welfare offences in any Australian jurisdiction. This is particularly relevant for trainers and assessors that reside and work in other jurisdictions where the registrar may not be made aware of any convictions or findings of guilt. These offences will achieve the objective as it will ensure the registrar has all necessary information to consider an assistance animal

trainer or assessor's ongoing registration under the ACT framework and whether they remain fit to be registered and work as trainers or assessors.

Applicants seeking to be registered as an assistance animal trainer or assessor are required to disclose if they have been convicted or found guilty of animal welfare offences in the previous two years at the time of application (see sections 100 and 104 of the Domestic Animals Act). Additionally, convictions or findings of guilt for an offence under the Domestic Animals Act or animal welfare legislation can result in the suspension or cancellation of an assistance animal trainer or assessor's registration under the Act (see sections 101-102 and 105-106).

4. Proportionality (s28 (e))

Strict liability offences typically arise in a regulatory context where, for reasons such as public safety and ensuring that regulatory schemes are complied with, criminal penalties are required. A defendant can reasonably be expected, because of their involvement and continuing obligations with adhering to the regulatory framework, what the requirements of the law are, and as such the mental, or fault, element can justifiably be excluded.

The strict liability offences affect assistance animal trainers and assessors which are regulated occupations under the Domestic Animals Act. Trainers and assessors can be expected to have a high degree of awareness and understanding of their obligations under the regulatory framework. At the time of application, they are required to disclose criminal convictions or findings of guilt for animal welfare offences and can be expected to be aware that any convictions or findings of guilt for animal welfare offences could result in the suspension or cancellation of their registration. Trainers and assessors can be reasonably expected to know the requirements of the law, and, therefore, the fault element can be justifiably excluded. Trainers and assessors can reasonably be expected to be aware of what equivalent legislation is across other jurisdictions, particularly for those trainers and assessors that may operate in other jurisdictions as well as in the ACT. Every jurisdiction has legislation for the regulation of animal management and animal protection, similar to the Domestic Animals Act. The offences are clear that convictions of offences under any of this legislation is required to be disclosed.

Communications will be undertaken following the passage of the Bill, prior to commencement of these provisions, to ensure assistance animal trainers and assessors are informed of the introduction of these offences and their positive obligations for proactive disclosure of any convictions or findings of guilt once they are registered.

For the strict liability offences in relation to convictions or findings of guilt for assistance animal trainers and assessors, taking a less restrictive approach such as

fewer penalty units does not acknowledge the seriousness of the offence. Convictions and findings of guilt for animal welfare assistance poses serious risks for the animal welfare framework that assistance animal registration operates in and could pose risks for individuals with disabilities who rely on assistance animals. Not making the offences strict liability would still enable enforcement but would not be as effective a deterrent given the nature of strict liability offences and the effect the prohibited conduct would have on the enforceability of the regulatory regime. A less restrictive approach would compromise public safety, the safety on vulnerable individuals with assistance animals and animal welfare.

The maximum penalty of 50 penalty units aligns with the maximum penalties for other strict liability offences under the Act, including carrying on a business as an unregistered assistance animal trainer (s 103) and carrying on a business as an unregistered animal assessor (s 106A). The proposed offences are similar to section 21 of the *Working With Vulnerable People (Background checking) Act 2011*, which provides that it is an offence for an applicant to fail to disclose a charge, conviction or finding of guilt for a relevant offence. This offence under the Working with Vulnerable People (Background checking) Act also carries a maximum penalty of 50 penalty units and is a strict liability offence. The Guide for Framing Offences provides that as strict liability offences are primarily aimed at conduct on the less serious side of the criminal spectrum, the maximum penalty is usually limited to a monetary penalty, with a maximum of 50 penalty units. The proposed maximum penalty should be considered appropriate for a strict liability offence, and aligns with other strict liability offences on the ACT statute book.

There are no fault elements for all of the physical elements of the offences, which is appropriate for strict liability. The Guide for Framing Offences provides that a strict liability offence should be used only for 'regulatory' offences and should not be framed to catch the general public for inadvertent breaches of the law. The proposed offences are in a licensing/registration context, which is appropriate for strict liability offences. As outlined, the new offence provisions will be communicated during the application process for professionals requesting new registrations, and by communications following the successful passage of the Bill for those professionals already registered.

BETTER REGULATION LEGISLATION AMENDMENT BILL 2026

Human Rights Act 2004 - Compatibility Statement

In accordance with section 37 of the *Human Rights Act 2004* I have examined the BETTER REGULATION LEGISLATION AMENDMENT BILL 2026. In my opinion, having regard to the Bill and the outline of the policy considerations and justification of any limitations on rights outlined in this explanatory statement, the Bill as presented to the Legislative Assembly is consistent with the *Human Rights Act 2004*.

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Tara Cheyne MLA
Attorney-General

CLAUSE NOTES

Part 1 Preliminary

Clause 1 Name of Act

This clause provides that the name of the Act is the *Better Regulation Legislation Amendment Act 2026*.

Clause 2 Commencement

This clause provides for the commencement of the Act. It provides that the majority of the provisions in this Act, other than section 4, parts 7, 11, and 12, section 40, parts 14 to 16, sections 70, 77, 82 to 84, and 90, and parts 21 to 23, will commence on the 14th day after its notification day.

Section 79 of the *Legislation Act 2001* applies to the commencement of the parts explicitly referenced above. This means that if these provisions have not commenced within 6 months beginning on the notification day, they automatically commence on the first day after that period.

The delayed commencement provisions are provided to enable the facilitation of the reforms in the Bill by relevant policy areas and regulators. These relate to new registers of information which will be publicly accessible electronically.

Clause 3 Legislation amended

This clause identifies the legislation that will be amended by this Act. These pieces of legislation are:

- *ACT Teacher Quality Institute Act 2010* and *ACT Teacher Quality Institute Regulation 2010*
- *Architects Act 2004* and *Architects Regulation 2004*
- *Board of Senior Secondary Studies Act 1997*
- *Building Act 2004*
- *Cemeteries and Crematoria Act 2020*
- *Climate Change and Greenhouse Gas Reduction Act 2010*
- *Construction Occupations (Licensing) Act 2004*
- *Domestic Animals Act 2000* and *Domestic Animals Regulation 2001*
- *Food Act 2001*
- *Gambling and Racing Control Act 1999*
- *Gaming Machine Act 2004*
- *Gas Safety Act 2000*
- *Legislation Act 2001*
- *Medicines, Poisons and Therapeutic Goods Act 2008*
- *Pool Betting Act 1964*
- *Professional Engineers Act 2023*
- *Public Health Act 1997*
- *Race and Sports Bookmaking Act 2001* and *Race and Sports Bookmaking Regulation 2001*

- *Radiation Protection Act 2006*
- *Utilities (Technical Regulation) Act 2014*
- *Veterinary Practice Act 2018*
- *Waste Management and Resource Recovery Act 2016*

Clause 4 Legislation repealed

This clause identifies that all instruments under the *Gaming Machine Act 2004*, section 69 are repealed. This clause reflects Parliamentary Counsel's Office standard drafting approach for repeals.

Part 2 ACT Teacher Quality Institute Act 2010

Clause 5 Education programs register Section 71 (3) (b) and example

This clause amends section 71 (3) (b) of the *ACT Teacher Quality Institute Act 2010* and the example to provide that the register of education programs must be made accessible to the public without charge on an ACT government website, or by a link on an ACT government website. This enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility.

Part 3 ACT Teacher Quality Institute Regulation 2010

Clause 6 Education programs register – Act, s 71 (4) Section 19 (b)

This clause makes a minor amendment to section 19 (b) of the *ACT Teacher Quality Institute Regulation 2010* to replace *available* with *accessible* to align with amendments to the Act that make the register accessible to the public.

Part 4 Architects Act 2004

Clause 7 Board to keep register Section 14 (4) and example

This clause amends section 14 (4) of the *Architects Act 2004* (Architects Act) and the example to provide that the architects register must be made accessible to the public without charge on an ACT government website, or by a link on an ACT government website. This enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility.

Clause 8 Section 15 heading

This clause replaces the heading of section 15 of the Architects Act with the new heading *Exception to public accessibility of information on the register* to align with amendments to the Act that make the register accessible to the public.

Clause 9 Section 15 (2) and (3)

This clause makes a minor amendment to section 15 of the Architects Act to replace *open for public inspection* with *made accessible to the public* to align with amendments to the Act that make the register accessible to the public.

Clause 10 Information may be shared Section 17

This clause makes a minor amendment to section 17 of the Architects Act to replace *available for public inspection* with *accessible to the public* to align with amendments to the Act that make the register accessible to the public.

Part 5 Architects Regulation 2004

Clause 11 Details in register – Act, s 11 (2) Section 5 (b)

This clause makes a minor amendment to the *Architects Regulation 2004* to omit *and fax* as this is considered an outdated reference to a method of communication. It does not preclude or prohibit the use of this method of communication.

Part 6 Board of Senior Secondary Studies Act 1997

Clause 12 Register of courses Section 29 (4)

This clause amends section 29 (4) of the *Board of Senior Secondary Studies Act 1997* to substitute a new subsection 29 (4) (a) that provides that the register of courses must be made accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

It also amends section 29 (4) to substitute a new subsection 29 (4) (b) that retains the requirement for the register to be made available for inspection during ordinary business hours, however, this will be at a place decided by the *board*, not the *chair*. Amending to the *board* from the *chair* brings this section in line with other provisions in the Act.

This amendment enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility while still providing the authority to provide in-person access.

Part 7 Building Act 2004

Clause 13 Stop notices register New section 59A (3) (ea)

This clause inserts a new section (ea) in section 59A (3) of the *Building Act 2004* (Building Act) to provide that if a stop notice is cancelled under section 55 (Application by land owner for cancellation of stop notice) or section 57 (Decision on application by other than land owner), the stop notices register must also include the date of the cancellation.

Clause 14 Section 59A (5)

This clause makes a minor amendment to replace *available* with *accessible* in section 59A (5) of the Building Act to align with amendments to the Act that make the register accessible to the public.

Clause 15 New section 59A (5A)

This clause inserts a new section 59A (5A) to provide that the construction occupations registrar must make the information accessible to the public without charge on an ACT government website, or by a link on an ACT government website. This enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility.

Clause 16 Section 59A (6) and (7)

This clause makes a minor amendment to replace *available* with *accessible* in section 59A (6) to (8) of the Building Act to align with amendments to the Act that make the register accessible to the public.

Clause 17 Section 59A (8)

This clause will amend section 59A (8) to provide that if the construction occupations registrar receives a direction from the ACAT or a court about removing from the register information in relation to an issued stop notice and that information is public, the registrar must remove the information not later than the end of the next working day. This is to ensure the integrity of the register is maintained following any direction from ACAT, but removes a subsection that is considered a duplication of subsections already in section 59A.

Part 8 Cemeteries and Crematoria Act 2020

Clause 18 Register of licences Section 58 (3)

This clause amends section 58 (3) of the *Cemeteries and Crematoria Act 2020* to provide that the regulator must make the register of licences accessible to the public without charge on an ACT government website, or by a link on an ACT government website. This enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility.

Part 9 Climate Change and Greenhouse Gas Reduction Act 2010

Clause 19 Register of agreements Section 24 (2)

This clause amends section 24 (2) of the *Climate Change and Greenhouse Gas Reduction Act 2010* to provide that the regulator must make the register of agreements accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

It retains the requirement for the register to be made available for inspection during ordinary business hours at an ACT government office.

This enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility while still providing the authority to provide in-person access.

Part 10 Construction Occupations (Licensing) Act 2004

Clause 20 The register New section 107 (4A)

This clause inserts a new section 107 (4A) in the *Construction Occupations (Licensing) Act 2004* (Construction Occupations Licensing Act) to provide that the registrar must make the register of construction occupation licensees accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

This enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility.

Clause 21 Register – public information Section 107A (1)

This clause amends section 107A (1) of the Construction Occupations Licensing Act to provide that the registrar must publish a register of public information at least once a week in a way that is accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

This enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility.

Part 11 Domestic Animals Act 2000

Clause 22 Offences against Act – application of Criminal Code etc Section 4A, note 1

This clause outlines a redrafting by Parliamentary Counsel's Office of note 1 of section 4A of the *Domestic Animals Act 2000* (Domestic Animals Act) which advises that the Criminal Code applies to offences against this Act. This redraft refers to some parts and removes provisions to which the Criminal Code does not apply, rather than listing all the provisions to which the Criminal Code applies. This is a stylistic/drafting matter that reduces the length of the note. There is no change to the meaning of the provision or the note.

Clause 23 Register of registered accredited assistance animals Section 97

This clause removes section 97 that provides for the registrar to set up and keep a register of registered accredited assistance animals.

This is considered superfluous as section 5 of the Domestic Animals Act already provides for a register for the Act in its entirety.

Clause 24 Registration of accredited assistance animals Section 98 (4)

This clause amends section 98 (4) of the Domestic Animals Act to provide that the registrar must give the person written notice of their decision whether to register an accredited assistance animal and, if the registrar registers an accredited assistance animal, to record in the register information prescribed by regulation.

This amendment enshrines in legislation a requirement for the registrar to give written notice of a refusal to register an accredited assistance animal.

Clause 25 Section 98 (5)

This clause makes a minor and technical amendment to section 98 (5) to omit *applicant* and replace with *person*. This aligns the legislative language with other provisions in the Act.

Clause 26 New section 99A

This clause inserts a new section 99A in the Domestic Animals Act that provides that the registrar must make available to the public information in the register about a registered accredited assistance animal that is prescribed by regulation. The information must be made accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

This enshrines in legislation public accessibility to information in the register and standardises legislative language for public accessibility.

Clause 27 Registrar may register assistance animal trainer Section 100 (5)

This clause amends section 100 (5) of the Domestic Animals Act to provide that the registrar must give the applicant written notice of their decision regarding an application to register an assistance animal trainer. If the registrar registers the applicant, the registrar must record in the register the information prescribed by regulation.

Recording this on a register is intended to improve the quality of information on the register.

Clause 28 New section 103A

This clause inserts a new section to provide that a person commits an offence if the assistance animal trainer is registered and is convicted or found guilty of an offence under the Domestic Animals Act, *Animal Welfare Act 1992*, or any State law corresponding to these Acts and does not tell the registrar about the conviction or finding of guilt. This offence provision carries a maximum penalty of 50 penalty units and is a strict liability offence.

The intent of this new provision is to preserve the integrity of the new public register and ensure animal welfare.

Clause 29 Registrar may register assistance animal assessor Section 104 (5)

This clause amends section 104 (5) of the Domestic Animals Act to provide that the registrar must give the applicant written notice of their decision regarding an application to register an assistance animal assessor. If the registrar registers the applicant, the registrar must record in the register the information prescribed by regulation.

Recording this on a register is intended to improve the quality of information on the register.

Clause 30 New sections 106AA and 106AB

This clause inserts a new section 106AA to provide that a person commits an offence if the assistance animal assessor is registered and is convicted or found guilty of an offence under the Domestic Animals Act, *Animal Welfare Act 1992*, or any State law corresponding to these Acts and does not tell the registrar about the conviction or finding of guilt. This offence provision carries a maximum penalty of 50 penalty units and is a strict liability offence.

The intent of this new provision is to preserve the integrity of the new public register and ensure animal welfare.

This clause also inserts a new section 106AB in the Domestic Animals Act to provide that the registrar must make available to the public information in the register about a registered assistance animal trainer or assessor that is prescribed by regulation. The registrar must make the information accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

This enshrines in legislation public accessibility to information in the register and standardises legislative language for public accessibility.

Clause 31 New part 15

This clause inserts a new Part 15 Transitional – Better Regulation Legislation Amendment Act 2026 in the Domestic Animals Act to provide that any information about registered accredited assistance animals, accredited assistance animal trainers, and accredited animal assessors immediately before the commencement day is taken, on the commencement day, to be recorded in the register kept under section 5 of the Domestic Animals Act.

This new part 15 will expire 1 year after the commencement day.

Part 12 Domestic Animals Regulation 2001

Clause 32 New Part 3A

This clause inserts a new Part 3A Assistance Animals that contains new subdivisions 3A.1 Accreditation of assistance animals and Division 3A.2 Assistance animal

trainers and assessors in the *Domestic Animals Regulation 2001* (Domestic Animals Regulation).

New Division 3A.1 contains new sections 9B, 9C and 9D.

New section 9B prescribes information that must be included in an application to register an accredited assistance animal as provided for in section 98 (2) (c) of the Domestic Animals Act.

New section 9C prescribes information that must be recorded in the register about a registered accredited assistance animal as provided for in section 98 (4) (b) of the Domestic Animals Act.

New section 9D provides for prescribed information that is made public.

New Division 3A.2 contains new sections 9E, 9F, 9G, 9H and 9I.

New section 9E prescribes information that must be included in an application to register as an assistance animal trainer as provided for in section 100 (2) (b) of the Domestic Animals Act.

New section 9F provides that the information provided under section 9E is prescribed.

New section 9G prescribes information that must be included in an application to register as an assistance animal assessor as provided for in section 104 (2) (b) of the Domestic Animals Act.

New section 9H provides that the information provided under section 9G is prescribed.

New section 9I provides for the public information about registered assistance animal trainers and assessors as provided for in section 106AB (1) of the Domestic Animals Act.

Prescribing information required for an application and information that will be made publicly accessible is intended to provide clarity.

Part 13 Food Act 2001

Clause 33 Registered food businesses – procedure for imposition etc of conditions on chief health officer’s initiative Section 95 (2) (h)

This clause removes section 95 (2) (h) of the *Food Act 2001* (Food Act) which provides that the proprietor of a food businesses may need to return the certificate of registration to the chief health officer if the chief health officer takes action on their own initiative to amend the registration to impose, amend or revoke a condition.

This will no longer be relevant as this Bill introduces amendments to the Food Act to make the food business register accessible electronically to the public. The removal

of the requirement to have a physical certificate will reduce administrative burden for businesses.

**Clause 34 Change in details of registration or operation of food business
Section 97 (2) (b)**

This clause amends section 97 (2) (b) of the Food Act to remove the requirement that a proprietor must return a certificate of registration to the chief health officer with written notice of a change in the particulars or operation of the food business.

This will no longer be relevant as this Bill introduces amendments to the Food Act to make the food business register accessible electronically to the public. The removal of the requirement to have a physical certificate will reduce administrative burden for businesses.

Clause 35 Section 97 (8)

This clause amends section 97 (8) of the Food Act to remove reference to the return of a certificate of registration. This aligns the provision with the amendments to section 97 (2) (b).

Clause 36 Replacement of certificates of registration Section 98 (1)

This clause amends section 98 (1) of the Food Act to omit *if satisfied that the certificate has been lost, stolen or destroyed*.

This will no longer be relevant as this Bill introduces amendments to the Food Act to make the food business register accessible electronically to the public. The removal of the requirement to have a physical certificate will reduce administrative burden for businesses.

Clause 37 Registration certificate must be displayed Section 98A

This clause removes section 98A of the Food Act which requires a food business to display a physical copy of their current certificate of registration on the business's premises. Under the current section, failure to do so is a strict liability offence carrying a maximum penalty of 50 penalty units.

This will no longer be relevant as this Bill introduces amendments to the Food Act to make the food business register accessible electronically to the public. The removal of the requirement to have a physical certificate will reduce administrative burden for businesses.

Clause 38 Return of certificate of registration Section 103

This clause removes section 103 of the Food Act which provides that a food business commits an offence if the proprietor does not return the certificate of registration of the business to the chief health officer within 7 days after the

registration is suspended or cancelled. Failure to do so carries a maximum penalty of 5 penalty units.

This will no longer be relevant as this Bill introduces amendments to the Food Act to make the food business register accessible electronically to the public. The removal of the requirement to have a physical certificate will reduce administrative burden for businesses.

Clause 39 Section 104

This clause amends section 104 of the Food Act to remove the requirement that the proprietor of a food business may surrender the registration at any time by returning the certificate of registration to the chief health officer with a written statement that the registration is surrendered. Written notice will still be required.

Surrendering a physical registration will no longer be relevant as this Bill introduces amendments to the Food Act to make the food business register accessible electronically to the public. The removal of the requirement to have a physical certificate will reduce administrative burden for businesses.

Clause 40 Section 106

This clause amends section 106 of the Food Act to provide for the food business register to be made accessible electronically to the public.

The clause amends the heading of section 106 to *Public access to food business register* to align with new requirements for the chief health officer to make the food business register accessible to the public.

The clause amends section 106 (1) to explicitly provide that the chief health officer must make the food business register accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

The clause retains section 106 (2) which provides for the chief health officer to publish all or part of the food business register in any other way the chief health officer considers appropriate.

The clause also inserts a new section 106 (3) that requires the chief health officer to exclude from public access or publication any information in the register that the chief health officer is satisfied is not in the public interest to be publicly available.

Making the food business register electronically accessible for the first time will have significant benefits for businesses and the public as it will remove administrative burden for businesses associated with displaying a physical copy of the registration certificate and improve consumer safety and protection.

The chief health officer will still retain the authority to publish the register in any other way considered appropriate, and the additional power to exclude information not considered in the public interest will ensure privacy and safety protections.

Part 14 Gambling and Racing Control Act 1999

Clause 41 Cap on number of authorisations for electronic gaming in ACT Section 50 (5)

This clause amends section 50 (5) of the *Gambling and Racing Control Act 1999* (Gambling and Racing Control Act) to remove definitions of *authorisation*, *casino*, *casino FATG terminal*, *casino gaming machine*, *electronic gaming*, and *gaming machine*.

There are multiple amendments in the Bill in order to move some administrative elements from the *Gaming Machine Act 2004* and *Race and Sports Bookmaking Act 2001* into the Gambling and Racing Control Act which is considered a more appropriate legislative framework. The definitions omitted in this clause will be used in other parts of the Gambling and Racing Control Act.

Clause 42 Part 6B

This clause substitutes the current section 51, which provides for definitions for pt 6B, with provisions for an electronic gaming register which provides that the commission must keep a register of electronic gaming licences, authorisation certificates for electronic gaming, and authorisations for electronic gaming. Section 51 (2) provides information that must be included in the register, and section 51 (3) provides for the definitions.

This clause also inserts a new section 51A which provides that the commission must keep a register of approvals of gaming machines and peripheral equipment for gaming machines. Section 51A (2) provides information that must be included in the register, and section 51A (3) provides for the definitions.

This clause also amends the current section 52 of the Gambling and Racing Control Act to provide that the commission must keep a register of race or sports bookmaking licences and totalisator licences. Section 52 (2) prescribes details that must be included in the register for each licence, and section 52 (3) provides for the definitions.

New section 52A provides that the register may be kept in any form, including electronically, that the commission decides, and that the commission must make the register accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

This enshrines in legislation public accessibility to information in the registers and standardises legislative language for public accessibility while still providing the authority to keep the registers in other forms.

Clause 43 New section 53

This clause will insert a new section 53 into part 7 (Miscellaneous) of the Gambling and Racing Control Act to provide that if an electronic gaming licensee's licence, authorisation certificate or authorisation schedule is lost, stolen or destroyed, the licensee must give the commission a statement verifying the loss, theft or destruction as soon as practicable after becoming aware of the loss, theft or destruction. It also provides that once the statement is received, the commission must provide a replacement document.

Clause 44 New part 10

This clause inserts a new Part 10 Transitional – Better Regulation Legislation Amendment Act 2026 in the Gambling and Racing Control Act to provide that any information about an electronic gaming licence, an authorisation certificate for electronic gaming, an authorisation for electronic gaming, an approval of a gaming machine or peripheral equipment, or a race or sports bookmaking licence or totalisator licence immediately before the commencement day is taken, on the commencement day, to be recorded in the registers.

This new part 10 will expire 1 year after the commencement day.

Clause 45 Dictionary, definitions of *authorisation* and *authorisation certificate*

This clause replaces the definitions for *authorisation* and *authorisation certificate* to align with amendments.

Clause 46 Dictionary, definition of *authorisation number*

This clause omits the definition for *authorisation number* to align with amendments.

Clause 47 Dictionary, definition of *authorisation schedule*

This clause replaces the definition for *authorisation schedule* to align with amendments.

Clause 48 Dictionary, definition of casino FATG terminal etc

This clause replaces additional definitions for *casino FATG terminal*, *casino gaming machine*, *electronic gaming*, and *gaming machine* to align with amendments.

Clause 49 Dictionary

This clause omits definitions for *general purpose*, *interim purpose*, *licence*, *maximum number* and *storage permit* as the terms are only used in section 51 of the Gambling and Racing Control Act and are defined in that section. *Licence* is not used at all now and can be omitted completely.

Part 15 Gaming Machine Act 2004

Clause 50 Proper completion – applications under Act Section 9 (1), note 1

This clause makes a minor amendment to remove note 1 under section 9 (1) of the *Gaming Machine Act 2004* (Gaming Machine Act). The note replicates section 255 (5) of the *Legislation Act 2001* (Legislation Act) in its entirety and is considered unnecessary by Parliamentary Counsel's Office.

Clause 51 Approval of gaming machines and peripheral equipment Section 69 (1)

This clause amends section 69 (1) of the Gaming Machine Act to provide that approvals may be provided in writing by the commission.

This improves the clarity of the legislation.

Clause 52 Section 69 (1), new note

This clause will insert a new note under section 69 (1) of the Gaming Machine Act to provide guidance that the commission must keep a register of approvals under the *Gambling and Racing Control Act 1999*. This aligns with the amendments in the Bill to move some administrative legislative requirements to that Act.

Clause 53 Section 69 (4)

This clause omits section 69 (4) of the Gaming Machine Act to remove the requirement for approvals to be a notifiable instrument and instead provides for approvals to be included on a register. A register is considered a more appropriate tool for publicly accessing information as they are easier to view and notifiable instruments are time-intensive to draft and make effective. This register will be provided for in the *Gambling and Racing Control Act 1999*.

Clause 54 Cancellation or suspension of gaming machine and peripheral equipment approval Section 70 (1)

This clause amends section 70 (1) of the Gaming Machine Act to provide that suspensions or cancellations may be provided in writing by the commission.

This improves the clarity of the legislation.

Clause 55 Section 70 (1), new note

This clause will insert a new note under section 70 (1) of the Gaming Machine Act to provide guidance that the commission must include information about suspensions or cancellations of approvals in the register kept under the *Gambling and Racing Control Act 1999*. This aligns with the amendments in the Bill to move some administrative legislative requirements to that Act.

Clause 56 Section 70 (3)

This clause omits section 70 (3) of the Gaming Machine Act to remove the requirement for suspensions or cancellations to be a notifiable instrument. This aligns with the amendments to include information on a register. A register is considered a more appropriate tool for publicly accessing information as they are easier to view and notifiable instruments are time-intensive to draft and make effective. This register will be provided for in the *Gambling and Racing Control Act 1999*.

Clause 57 Section 176

This clause will amend section 176 of the Gaming Machine Act to include that, in a prosecution for an offence against this Act, a gaming machine or peripheral equipment approval, or that was not approved, on a stated date or during a stated period can be regarded as evidence.

Clause 58 New part 23

This clause inserts a new Part 23 Transitional – Better Regulation Legislation Amendment Act 2026 in the Gaming Machine Act to provide that any approvals, cancellations or suspensions in force before the commencement date will continue to be in place but, for the purposes of the ACT legislation register, are taken to have been repealed as notifiable instruments.

This new part 23 will expire 1 year after the commencement day.

Part 16 Gas Safety Act 2000

Clause 59 Register of approved gas appliances Section 22 (2)

This clause amends section 22 (2) of the *Gas Safety Act 2000* to provide that the construction occupations registrar must make the register of approved gas appliances accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

This amendment makes the register publicly accessible electronically for the first time which will improve public and consumer safety.

Part 17 Legislation Act 2001

Clause 60 Regulations may make provision about fees Section 58 (4)

This clause makes a minor amendment to section 58 (4) of the Legislation Act to remove references to cheques or credit cards and provide for a regulation or authorising law to make provision in relation to a particular payment method.

This amendment removes references to outdated payment methods and allows for payment method neutrality. This is intended to help prepare the Territory for future work being undertaken by the Commonwealth in relation to cheques.

Clause 61 Section 58 (5)

This clause makes minor amendments to section 58 (5) of the Legislation Act to remove references to cheques and credit cards and provide that a regulation or authorising law may make provision in relation to the removal of a statutory capacity if any determined fee is not paid when required.

This clause removes references to outdated payment methods and allows for payment method neutrality.

Clause 62 Section 58 (9), definition of *credit card*

This clause makes a minor amendment to section 58 (9) of the Legislation Act to remove the definition of *credit card*. This amendment aligns with the other amendments to allow for payment method neutrality.

Part 18 Medicines, Poisons and Therapeutic Goods Act 2008

Clause 63 Returning licences for amendment Section 94

This clause removes section 94 of the *Medicines, Poisons and Therapeutic Goods Act 2008* (Medicines, Poisons and Therapeutic Goods Act) which provides that a licence-holder commits an offence if the licence is amended by the chief health officer or the licence holder and they do not return the licence. Failure to do so carries a maximum penalty of 20 penalty units.

This provision will no longer be relevant as this Bill introduces amendments to the Act to make a register of licences accessible electronically to the public. The removal of the requirement to return a physical licence upon amendment will reduce administrative burden for licensees.

Clause 64 Section 95

This clause amends section 95 of the Medicines, Poisons and Therapeutic Goods Act to simplify the provision so that the chief health officer may issue a replacement licence to a licence-holder. It removes any reason for the replacement and that the chief health officer may require a statement verifying the reason.

This will improve the clarity of the legislation and reduce any regulatory burden on the chief health officer or licence-holder.

Clause 65 Surrendering licences Section 97 (2) and note

This clause removes section 97 (2) and the note from the Medicines, Poisons and Therapeutic Goods Act that provides a licence must be returned when a licence-

holder surrenders the licence, or that a statement must be provided if the licence is lost, stolen or destroyed.

The removal of these requirements will reduce the administrative burden for licensees.

Part 19 Professional Engineers Act 2023

Clause 66 Publication of certain information in engineers register Section 31 (1)

This clause amends section 31 (1) of the *Professional Engineers Act 2023* (Professional Engineers Act) to provide that the engineers register must be made accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

This amendment enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility.

Clause 67 Section 31 (2)

This clause makes a minor amendment to section 31 (2) of the Professional Engineers Act to remove *available to the public* and replace it with *accessible to the public in a way mentioned in that subsection* to align with amendments to the Act that make the register accessible to the public.

Clause 68 Section 31 (3)

This clause makes a minor amendment to section 31 (3) of the Professional Engineers Act to remove *available to the public* and replace it with *accessible to the public* to align with amendments to the Act that make the register accessible to the public.

Part 20 Public Health Act 1997

Clause 69 Offences against Act – application of Criminal Code etc Section 6A, note 1, new dot points

This clause inserts additions to note 1 in relation to the Criminal Code to align with amendments to the *Public Health Act 1997* (Public Health Act).

Clause 70 New section 21A

This clause inserts new section 21A into the Public Health Act to provide that the Minister must keep a register of activity licences. It also prescribes the information to be kept on the register. New section 21A (2) provides that the Minister must make the register accessible to the public without charge on an ACT government website, or by a link on an ACT government website, and available for inspection during ordinary business hours at an ACT Government Office. New section 21A (3)

provides that the Minister must not make information publicly available under this section if the Minister is satisfied that it is not in the public interest for the information to be publicly available.

This enshrines in legislation public accessibility to information in the register and standardises legislative language for public accessibility while providing the authority to provide in-person access. Providing the Minister with the power to exclude information not considered in the public interest ensures privacy and safety protections.

Clause 71 Activity licence – return for endorsement of variation Section 35

This clause removes section 35 of the Public Health Act which provides that the holder of an activity licence that has been varied must not, without reasonable excuse, fail to return the licence to the Minister within 7 days after the date of effect of the variation. Failure to do so carries a maximum penalty of 5 penalty units. It also provides that the Minister must endorse the variation on the licence and return it to the licensee.

This provision will no longer be relevant as this Bill introduces amendments to the Public Health Act to make activity licences accessible electronically to the public. The removal of the requirement to vary a physical licence will reduce administrative burden for licensees.

Clause 72 Activity licence – application for transfer Section 36 (2)

This clause removes the requirement that a physical licence must accompany an application to transfer a licence. This requirement will no longer be relevant as this Bill introduces amendments to the Public Health Act to make activity licences accessible electronically to the public. The removal of the requirement will reduce administrative burden for licensees.

Clause 73 Activity licence – grant or refusal of transfer Section 37 (5)

This clause removes the requirement that the Minister must return a licence that is the subject of an application for transfer. This requirement will no longer be relevant as this Bill introduces amendments to the Public Health Act to make activity licences accessible electronically to the public. The removal of the requirement will reduce administrative burden for licensees.

Clause 74 Activity licence – surrender Section 38 (1)

This clause amends section 38 (1) of the Public Health Act to allow the holder of an activity licence to surrender the licence by written notice given to the Minister and remove the requirement for a licensee to surrender the licence.

A requirement to surrender the licence will no longer be relevant as this Bill introduces amendments to the Act to make a register of activity licences accessible

electronically to the public. The removal of the requirement to return a physical licence upon amendment will reduce administrative burden for licensees.

Clause 75 Activity licence – return of defunct licences Section 42

This clause removes the requirement that the holder of an activity licence that has been suspended or cancelled must not, without reasonable excuse, fail to return the licence to the Minister within 7 days after the date of effect of the suspension or cancellation. Failure to do so carries a maximum penalty of 5 penalty units.

This requirement will no longer be relevant as this Bill introduces amendments to the Public Health Act to make activity licences accessible electronically to the public. The removal of the requirement to return a physical licence will reduce administrative burden for licensees.

Clause 76 Section 42B

This clause amends the offence provision in relation to the inspection of a person carrying out a licensable public health risk activity. The penalty provision will remain, but the amendment will improve the clarity of the legislation.

Clause 77 New section 42CA

This clause inserts new section 42CA to provide that the Minister must keep a register of procedure licences. It also prescribes the information to be kept on the register. New section 42CA (2) provides that the Minister must make the register accessible to the public without charge on an ACT government website, or by a link on an ACT government website, and available for inspection during ordinary business hours at an ACT Government Office. New section 42CA (3) provides that the Minister must not make information publicly available under this section if the Minister is satisfied that it is not in the public interest for the information to be publicly available.

This enshrines in legislation public accessibility to information in the register and standardises legislative language for public accessibility while providing the authority to provide in-person access. Providing the Minister with the power to exclude information not considered in the public interest ensures privacy and safety protections.

Clause 78 Procedure licence – return for endorsement of variation Section 50

This clause removes the requirement that the holder of a procedure licence that has been varied must not, without reasonable excuse, fail to return the licence to the Minister within 7 days after the date of effect of the variation. Failure to do so carries a maximum penalty of 5 penalty units.

This requirement will no longer be relevant as this Bill introduces amendments to the Public Health Act to make procedure licences accessible electronically to the public. The removal of the requirement will reduce administrative burden for licensees.

Clause 79 Procedure licence – surrender Section 52 (1)

This clause amends section 52 of the Public Health Act to provide that the holder of a procedure licence may surrender the licence by written notice and no longer needs to return the licence.

A requirement to return a physical licence will no longer be relevant as this Bill introduces amendments to the Public Health Act to make procedure licences accessible electronically to the public. The removal of the requirement will reduce administrative burden for licensees.

Clause 80 Procedure licence – return of defunct licences Section 56

This clause removes the requirement under section 56 of the Public Health Act that the holder of a procedure licence that has been suspended or cancelled must not, without reasonable excuse, fail to return the licence to the Minister within 7 days after the date of effect of the variation. Failure to do so carries a maximum penalty of 5 penalty units.

A requirement to return a physical licence will no longer be relevant as this Bill introduces amendments to the Public Health Act to make procedure licences accessible electronically to the public. The removal of the requirement will reduce administrative burden for licensees.

Clause 81 Section 56B

This clause amends the offence provision under section 56B of the Public Health Act in relation to the inspection of a person carrying out a licensable public health risk procedure. The penalty provision will remain, but the amendment will improve the clarity of the legislation.

Clause 82 Activity register Section 56D

This clause removes section 56D and the activity register as this will be provided for in a different provision under the amendments in this Bill.

Clause 83 Registered people register Section 56E (1)

This clause makes a minor and technical amendment to remove (*the registered people register*) from section 56E as this is superfluous to the section.

Clause 84 Section 56E (2) and (3)

This clause amends sections 56E (2) and (3) of the Public Health Act to provide that the registered people register must be made accessible to the public without charge

on an ACT government website, or by a link on an ACT government website. The register will also be available for inspection during ordinary business hours at an ACT Government office. Section 56E (3) provides that the Minister must not make information publicly available under this section if the Minister is satisfied that it is not in the public interest for the information to be publicly available

This enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility while still providing the authority to provide in-person access. Providing the Minister with the power to exclude information not considered in the public interest ensures privacy and safety protections.

Clause 85 Registration – application for approval of transfer Section 56M (2)

This clause removes section 56M (2) which provides that an application for approval of a registration transfer must be accompanied by the registration certificate. This requirement will no longer be relevant as this Bill introduces amendments to the Public Health Act to make registered person registrations accessible electronically to the public. The removal of the requirement will reduce administrative burden for those with a registration.

Clause 86 Registration – return of suspended or cancelled certificates Section 56R

This clause removes the requirement under section 56R of the Public Health Act that a person whose registration is suspended or cancelled must not, without reasonable excuse, fail to return the registration certificate to the Minister within 7 days after the date of effect of the suspension or cancellation. Failure to do so carries a maximum penalty of 5 penalty units.

This requirement will no longer be relevant as this Bill introduces amendments to the Public Health Act to make registered person registrations accessible electronically to the public. The removal of the requirement will reduce administrative burden for those with a registration.

Clause 87 Registration – surrender Section 56S (1)

This clause amends section 56S of the Public Health Act to remove the requirement that a registered person may surrender the registration at any time by returning the certificate of registration to the Minister with a written statement that the registration is surrendered. The clause substitutes a new requirement that the registered person must give written notice to the Minister to surrender the registration.

A registered person will no longer need to surrender a physical registration as amendments to the Public Health Act will make the registered person's registration accessible electronically to the public. The removal of this requirement will reduce administrative burden for those with a registration.

Clause 88 Section 56U

This clause amends the offence provision in relation to the inspection of a registered person where the registered activity is carried out. The penalty provision will remain but the amendment will improve the clarity of the legislation.

Clause 89 Vending machine approval – return on surrender or cancellation Section 66S

This clause removes the offence provision in relation to returning a vending machine approval upon surrender or cancellation. This is considered an unnecessary burden on the person holding the approval.

Clause 90 Dictionary, definitions of *activity register* and *registered people register*

This clause makes a minor amendment to remove the definitions of *activity register* and *registered people register* from the Public Health Act. These amendments align with the other amendments to the Act.

Part 21 Race and Sports Bookmaking Act 2001

Clause 91 Race bookmaking licence – entry of particulars in register Section 9

This clause removes section 9 of the *Race and Sports Bookmaking Act 2001* (Race and Sports Bookmaking Act) that provides for the commission to enter particulars of a race bookmaking licence issued to a person into the register of licences.

This amendment aligns with the removal of the requirement for the commission to keep a register of licences from this Act. The register will now be administered by the *Gambling and Racing Control Act 1999*.

Clause 92 Race bookmaker's agent licence – issue or refusal New section 13 (7)

This clause inserts a new section 13 (7) to provide that if the commission issues a race bookmaker's agent licence to the nominated person, the commission must also give a copy of the licence to the applicant.

Clause 93 Race bookmaker's agent licence – entry of particulars in register etc Section 15

This clause removes section 15 of the Race and Sports Bookmaking Act that provides for the commission to enter particulars of a race bookmaker's agent licence issued to a person into the register of licences.

This amendment aligns with the removal of the requirement for the commission to keep a register of licences from this Act. The register will now be administered by the *Gambling and Racing Control Act 1999*.

Clause 94 Sports bookmaking licence – entry of particulars in register Section 28

This clause removes section 28 of the Race and Sports Bookmaking Act which provides for the commission to enter particulars of a sports bookmaking licence into the register of licences.

This amendment aligns with the removal of the requirement for the commission to keep a register of licences from this Act. The register will now be administered by the *Gambling and Racing Control Act 1999*.

Clause 95 Issue or refusal of sports bookmaker’s agent licence New section 35 (5A)

This clause inserts a new section 35 (5A) to provide that if the commission issues a sports bookmaker’s agent licence to the nominated person, the commission must also give a copy of the licence to the applicant.

Clause 96 Sports bookmaker’s agent licence – entry of particulars in register etc Section 37

This clause removes section 37 of the Race and Sports Bookmaking Act to remove the requirement for the commission to enter particulars of a sports bookmaker’s agent licence issued to a person into the register of licences.

This amendment aligns with the removal of the requirement for the commission to keep a register of licences from this Act. The register will now be administered by the *Gambling and Racing Control Act 1999*.

Clause 97 Commission to keep register Section 89

This clause removes section 89 of the Race and Sports Bookmaking Act which provides that the commission must keep a register of licences. The Bill provides for the register to be administered within the *Gambling and Racing Control Act 1999* which is considered a more appropriate legislative framework for the administration of licences.

Clause 98 Dictionary, definition of register

This clause amends the Dictionary in the Race and Sports Bookmaking Act to remove the definition of *register*. This amendment aligns with the removal of the requirement for the commission to keep a register of licences from this Act.

Part 22 Race and Sports Bookmaking Regulation 2001

Clause 99 Sections 2 to 4

This clause removes sections 2 to 4 of the *Race and Sports Bookmaking Regulation 2001* which outline prescribed particulars to be entered into the register.

This amendment aligns with the removal of the requirement for the commission to keep a register of licences from the Race and Sports Bookmaking Act. This Bill provides for the register to be administered within the *Gambling and Racing Control Act 1999* which is considered a more appropriate legislative framework for the administration of licences.

Part 23 Radiation Protection Act 2006

Clause 100 Radiation register Section 33A (4)

This clause amends section 33A (4) of the *Radiation Protection Act 2006* (Radiation Protection Act) to provide that the chief health officer must make the information in the radiation register about a licence accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

This clause also inserts new sections 33A (4A) and 33A (4B).

New section 33A (4A) provides that the chief health officer may make other information in the register about a registered regulated radiation source accessible to the public in the same way as (4).

New section 33A (4B) provides that the chief health officer must not make information publicly available under this section if the chief health officer is satisfied it is not in the public interest to be publicly available.

This amendment makes the register publicly accessible electronically for the first time which will improve public and consumer safety. Providing the chief health officer with the power to exclude information not considered in the public interest ensures privacy and safety protections.

Part 24 Utilities (Technical Regulation) Act 2014

Clause 101 Dams register Section 58 (3)

This clause amends section 58 (3) of the *Utilities (Technical Regulation) Act 2014* (Utilities Technical Regulation Act) to provide that the dams register may be kept in any form, including electronic form, that the technical regulator decides.

The clause also inserts new sections 58 (4) and 58 (5).

New section 58 (4) provides that the dams register must be made accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

New section 58 (5) provides that the technical regulator must not make any information in the dams register publicly available under this section if the technical regulator is satisfied it is not in the public interest for the information to be publicly available.

This amendment enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility. Providing the technical regulator with the power to exclude information not considered in the public interest ensures operational safety protections.

Part 25 Veterinary Practice Act 2018

Clause 102 Access to register Section 129 (1)

This clause amends section 129 (1) of the *Veterinary Practice Act 2018* (Veterinary Practice Act) to provide that the register must be made accessible to the public without charge on an ACT government website, or by a link on an ACT government website.

This amendment enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility.

Clause 103 Section 129 (2)

This clause makes a minor amendment that removes the word *available* in section 129 (2) of the Veterinary Practice Act and replaces it with *made accessible*. This enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility.

Clause 104 Section 129 (3)

This clause makes a minor amendment to omit *allow public inspection of* in section 129 (3) of the Veterinary Practice Act and replace it with *make accessible to the public*. This enshrines in legislation public accessibility to the register and standardises legislative language for public accessibility.

Clause 105 Section 129 (4)

This clause amends section 129 (4) of the Veterinary Practice Act to provide that the address of a veterinary practitioner must not be made accessible to the public. However, the address of a veterinary practitioner's practice must be made accessible, whether or not this is also the address of the practitioner. This ensures that the integrity of the information on the register is maintained as it pertains to the business. This clause also removes any requirement of the board to provide a copy or extract of the register, if asked. This is no longer required as the register will be electronically accessible to the public.

Part 26 Waste Management and Resource Recovery Act 2016

Clause 106 New section 23A

This clause inserts a new section 23A in the *Waste Management and Resource Recovery Act 2016* (Waste Management Act) that provides for a licence to be

amended upon application by the licence holder and at the discretion of the waste manager. This will be a reviewable decision.

This amendment gives waste management businesses or the waste manager the flexibility to amend a licence to reflect routine changes to operations. Reviewable decisions are an important element to legislation because they ensure transparency and equality in decision-making.

Clause 107 Registration conditions Section 34A, new example 3

This clause inserts a third example into section 34A of the Waste Management Act which provides guidance that requiring the display of the registered waste transporter's registration number on vehicles used for transporting waste is an example of a condition the waste manager can impose on the registration. This is intended to provide further clarity to the interpretation of the provision.

Clause 108 New section 34B

This clause inserts a new section 34B in the Waste Management Act that provides for the registration of a registered waste transporter to be amended upon application by the registrant and at the discretion of the waste manager. This will be a reviewable decision.

This amendment gives waste management businesses or the waste manager the flexibility to amend a registration to reflect routine changes to operations. Reviewable decisions are an important element to legislation because they ensure transparency and equality in decision-making.

Clause 109 Waste transporter must display registration number Section 35

This clause omits section 35 from the Waste Management Act which provides that a waste transporter must display a registration number. This is intended to be a deregulatory measure to remove a burden on businesses.

Clause 110 Definitions – pt 7 Section 43, definition of *regulatory action*, paragraph (a) (i)

This clause makes a minor amendment to section 43 of the Waste Management Act which defines regulatory action that can be taken against a licensee. The clause amends section 43 (a) (i) to omit *imposing, or amending*, and replace it with *imposing, amending or revoking* when referring to regulatory actions that can be taken regarding conditions on a licence.

This amendment aligns the definition of regulatory action with new section 23A.

Clause 111 Section 43 – definition of *regulatory action*, paragraph (b) (i)

This clause makes a minor amendment to section 43 of the Waste Management Act which defines regulatory action that can be taken against registered waste transporter. The clause amends section 43 (b) (i) to omit *imposing, or amending*, and replace it with *imposing, amending or revoking* when referring to regulatory action that can be taken regarding conditions on a registration.

This amendment aligns the definition of regulatory action with new section 34B.

Clause 112 Taking regulatory action Section 46 (2) a)

This clause makes a minor amendment to section 46 (2) (a) of the Waste Management Act to omit *imposing or amending* and replace it with *imposing, amending or revoking*. This amendment aligns section 46 (2) (a) with new sections 23A and 34B inserted into the Waste Management Act.

Clause 113 Section 46 (2) (a)

This clause makes a minor amendment to section 46 (2) (a) of the Waste Management Act to omit *impose or amend* and replace it with *impose, amend or revoke*. This amendment aligns section 46 (2) (a) with new sections 23A and 34B inserted into the Waste Management Act.

Clause 114 Section 64V (6)

This clause makes a minor amendment to section 64V (6) of the Waste Management Act to insert *granted under this section* after *container approval*. This provides additional clarity to the interpretation of the section following amendments.

Clause 115 Section 64V (7)

This clause makes a minor amendment to section 64V (7) of the Waste Management Act to insert *granted under this section* after *container approval*. This provides additional clarity to the interpretation of the section following amendments

Clause 116 Section 64V (8) and (9)

This clause removes the strict liability offence and maximum penalty units from section 64V (8) and (9) of the Waste Management Act if a person holds a container approval and fails to comply with a condition of the approval, as this is superseded by new section 64VA.

Clause 117 New section 64VA

This clause inserts a new section 64VA into the Waste Management Act that provides for the contravention of a container approval condition. Under this new provision, a person will commit an offence if they hold a container approval and they fail to comply with a condition of the approval. This is a strict liability offence and the

maximum penalty is 50 penalty units. This replaces previous section 64V (8) and (9). Making the provision under a separate section in the Waste Management Act improves the clarity of the Act. The offence and penalty are not changed.

Clause 118 Reviewable decisions Schedule 1, new items 3A to 3C

This clause inserts new reviewable decisions 3A, B and C in Schedule 1 of the Waste Management Act. This is in relation to new section 23A which is the amending of a licence or the refusal to amend a licence. The decision-maker will be the waste manager, which aligns with the reviewable decisions already provided in the Waste Management Act. Reviewable decisions are an important element to legislation because they ensure transparency and equality in decision-making.

Clause 119 Schedule 1, item 4

This clause amends reviewable decision 4 in Schedule 1 of the Waste Management Act. This is in relation to section 32 (2) of the Act which is now the refusal to consider an application until additional information is provided upon application. The decision-maker remains the waste manager. This amendment aligns the reviewable decision with other amendments to the Waste Management Act. Reviewable decisions are an important element to legislation because they ensure transparency and equality in decision-making.

Clause 120 Schedule 1, new items 6A to 6C

This clause inserts new reviewable decisions 6A, B and C in Schedule 1 of the Waste Management Act. This is in relation to new section 34B of the Act which is the amendment of a registration and the refusal to amend a registration. The decision-maker will be the waste manager, which aligns with the reviewable decisions already provided in the Waste Management Act. Reviewable decisions are an important element to legislation because they ensure transparency and equality in decision-making.

Clause 121 Schedule 1, item 7, column 4

This clause makes a minor amendment to column 4 of item 7 in Schedule 1 of the Waste Management Act. The amendment inserts *or registered waste transporter* after *licensee*. This aligns the reviewable decision with amendments.

Clause 122 Schedule 1, item 8

This clause amends reviewable decision 8 in Schedule 1 of the Waste Management Act. This is in relation to section 48 of the Act which now provides for licences or registrations and not just licences. The decision-maker remains the waste manager. This amendment aligns the reviewable decision with other amendments to the Waste Management Act. Reviewable decisions are an important element to legislation because they ensure transparency and equality in decision-making.

Schedule 1 Technical amendments

Part 1.1 Pool Betting Act 1964

Clause [1.1] Section 10 (3)

This clause makes a minor amendment to section 10 (3) Audit of the *Pool Betting Act (1964)* (Pool Betting Act) to replace *him or her with* with *the authorised person*. This amendment to provide for gender-neutral language is intended to modernise the statute book and make it more inclusive, reflecting current drafting practice.

Clause [1.2] Section 12

This clause makes a minor amendment to section 12 Misappropriation of entry fees or winnings of the Pool Betting Act to replace *his or her* with *their*. This amendment to provide for gender-neutral language is intended to modernise the statute book and make it more inclusive, reflecting current drafting practice.

Clause [1.3] Section 13 (2) (b)

This clause makes a minor amendment to section 13 (2) (b) Supervision of conduct of pool betting of the Pool Betting Act to replace *he or she* with *the authorised person*. This amendment to provide for gender-neutral language is intended to modernise the statute book and make it more inclusive, reflecting current drafting practice.

Clause [1.4] Section 13 (3) (a)

This clause makes a minor amendment to section 13 (3) (a) Supervision of conduct of pool betting of the Pool Betting Act to replace *his or her* with *their*. This amendment to provide for gender-neutral language is intended to modernise the statute book and make it more inclusive, reflecting current drafting practice.

Clause [1.5] Section 13 (3) (b)

This clause makes a minor amendment to section 13 (3) (b) Supervision of conduct of pool betting of the Pool Betting Act to replace *him or her* with *the person*. This amendment to provide for gender-neutral language is intended to modernise the statute book and make it more inclusive, reflecting current drafting practice.

Clause [1.6] Further amendments, mentions of *shall*

This clause makes further amendments to omit *shall* and replace with *must* in sections 5 to 10, and sections 12 and 13. These amendments are intended to provide clarity to the legislation, reflecting current drafting practice.

Clause [1.7] Further amendments, mentions of *persons*

This clause makes further amendments to omit *persons* and replace with *people* in sections 6 and 13 and the dictionary definition of *pool betting competition*. These

amendments are intended to provide clarity to the legislation, reflecting current drafting practice.

Part 1.2 Waste Management and Resource Recovery Act 2016

Clause [1.8] Section 20 (2), note etc

This clause makes minor amendments to omit unnecessary notes in sections 20, 22, 23, 32, 34, 34A, 46, 48, 67, 70, 71, and 117.

Clause [1.9] Schedule 1, item 5, column 2

This clause makes a technical amendment to Schedule 1, item 5, column 2 to correct the section from 34 (3) to section 34 (1). This corrects a cross-reference in the Act.

Clause [1.10] Schedule 1, item 12, column 2

This clause makes a technical amendment to Schedule 1, item 12, column 2 to correct the section from 67 to section 67 (1). This corrects a cross-reference in the Act.

Clause [1.11] Schedule 1, item 12, column 3

This clause makes a technical amendment to Schedule 1, item 12, column 3 to omit *give* and replace with *declare*. This corrects the description of the reviewable decision for refusing to declare an exemption.

Clause [1.12] Schedule 1, items 13 and 14, column 3

This clause makes technical amendments to Schedule 1, items 13 and 14, column 3 to omit *issue* and replace with *give*. This corrects the descriptions of the reviewable decisions for giving compliance directions and giving directions.