



Speech By  
**Hon. Cameron Dick**


**MEMBER FOR WOODRIDGE**

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Record of Proceedings, 12 November 2015

## **HEALTH LEGISLATION AMENDMENT BILL**

### **Introduction**

 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (4.21 pm): I present a bill for an act to amend the Food Act 2006, the Health Ombudsman Act 2013, the Hospital and Health Boards Act 2011, the Pest Management Act 2001, the Public Health Act 2005 and the Transplantation and Anatomy Act 1979 for particular purposes. I table the bill and explanatory notes. I nominate the Health and Ambulance Services Committee to consider the bill. To inform the committee's consideration of the Food Act amendments, I also table related amendments to the food regulation and explanatory notes.

*Tabled paper:* Health Legislation Amendment Bill 2015 [[1650](#)].

*Tabled paper:* Health Legislation Amendment Bill 2015, explanatory notes [[1651](#)].

*Tabled paper:* Food Amendment Regulation (No. ..) 2015: tabling draft [[1652](#)].

*Tabled paper:* Food Amendment Regulation (No. ..) 2015: tabling draft, explanatory notes [[1653](#)].

The Health Legislation Amendment Bill 2015 amends six Health portfolio acts to support policy initiatives of the government and to improve the effective operation of the relevant acts. Significantly, the bill amends the Food Act to implement a statewide menu labelling scheme. This scheme, and supporting consumer awareness campaign, will deliver on the Palaszczuk government's commitment to introduce kilojoule menu labelling to help Queenslanders make healthier choices when eating fast food. Population-wide weight gain causes significant health problems for individual Queenslanders, their families, their employers and the community. Around 2.5 million Queensland adults and children are overweight or obese. In 2008, the estimated financial impact of obesity on the Queensland economy was \$11.6 billion in health system costs, lost productivity and lost wellbeing. This equates to \$4,644 for each overweight or obese person in Queensland.

One of the key contributing factors for obesity and chronic diseases is consuming considerable amounts of fast food. Fast food typically contains more kilojoules, fat, sugar and salt and can often be larger in portion size than meals prepared at home. In 2014, 30 per cent of Queensland adults consumed takeaway food at least once a week. This increased to 48 per cent of adults aged 18-24 years. Studies in the United States have shown that consumers greatly underestimate the amount of energy, saturated fats, sugar and salt in unhealthy foods and that people who consider nutritional information consume fewer kilojoules, fat and sugar.

The food menu labelling scheme will help Queenslanders make healthier fast-food choices by providing easily understood nutritional information at the point of sale where purchasing decisions are made. The scheme is based on, firstly, the National Principles for Introducing Point-of-Sale Nutrition in Standard Food Outlets agreed by the former Australia and New Zealand Food Regulation Ministerial Council in 2011 and, secondly, on legislation already in place in New South Wales. Businesses with

either 20 outlets in Queensland or 50 outlets nationally that sell standard food items such as burgers, chips, sandwiches, drinks and muffins, will be required to display certain nutritional information. The nutritional information to be displayed is the energy content for each standard food item, expressed in kilojoules, and the statement 'The average adult daily energy intake is 8700kJ'. The regulation will prescribe how, where and when the nutritional information must be displayed.

The scheme will not be mandatory for businesses such as service stations, convenience stores and cinemas; dine-in restaurants; catering services; not-for-profit home delivery, for example, Meals on Wheels; patient food services in health facilities; and canteens in schools, sporting clubs and workplaces. Food outlets that are not captured by the mandatory scheme, but that choose to voluntarily display nutritional information, will also be required to comply with the prescribed display requirements. This will ensure consistent display of nutritional information to consumers.

The scheme will help Queenslanders make informed and healthier fast-food choices at the point of sale, whether that is in a queue in-store, at home ordering over the phone or internet, or when on the go and ordering via a mobile application. Food outlets will have 12 months to comply with the display requirements. During this time, the Department of Health will work with businesses to assist with transitional issues and conduct consumer education activities.

The bill also amends the Food Act to allow the chief executive of the Department of Health to authorise disclosure of confidential information provided the chief executive has a reasonable belief the disclosure is necessary to prevent, reduce or mitigate a serious danger to public health. Confidential information may include, for example, the name of a food business associated with a food risk. This will enable the department to inform at-risk consumers about serious health risks associated with particular foods in circumstances where existing emergency food recall powers may be ineffective. The legislation also includes safeguards; in particular, the chief executive's power to authorise disclosure can only be delegated to the chief health officer.

The bill amends the Health Ombudsman Act 2013 to allow the minister to make temporary appointments to the public panel of assessors that assists the Queensland Civil and Administrative Tribunal in disciplinary proceedings relating to registered health professionals. The temporary appointments can be for up to six months and can be made only on the advice of the principal registrar of the tribunal.

The bill amends the Hospital and Health Boards Act 2011 to enable the minister to make temporary appointments to hospital and health boards for up to six months, with a further extension of six months. This will allow the minister to make urgent appointments when necessary to ensure each board has the composition and skills mix required under the act. Urgent appointments may be required if, for example, current board members unexpectedly resign or take unplanned leave.

The bill amends the Pest Management Act 2001 to allow the chief executive of the Department of Health to delegate his or her powers under the act to an appropriate qualified employee of a hospital and health service. This amendment facilitates transfer of operational responsibility for functions under the act from the department to hospital and health services.

The bill also amends the Public Health Act 2005 to streamline the process for enabling registered midwives who are not also registered nurses to access the Queensland Pap Smear Register.

Finally, the bill amends the Transplantation and Anatomy Act 1979 to clarify that the definition of blood products does not include cord blood. Cord blood is blood obtained from the placenta via the umbilical cord following childbirth for the main purpose of extracting stem cells. Stem cells obtained from cord blood are used to treat a range of conditions, including leukaemia, lymphoma and anaemia, as well as immune and metabolic disorders. The Australian Bone Marrow Donor Registry is a non-profit organisation that undertakes searches for matching cord blood units. The registry is funded by the Commonwealth, state and territory governments. This amendment will ensure that the Australian Bone Marrow Donor Registry can be exempted from the general prohibitions on trading human tissue for the purpose of trading in stem cells containing cord blood under agreements with the Commonwealth and Queensland.

The bill contains important measures to improve the operation of Health portfolio legislation. It also delivers on a key election commitment aimed at improving the health of Queenslanders. The causes of obesity are complex, but it is clear that the widespread availability and consumption of unhealthy food is a key factor. This new menu labelling scheme will help Queenslanders make healthier fast-food choices, benefitting individuals, families and the community. I commend the bill to the House.

## First Reading

**Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (4.28 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.


Motion agreed to.

Bill read a first time.

## Referral to the Health and Ambulance Services Committee

**Mr DEPUTY SPEAKER** (Mr Furner): Order! In accordance with standing order 131, the bill is now referred to the Health and Ambulance Services Committee.

## Portfolio Committee, Reporting Date

 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (4.29 pm), by leave, without notice: I move—

That under the provisions of standing order 136, the Health and Ambulance Services Committee report to the House on the Health Legislation Amendment Bill by 15 February 2016.