




Speech By  
**Hon. Leeanne Enoch**

**MEMBER FOR ALGESTER**

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Record of Proceedings, 13 October 2016

### **GENE TECHNOLOGY (QUEENSLAND) BILL**

 **Hon. LM ENOCH** (Algester—ALP) (Minister for Innovation, Science and the Digital Economy and Minister for Small Business) (4.45 pm), in reply: I thank all honourable members who spoke in support of the bill for their contribution. In particular, I would like to acknowledge the bipartisan support for this bill that ensures that Queensland researchers and businesses remain at the cutting edge of gene technology. I would like to note the range of positive benefits outlined by many speakers that gene technology presents for many sectors of Queensland's economy, particularly for agriculture. The member for Gympie emphasised the important role of gene technology in addressing invasive weeds. Other benefits for the agricultural sector include drought and pest resistance and increased yields.

It is important to recognise that this bill will maintain consistency with the Commonwealth gene technology legislation through the most efficient manner possible—that is, an automatic adoption process. This bill ensures that gene technology activities undertaken by Queensland state government agencies, higher education institutions and sole traders will take place within an up-to-date, robust, ethical and scientific regulatory framework that is focused on the protection of human health, safety and the environment.

This bill also provides safeguards for Queensland's autonomy through a provision to opt out of particular amendments by regulation in instances where it is not in Queensland's interests to adopt Commonwealth amendments. I know that this is something that the shadow minister is particularly interested in. In response to her question as to when the Queensland government might look to opt out of a Commonwealth amendment, let me outline hypothetical situations where this might occur.

Queensland could utilise the opt-out provision in the incredibly unlikely instance where a change to the legislation was not evidence based and, in Queensland's view, placed our researchers and businesses at unnecessary risk through reduced safeguards. The regulation of new technologies may also be another instance where Queensland could utilise the opt-out provision if proposed Commonwealth amendments presented significant ethical or commercial concerns for Queensland entities. It could put us at a disadvantage. We might opt out in those circumstances. As the shadow minister mentioned in her speech, the opt-out provision would be used rarely given the rigorous process in place for achieving agreement to legislative changes by the Commonwealth.

The opt-out provision in this bill essentially provides Queensland with a second line of insurance with this mechanism being triggered only as a last resort, as enacting this provision would mean that the Commonwealth would not have addressed satisfactorily Queensland's concerns through the Legislative and Governance Forum on Gene Technology and the Gene Technology Standing Committee. It should also be noted that, if Queensland were to opt out of a Commonwealth amendment, the Commonwealth amendment would still apply to constitutional corporations in Queensland that are covered under the Commonwealth legislation. As such, the decision to utilise the opt-out provision would not be taken lightly and would be informed by consultation with Queensland state government agencies and higher education institutions.

I would also like to address some of the concerns raised by the member for Albert in relation to the safety of GMO crops and food. The Office of the Gene Technology Regulator—the OGTR—has advised that, to date, it has not observed any adverse effects on human health and the environment arising from licensed dealings with GMOs. The OGTR has a post-release review framework that allows ongoing oversight of commercial releases of genetically modified crops in Australia.

The Therapeutic Goods Administration is responsible for the quality, safety and efficacy of therapeutic products, including GM products, while Food Standards Australia New Zealand is responsible for the safety of GM foods. It should be noted that all GMOs used in Australia are subject to rigorous scientific review and a comprehensive regulatory regime under the act. Of course, we would welcome the appropriate federal government agency undertaking a public awareness campaign on the positive impact of the use of GMOs and my department would be happy to provide input.

The Queensland government is acting to ensure that gene technology activities are facilitated through legislation that balances innovation with environmental protection and the health and safety of people. Having an up-to-date legislative framework for gene technology is important for Queensland's biotechnology industry and aligns with the government's Advance Queensland initiative to build an environment where collaboration between industry and research bodies successfully translates ideas and research into commercial outcomes.

I would again like to thank the Education, Tourism, Innovation and Small Business Committee for its consideration of the bill. Finally, I would like to acknowledge the community members, organisations and departmental representatives who provided submissions and information for the committee's inquiry into the bill. I commend the bill to the House.