

Conclusion

- 4.1 The Committee is of the view that these reforms must provide a balance between the requirements of those in the AgVet chemical industry, the needs of the regulator and the community concerns that have been identified. The Committee believes that the provisions of the Bill are an appropriate starting point from which to proceed. However, the Committee reiterates its previous comments in this report relating to the need for analysis of the impact of reforms and the need for evaluation.
- 4.2 The Committee views the process of AgVet chemical reform as one of continuous improvement. Given a number of concerns raised by stakeholders in the Committee's inquiry, the need for ongoing discussion between all parties is paramount. If continued discussions not do not alleviate concerns, more frequent evaluations in addition to those specified in the Bill, particularly of the mandatory re-registration and re-approval system, may be warranted.
- 4.3 The Committee wishes to highlight matters in relation to the Bill recently addressed by the Parliamentary Joint Committee on Human Rights.¹ In particular, the Human Rights Committee is concerned that the powers in the Bill relating to monitoring and investigatory powers are an encroachment on human rights. The Human Rights Committee notes its intention to seek clarification from the relevant Minister as to whether some civil penalty and reverse onus offences are consistent with the International Covenant on Civil and Political Rights (ICCPR).²

1 Parliamentary Joint Committee on Human Rights, Commonwealth, *Examination of Legislation in accordance with the Human Rights (Parliamentary Scrutiny) Act 2011, Bills Introduced 19 - 29 November 2012 and Legislative Instruments Registered with the Federal Register of Legislative Instruments 17 November 2012 - 4 January 2013* (2013), p. 4.

2 Parliamentary Joint Committee on Human Rights, Commonwealth, *Examination of Legislation in accordance with the Human Rights (Parliamentary Scrutiny) Act 2011, Bills Introduced 19 - 29*

- 4.4 There are currently three federal parliamentary committees that have or will examine this issue from a range of perspectives. The Committee views that the Australian Government should consider the concerns raised in each committees' report in implementing the Bill and in proceeding with wider reforms.

Recommendation 1

The Committee recommends that the House of Representatives pass the Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012 without amendment.

Dick Adams MP

Chair