

Reference: CTS 1000/12

Department of
**Employment, Economic
Development and Innovation**

14 February 2012

Mrs Carryn Sullivan MP
Chair
Environment, Agriculture, Resources and Energy Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Mrs Sullivan

Chicken Meat Industry Amendment Bill 2011

Thank you for your letter of 10 February 2012 to the Acting Director-General of the Department of Employment, Economic Development and Innovation (DEEDI) regarding two matters of concern to the Environment, Agriculture, Resources and Energy Committee's (the Committee) inquiry into the *Chicken Meat Industry Amendment Bill 2011* (CMIA Bill) as introduced into the Legislative Assembly by the Honourable Tim Mulherin MP, Minister for Agriculture, Food and Regional Economies on 15 November 2011.

I have the authority to provide a response on behalf of the Department.

I wish to advise that the relevant DEEDI officers involved with the carriage of this Bill have discussed the matters raised by the Committee with the relevant draft person in the Office of the Queensland Parliamentary Counsel (OQPC). While it is not considered that there are any errors in the technical drafting of the Bill, there is preliminary agreement that it may be desirable to make two amendments to clarify the intended operation of the Bill to address the matters raised by the Committee.

These potential amendments – which are yet to be discussed with the Minister for Agriculture, Food and Regional Economies – are as follows:

- In Clause 19 of the Bill, in proposed new section 31 – the intended operation of subsection (1) may be clarified by deleting the word 'decided' from the second and third lines and inserting replacement words (underlined below), so that the subsection would thereafter read:

- '(1) An application for registration of an agreement, made under previous section 24B and not registered under previous section 24C before the transfer day, must be registered from the transfer day under section 24B.'
- In Clause 19 of the Bill, in proposed new section 33 – the operation of subsection (1), paragraph (b) may be better expressed by deleting the words 'by a mediator' from both subparagraph (i) and subparagraph (ii), so that paragraph (b) would thereafter read:
 - '(b) a dispute between the parties to an agreement about an amount payable under the agreement that-
 - (i) was referred to mediation under previous section 23;
 - (ii) is not resolved by the mediation.'

I am of course aware that once the Parliament is prorogued, this Bill will lapse, and the question of whether or not it will subsequently be re-introduced, either in its present form or with any amendments, will rightly be a matter for further consideration by the Government of the day to decide once the Parliament resumes.

In the interim, I would be pleased to receive the views of the Committee as to whether the suggested amendments address the Committee's concerns. This will enable my officers to prepare appropriate briefing material for subsequent Ministerial consideration. In the interests of proper consultation, it is also my intention that any proposed amendments would also need to be discussed with the Chicken Meat Industry Committee, as represented by its chairperson.

If you require any further information regarding the department's response in respect of the matters raised by the Committee, please contact Mr Harold Brown, Manager Legislation Coordination, Food and Agribusiness, DEEDI, on telephone 07 3224 4711 or email harold.brown@deedi.qld.gov.au.

Yours sincerely



Robert Setter

Associate Director-General

Department of Employment, Economic Development and Innovation