

THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY

**EXPLANATORY MEMORANDUM**

***FOOD REGULATIONS AMENDMENT***

Subordinate Law No. 29 of 2000

Distributed by Authority of the Minister for Health and  
Community Care

Michael Moore MLA

July 2000

### **Clause 1 Commencement**

Clause 1 provides that the Food Regulations (Amendment) 2000 will have commenced on 1 July 2000.

The commencement has been made retrospective to ensure that existing milk vendors, who do not hold a Food Business Licence, are protected from breaching the *Food Act 1992*.

The existing exemption has been amended retrospectively to ensure that its effect is retained after the repeal of the *Milk Authority Act 1971* on 1 July 2000. As this amendment will take effect two days after the repeal of the *Milk Authority Act 1971*, the amendment will only be retrospective for two days.

In accordance with section 7 of the *Subordinate Laws Act 1989* this retrospective amendment does not prejudice the rights of milk vendors or any other person, nor does it impose any liability on milk vendors or any other person.

### **Clause 2 Regulations amended**

Clause 2 provides that the Food Regulations (Amendment) 2000 amend the Food Regulations 1994.

### **Clause 3 Exemptions from licensing requirements**

Clause 3 provides that subregulation 4(a)(iii) of the Food Regulations, be amended by omitting all of the words after the word 'premises' and substituting 'or'.

This amendment is made to ensure that the exemption, from the licensing requirements of the *Food Act 1992*, for a milk vendor is maintained once the *Milk Authority Act 1971* is repealed.

The exemption from the licensing requirements of the *Food Act 1992* for milk vendors is provided to enable a three-month licence transitional period for the vendors to obtain a Food Business Licence. The exemption will be repealed in early October 2000 through previous amendments to the *Food Regulations 1994*.