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Gene Technology (GM Crop Moratorium) Amendment Bill 2007

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GENE TECHNOLOGY (GM CROP MORATORIUM) AMENDMENT BILL 2007

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Bill received from the Legislative Council and introduced.

Agreement in Principle

Mr JOHN AQUILINA (Riverstone—Leader of the House) [12.35 a.m.], on behalf of Mr. Nathan Rees, I move:

That this bill be now agreed to in principle.

The Gene Technology (GM Crop Moratorium) Amendment Bill 2007 was introduced in the other place on 28 November 2007 and the second reading speech appears at pages 3 to 7 in the *Hansard* proof for that day. The bill is in the same form as introduced in the other place, with two amendments. The first amendment provides that the Minister make public any reasons for making an order or revoking an order under section 7A. An order under section 7A declares that a GM food crop is approved for commercial cultivation in New South Wales. In the interests of transparency, accountability and the quality of the decision-making process, it is proper that the Minister make public his reasons for approving the commercial cultivation of a GM food crop or for revoking that approval.

The second amendment aims to prevent the situation whereby a non-GM farmer whose crops are unknowingly contaminated by a neighbouring GM crop would then himself be the subject of litigation from other non-GM farmers, GM farmers, GM manufacturers or other organisations in the supply chain. The proposed amendment contains provisions along the lines of those contained in the South Australian Genetically Modified Crops Management Act 2004. New section 32A provides non-GM farmers with special protection from liability arising from the presence of material from GM food plants found in his crops when that material was introduced without his knowledge. This protection is not available if the non-GM farmer has deliberately dealt with the crop knowing that the GM food plant was present in order to gain a commercial benefit and that another person's rights in relation to that GM food plant should be recognised or protected. This ensures that a non-GM farmer cannot have it both ways, that is, benefit from the introduced GM food plant and also have protection from liability. I commend the bill to the House.

**Debate adjourned on motion by Mr Daryl Maguire and set down as an order of the day for a future day.
The House adjourned at 12.39 a.m. Wednesday 5 December 2007 until 10.00 a.m. on the same day.**

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