

FOOD HYGIENE REGULATIONS — PUBLIC LISTING OF OFFENDERS

1085. Mr C.J. Tallentire to the Minister for Health

With regard to the Department of Health website that lists food outlets that have breached health regulations:

- (a) can the Minister advise of action he is taking to ensure that all local governments provide information that enables the public listing of offences that are contrary to the requirements of the *Health Act 1911*, the *Health (Food Hygiene) Regulations 1993* and the *Australian New Zealand Food Standards Code*; and
- (b) can the Minister advise what action he will take against local governments that fail to supply information on food outlets that commit offences that are contrary to the requirements of the *Health Act 1911*, the *Health (Food Hygiene) Regulations 1993* and the *Australian New Zealand Food Standards Code*?

Dr K.D. HAMES replied:

- (a) Public listing of offences is not a requirement of the Health Act 1911, the Health (Food Hygiene) Regulations 1993 or the Australian New Zealand Food Standards Code. Presently, the Department of Health has an agreement with Local Government to report legal cases they have completed as they occur. This information is then used to update the Department of Health website.
- (b) As there is no requirement under the above named legislation, there is no ability to take action. However, the Food Act 2008 (the Act) when fully proclaimed and implemented will require Local Government to forward details of any proceedings for an offence under the Act to the Department of Health. It is anticipated the Act will be proclaimed on 30 October 2009 and the Department of Health intends to work collaboratively with Local Government to ensure this requirement is effectively implemented following proclamation.