

Law Compliance Report – October 2023

Welcome to the October 2023 edition of the Law Compliance Report.

In this issue we:

- set out some of the [current Bills](#) we are tracking throughout Australia;
- discuss recent legislative changes occurring in each of the States and Territories:
 - [Commonwealth](#)
 - [Australian Capital Territory](#)
 - [New South Wales](#)
 - [Northern Territory](#)
 - [Queensland](#)
 - [South Australia](#)
 - [Tasmania](#)
 - [Victoria](#)
 - [Western Australia](#);
- provide updates on new ComplyOnline® functionality.

Click on the blue links above to go directly to the article.



Some of the legislative changes being tracked

Western Australia

- Aboriginal Heritage Legislation Amendment and Repeal Bill 2023 (WA)
- Abortion Legislation Reform Bill 2023 (WA)
- Climate Change and Greenhouse Gas Emissions Reduction Bill 2021 (WA)
- Duties Amendment (Off-the-Plan Concession and Foreign Persons Exemptions) Bill 2023 (WA)
- Electricity Industry Amendment (Alternative Electricity Services) Bill 2023 (WA)
- Guardianship and Administration Amendment (Medical Research) Bill 2023 (WA)
- Liquor Control Amendment (Banned Drinkers Register) Bill 2023 (WA)
- Retail Trading Hours Amendment Bill 2021 (WA)
- Statutes (Repeals and Minor Amendments) Bill 2021 (WA)

Northern Territory

- Independent Commissioner Against Corruption Amendment Bill 2023 (NT)
- Electricity Legislation Amendment Bill 2023 (NT)
- Liquor Legislation Amendment (Offences) Bill 2023 (NT)

Queensland

- Body Corporate and Community Management and Other Legislation Amendment Bill 2023 (Qld)
- Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Bill 2023 (Qld)
- Gas Supply and Other Legislation (Hydrogen Industry Development) Amendment Bill 2023 (Qld)
- Integrity and Other Legislation Amendment Bill 2023 (Qld)
- Property Law Bill 2023 (Qld)

New South Wales

- Animal Research Amendment (Prohibition of Forced Swim Tests and Forced Smoke Inhalation Experiments) Bill 2023 (NSW)
- Conversion Practices Prohibition Bill 2023 (NSW)
- Equality Legislation Amendment (LGBTQA+) Bill 2023 (NSW)
- Health Legislation Amendment (Miscellaneous) Bill 2023 (NSW)
- Minerals Legislation Amendment (Offshore Drilling and Associated Infrastructure Prohibition) Bill 2023 (NSW)
- Radiation Control Amendment Bill 2023 (NSW)
- Residential Tenancies Amendment (Rent Freeze) Bill 2023 (NSW)
- Work Health and Safety Amendment Bill 2023 (NSW)

ACT

- Associations Incorporation Regulation 2023 (ACT)
- Biosecurity Bill 2023 (ACT)
- Building (Swimming Pool Safety) Legislation Amendment Bill 2023 (ACT)
- Building and Construction Legislation Amendment Bill 2023 (ACT)
- Children and Young People Amendment Bill 2023 (ACT)
- Circular Economy Bill 2023 (ACT)
- Human Rights (Complaints) Legislation Amendment Bill 2023 (ACT)
- Integrity Commission Amendment Bill 2022 (ACT)
- Justice (Age of Criminal Responsibility) Legislation Amendment Bill 2023 (ACT)
- Justice and Community Safety Legislation Amendment Bill 2023 (No 2) (ACT)
- Justice and Community Safety Legislation Amendment Bill 2023 (ACT)
- Mental Health Amendment Bill 2023 (ACT)
- Modern Slavery Legislation Amendment Bill 2023 (ACT)

Tasmania

- Charities and Associations Law (Miscellaneous) Amendment Bill 2023 (Tas)
- Electoral Disclosure and Funding Bill 2022 (Tas)
- North West Maternity (Employee Entitlements) Bill 2023 (Tas)
- Residential Tenancy (Rental Market Reform) Amendment Bill 2021 (Tas)
- Residential Tenancy Amendment (Minimum Window Coverings for Social Housing Properties) Bill 2023 (Tas)
- Right to Information Amendment (Public Protected Areas) Bill 2021 (Tas)
- Right to Information Amendment Bill 2021 (Tas)
- State Litigator (Consequential Amendment) Bill 2023 (Tas)
- Work Health Safety Amendment Bill 2023 (Tas)
- Workers Rehabilitation and Compensation Amendment Bill 2023 (Tas)

Victoria

- Children, Youth and Families Amendment (Home Stretch) Bill 2023 (Vic)
- Children, Youth and Families Amendment (Raise the Age) Bill 2022 (Vic)
- Independent Broad-based Anti-corruption Commission Amendment (Ending Political Corruption) Bill 2023 (Vic)
- Justice Legislation Amendment Bill 2023 (Vic)
- Nuclear Activities (Prohibitions) Repeal Bill 2023 (Vic)
- Public Health and Wellbeing Amendment (Health Services Performance Transparency and Accountability) Bill 2023 (Vic)
- Triple Zero Victoria Bill 2023 (Vic)

South Australia

- Aboriginal Heritage (Miscellaneous) Amendment Bill 2023 (SA)
- Advance Care Directives (Review) Amendment Bill 2022 (SA)
- Assisted Reproductive Treatment (Posthumous Use of Material and Donor Conception Register) Amendment Act 2023 (SA)
- Cannabis Legalisation Bill 2022 (SA)
- Controlled Substances (Nicotine) Amendment Bill 2022 (SA)
- Environment Protection (Cigarette Butt Waste) Amendment Bill 2023 (SA)
- Explosives Bill 2023 (SA)
- Fair Trading (Lifespan of Electrical Products) Amendment Bill 2022 (SA)
- Food (Restrictions on Advertising of Junk Food) Amendment Bill 2022 (SA)
- Freedom of Information (Ministerial Diaries) Amendment Bill 2022 (SA)
- Gas (Ban on New Connections) Amendment Bill 2022 (SA)
- Health Care (Ambulance Response Targets) Amendment Bill 2023 (SA)
- Heritage Places (Adelaide Park Lands) Amendment Bill 2022 (SA)
- Heritage Places (Protection of State Heritage Places) Amendment Bill 2023 (SA)
- Planning, Development and Infrastructure (Gas Infrastructure) Amendment Bill 2022 (SA)
- Statutes Amendment (Animal Welfare Reforms) Bill 2022 (SA)
- Statutes Amendment (National Energy Laws) (Emissions Reduction Objectives) Bill 2023 (SA)
- Veterinary Services Bill 2023 (SA)
- Work Health and Safety (Industrial Manslaughter) Amendment Bill 2022 (SA)
- Work Health and Safety (Industrial Manslaughter) Amendment Bill 2023 (SA)

Commonwealth

- Broadcasting Services Amendment (Healthy Kids Advertising) Bill 2023 (Cth)
- Commonwealth Electoral Amendment (Cleaning up Political Donations) Bill 2023 (Cth)
- Commonwealth Electoral Amendment (Lowering the Donation Disclosure Threshold) Bill 2023 (Cth)
- Commonwealth Electoral Amendment (Stop the Lies) Bill 2022 (Cth)
- COVID-19 Vaccination Status (Prevention of Discrimination) Bill 2022 (Cth)
- Crimes Legislation Amendment (Combating Foreign Bribery) Bill 2023 (Cth)
- Customs Amendment (Banning Goods Produced By Forced Labour) Bill 2022 (Cth)
- Customs Amendment Bill 2022 (Cth)
- Customs Legislation Amendment (Commercial Greyhound Export and Import Prohibition) Bill 2021 (Cth)
- Defence Amendment (Safeguarding Australia's Military Secrets) Bill 2023 (Cth)
- Disability Services and Inclusion Bill 2023 (Cth)
- Electoral Legislation Amendment (Fairer Contracts and Grants) Bill 2023 (Cth)
- Electoral Legislation Amendment (Restoring Trust) Bill 2023 (Cth)
- Environment Protection and Biodiversity Conservation Amendment (Climate Trigger) Bill 2022 [No. 2] (Cth)
- Fair Work Amendment (Prohibiting COVID-19 Vaccine Discrimination) Bill 2023 (Cth)
- Fair Work Amendment (Right to Disconnect) Bill 2023 (Cth)
- Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 (Cth)
- Family Law Amendment (Information Sharing) Bill 2023 (Cth)
- Family Law Amendment Bill 2023 (Cth)
- Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Bill 2023 (Cth)
- Human Rights (Children Born Alive Protection) Bill 2022 (Cth)
- Intelligence Services Legislation Amendment Bill 2023 (Cth)
- Legalising Cannabis Bill 2023 (Cth)
- Migration Amendment (Strengthening Employer Compliance) Bill 2023 (Cth)
- National Occupational Respiratory Disease Registry Bill 2023 (Cth)
- Nature Repair Market Bill 2023 (Cth)
- Public Health (Tobacco and Other Products) (Consequential Amendments and Transitional Provisions) Bill 2023 (Cth)
- Public Health (Tobacco and Other Products) Bill 2023 (Cth)
- Public Sector Superannuation Legislation Amendment Bill 2022 (Cth)
- Treasury Laws Amendment (2023 Measures No. 3) Bill 2023 (Cth)
- Treasury Laws Amendment (Consumer Data Right) Bill 2022 (Cth)
- Treasury Laws Amendment (Making Multinationals Pay Their Fair Share—Integrity and Transparency) Bill 2023 (Cth)
- Treasury Laws Amendment (Modernising Business Communications) Bill 2022 (Cth)
- Treasury Laws Amendment (Support for Small Business and Charities and Other Measures) Bill 2023 (Cth)
- Water Amendment (Restoring Our Rivers) Bill 2023 (Cth)

If you would like details of these new Bills please contact our team on **1300 862 667** or visit our website www.lawcompliance.com.au

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Commonwealth Update

Education and Care Services National Amendment Regulations 2023 (NSW)

On 1 July 2023, the *Education and Care Services National Amendment Regulations 2023* (NSW) (the **Amending Regulations**) amended the National Regulations. As a result, ratios concerning educators and early childhood teachers for centre-based services have been added and updated, including new incidental reporting requirements. In addition, ratios concerning family day care coordinators for approved providers of family day care services have been amended.

Centre-based services – general educator qualifications

New regulation 126A provides a limited exception to the qualification and ratio requirements for centre-based services educating and caring for children of preschool age or under provided in regulation 126.

Effectively, the new regulation 126A allows a person who holds a qualification in primary teaching to be utilised to replace an otherwise appropriately qualified educator, however, the replacement person can only be utilised for a maximum of 30 days in any 12-month period, and only when the qualified educator's absence is caused by:

- short-term illness;
- the educator's resignation;
- a practicum placement required to be undertaken by the educator for an approved education and care qualification; or
- leave.

Centre-based services – illness or absence of early childhood teacher or suitably qualified person

Newly amended regulation 135 sets out a list of circumstances that allow a centre-based service to replace an early childhood teacher, a second early childhood teacher or a suitably qualified person with a person who holds an approved diploma level education and care qualification or a qualification in primary teaching, as an interim measure.

The circumstances referred to are where the absence of the early childhood teacher, the second early childhood teacher or suitably qualified person is caused by:

- short-term illness;
- the resignation of the early childhood teacher, the second early childhood teacher or the suitably qualified person (as the case may be);
- a practicum placement required to be undertaken by the early childhood teacher or the second early childhood teacher (as the case may be) for an approved education and care qualification;
- a practicum placement required to be undertaken by the suitably qualified person for an approved education and care qualification; or
- leave.

Centre-based services – record-keeping requirements for replacements

To complement the replacement requirements provided in regulations 126A and 135 discussed above, new record keeping requirements have been introduced and are found in new regulations 152A and 152B.

New regulation 152A provides that the approved provider of a centre-based service must keep a record of an educator who is replaced in accordance with regulation 126A that includes the following information:

- the full name of the educator;

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- the qualification that the educator who is replaced holds, or is actively working towards, for the purposes of regulation 126;
- the qualification of the person who replaced the educator;
- the dates on which the educator was replaced; and
- the reason for the educator's absence.

New regulation 152B provides that the approved provider of a centre-based service must keep a record of an early childhood teacher or a suitably qualified person who is replaced in accordance with regulation 135(1) or (2) that includes the following information:

- the full name of the early childhood teacher or the suitably qualified person;
- whether the person who is replaced is an early childhood teacher or a suitably qualified person;
- the qualification of the person who replaced the early childhood teacher or the suitably qualified person (as the case may be);
- the dates on which the early childhood teacher or the suitably qualified person was replaced; and
- the reason for the absence of the early childhood teacher or the suitably qualified person.

Family day care service – family day care coordinator to educator ratios

Regulation 123A has been amended to change the prescribed minimum number of qualified persons that are required to be employed or engaged as family day care co-ordinators of an approved provider of a family day care service, as set out below:

- if a family day care service has provided education and care to children for less than 12 months, the prescribed minimum number of qualified persons employed or engaged as family day care co-ordinators is 1 full-time equivalent family day care co-ordinator for every 15 family day care educators (or part of that number);
- if a family day care service has provided education and care to children for 12 months or more, the prescribed minimum number of qualified persons

employed or engaged as family day care co-ordinators is to be calculated in accordance with the following ratios:

- if the number of family day care educators engaged by or registered with the service is not more than 25—1 fulltime equivalent family day care coordinator;
- if the number of family day care educators engaged by or registered with the service exceeds 25—an additional 0.2 full-time equivalent family day care co-ordinator for every additional 5 family day care educators (or part of that number).

Changes impacting SA, TAS, VIC and WA – Programs for children over preschool age

A new requirement, which is provided in regulation 325B for SA, 345A for TAS, 359A for Vic, and 373A for WA, has been introduced to override the requirement in regulation 74(1)(b) for those respective jurisdictions.

Generally, regulation 74 concerns the documentation of educational programs that approved providers of an education and care service must deliver to all children being educated and cared for by the service, as required by section 168 of the National Law. Under regulation 74(1)(b), the approved provider is required to document evaluations of a child's wellbeing, development and learning if the child is over preschool age. Under the new requirement, an approved provider in the above jurisdictions is no longer required to document this but must instead ensure that evidence about the development of the educational program for a child over preschool age is documented by them.

Conclusion

Centre-based services and family day care services should ensure that their systems and processes are appropriately updated to reflect the new staff ratios and record keeping requirements for replacements, discussed above.

Relevant jurisdictions should update their systems to ensure that they are now documenting evidence concerning the development of an educational program for a child over preschool age.

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Upcoming Comply Online® Webinars

Law Compliance is running the following Comply Online webinars in October and November for our subscribers. Join us for a step-by-step tour of Comply Online, have your questions answered along the way.

Comply Online 101

Introduction to the Comply Online platform. We explain the features and functionality of the **Standard** Version, and how to make the most of your subscription (30 minutes).

Next webinar: TBA

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Comply Online Premium

Introduction to the **Premium** version of Comply Online. We take you through the additional reporting features and functionality available and how to produce reports (30 minutes).

Next webinar: Tuesday 17th October 2023—12.00pm

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Next webinar: Tuesday 31st October 2023—12.00pm

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Next webinar: Tuesday 21st November 2023—12.00pm

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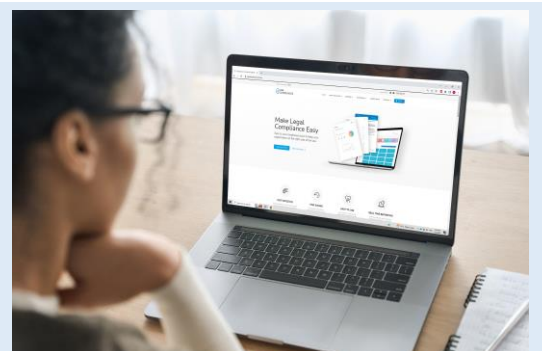
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For more information, please [click here](#) or contact Law Compliance on **1300 862 667**.



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Australian Capital Territory Update

Work Health and Safety Amendment Regulation 2022 (No 1) (ACT)

On 1 July 2023, Schedule 1 of the *Work Health and Safety Amendment Regulation 2022 (No 1) (ACT)* (the **Amendment**) commenced to amend the *Work Health and Safety Regulation 2011 (ACT)* (the **Regulation**).

Duty to Train Workers About Crystalline Silica Awareness

The Amendment introduced regulation 418D which creates an obligation for a person conducting a business or undertaking (**PCBU**) to ensure that the following workers are trained in a VET course, or other course or qualification, in crystalline silica awareness as declared by the Minister (currently, the Minister for Industrial Relations and Workplace Safety):

- a worker engaged by the PCBU who the PCBU reasonably believes will carry out high risk crystalline silica work in the business or undertaking;
- a worker engaged by the PCBU in an occupation declared by the Minister for which training in crystalline silica is required.

Failure to do so carries a maximum penalty of **\$6,000** for an individual, or **\$30,000** for a body corporate.

High risk crystalline silica work means work carried out in a workplace in relation to a crystalline silica process that is reasonably likely to result in a risk to the health of a person at the workplace.

A **crystalline silica process** consists of one or more of the following:

- the use of a power tool or another mechanical process to:
 - crush, drill, grind, polish, sand or trim material containing crystalline silica; or
 - carry out any other activity involving material containing crystalline silica that produces airborne crystalline silica;
- the use of a roadheader on an excavated face if the material in the face contains crystalline silica;

- a process that exposes a person to airborne crystalline silica arising from the manufacture or handling of material that contains crystalline silica;
- the mechanical screening of crushed material containing crystalline silica;
- a quarrying process involving material containing crystalline silica;
- a tunnelling process involving material containing crystalline silica;
- any other process prescribed by regulation.

When assessing if work is likely to result in a risk to the health of a person at the workplace under the definition of high risk crystalline silica work, a person may not rely on the impact of a control measure (e.g. a water delivery system or a wet dust suppression method) to make the assessment.

Record Keeping Requirements

The organisation must keep records of the training undertaken by each of its workers while they are working for the organisation, and for a period of 5 years after the day a worker stops working for the organisation. The records must be kept available for inspection under the *Work Health and Safety Act 2011 (ACT)*. Failure to do so carries a maximum penalty of **\$1,250** for an individual, or **\$6,000** for a body corporate.

Conclusion

Organisations that work with crystalline silica material should be aware of the new requirements to ensure that employees conducting high risk crystalline silica work are trained in a declared silica awareness course. Organisations should also update their record keeping processes to ensure that they maintain records of this training in line with the Regulation.

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New South Wales Update

Residential Tenancies Amendment (Rental Fairness) Act 2023 (NSW)

The *Residential Tenancies Amendment (Rental Fairness) Act 2023 (NSW)* (the **Amending Act**) commenced on 3 August 2023, amending the *Residential Tenancies Act 2010 (NSW)* (the **Act**).

Prohibition on certain matters relating to advertising or soliciting amounts of rent

The Amending Act has inserted new section 22A into the Act, to provide that a landlord or their agent must not advertise or offer residential premises for rent unless a fixed amount of rent is stated in the advertisement or offer. This prohibition does not extend to signage on or near the residential premises, which is not required to state the amount of rent for the premises on the sign.

Importantly, it is an offence under the new section for a person to solicit or otherwise invite an offer of an amount of rent for premises that is higher than the advertised amount.

The maximum penalty for contravening section 22A for an individual is 50 penalty units (currently **\$5,500**) or otherwise, 100 penalty units (currently **\$11,000**).

Conclusion

Organisations that offer residential premises for rent in New South Wales should ensure they are aware of the new prohibition concerning the advertisement or offer for residential premises as summarised above.

*For more information please contact our team on **1300 862 667** or visit our website www.lawcompliance.com.au*



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Cybersecurity and IT Management

Law Compliance is aware that everyone is constantly aiming to have the highest possible cybersecurity in place from spam and hackers, as we are too. Sometimes, unfortunately firewalls and spam filters are also preventing us from sending emails to our subscribers.

To ensure you receive all future communications promptly and avoid difficulties with our Law Compliance updates / alerts emails reaching you and/or your team (because of these varied spam filtering services falsely classifying emails as spam or going into junk folders), we ask that you please let your IT team know to whitelist the following Law Compliance addresses:

- info@mailgun.lawcompliance.com.au;
- lawcompliance.com.au;
- our account system accountright@apps.myob.com

Should you or your IT team have further questions regarding this, please feel free to contact us / your CRM.

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Northern Territory Update

Work Health and Safety (National Uniform Legislation) Amendment Regulations 2023 (NT)

On 1 July 2023, the *Work Health and Safety (National Uniform Legislation) Amendment Regulations 2023 (NT)* (the **Amending Regulations**) commenced and amended the *Work Health and Safety Regulations 2011 (NT)* (the **Regulations**). The Amending Regulations introduce a new duty to manage psychosocial risks in the workplace.

Psychosocial risks

The Amending Regulations introduce regulations 55A to 55D to address psychosocial risks.

Regulation 55C introduces the duty for a person conducting a business or undertaking to manage psychosocial risks. Relevantly, regulation 55B defines **psychosocial risk** as a risk to the health or safety of a worker or other person arising from a psychosocial hazard, while regulation 55A defines a **psychosocial hazard** as a hazard that:

- arises from or relates to:
 - the design or management of work; or
 - a work environment; or
 - plant at a workplace; or
 - workplace interactions or behaviours; and
- may cause psychological harm (whether or not it may also cause physical harm).

More specifically, regulation 55D requires a person conducting a business or undertaking to implement control measures:

- to eliminate psychosocial risks so far as is reasonably practicable; and
- if it is not reasonably practicable to eliminate psychosocial risks – to minimise the risks so far as is reasonably practicable.

In determining the control measures to implement, a person must have regard to all relevant matters, including the following:

- the duration, frequency and severity of the exposure of workers and other persons to the psychosocial hazards;

- how the psychosocial hazards may interact or combine;
- the design of work, including job demands and tasks;
- the systems of work, including how work is managed, organised and supported;
- the design and layout, and environmental conditions of the workplace, including the provision of:
 - safe means of entering and exiting the workplace; and
 - facilities for the welfare of workers;
- the design and layout, and environmental conditions, of workers' accommodation;
- the plant, substances and structures at the workplace;
- workplace interactions or behaviours;
- the information, training, instruction and supervision provided to workers.

Conclusion

The Regulations contain new obligations to manage psychosocial risks in the workplace. Organisations should review and update their policies, processes and systems to reflect the changes. All staff should be made aware of the changes.

More particularly, organisations should identify possible psychosocial hazards that could cause psychological harm to their workers and create new processes to reduce the impact or, if possible, eliminate these risks.

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Queensland Update

Hospital and Health Boards Regulation 2023 (Qld)

On 1 September 2023, the *Hospital and Health Boards Regulation 2023 (Qld)* (the **Regulation**) commenced to replace the expired *Hospital and Health Boards Regulation 2012 (Qld)*. Although the Regulations are substantially similar, there have been some significant changes to the agreements under which disclosure of confidential information is permitted.

Disclosure of confidential information

Regulation 51 of the Regulation has amended the circumstances in which confidential information may be disclosed, prescribing an updated list of entities to which such information may be given. The following entities are no longer prescribed:

- Hades & Associates, for reviewing patterns of health services delivery, and projecting the future demand for, and supply of, health services;
- the relevant statistical research entity for collecting and evaluating data for the purpose of patient satisfaction surveys; and
- the Departments of Communities, Child Safety and Disability Services and the Department of Housing and Public Works for the purpose of the Joint Action Plan.

The Regulation has also updated old terminology, from Medicare Australia to Services Australia, and the Australian Childhood Immunisation Register is now referred to as the Australian Immunisation Register.

Under regulation 52 and Schedule 8 of the Regulation, the following agreements have been repealed as an agreement under which information may be disclosed under sections 151 of the *Hospital and Health Boards Act 2011 (Qld)* (the **Act**):

- the agreement made on 12 June 2020 called 'Hospital services arrangement between the Commonwealth of Australia and the Repatriation Commission and the Military Rehabilitation and Compensation Commission and the State of Queensland';

- the agreement between Queensland and Victoria for the funding of admitted and non-admitted patient services provided to residents of Queensland by Victoria and residents of Victoria by Queensland, 1 July 2009 onwards;
- the agreement of 2010 called 'Memorandum of Understanding between the State of Queensland through Queensland Health and the State of Queensland through Queensland Government Insurance Fund, Queensland Treasury, in relation to reciprocal information sharing'; and
- the agreement of 2010 called 'Memorandum of Understanding between the State of Queensland acting through Queensland Health and the State of Queensland acting through the Department of Community Safety (Queensland Ambulance Service), for transmission of CCTV images.

The following agreements have also been amended so that they lapse on 30 June 2025:

- the agreement between Queensland and the Australian Capital Territory for the funding of health services provided to residents of Queensland by the Australian Capital Territory and vice versa;
- the agreement between Queensland and the Northern Territory for the funding of health services provided to residents of Queensland by the Northern Territory and vice versa;
- the agreement between Queensland and South Australia for the funding of health services provided to residents of Queensland by South Australia and vice versa;
- the agreement between Queensland and Tasmania for the funding of health services

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provided to residents of Queensland by Tasmania and vice versa; and

- the agreement between Queensland and Western Australia for the funding of health services provided to residents of Queensland by Western Australia and vice versa.

Conclusion

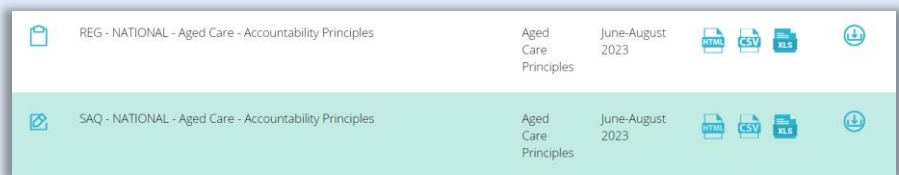
Organisations should update their processes and procedures to ensure that they align with the changes to the prescribed agreements for the disclosure of confidential information.

*For more information please contact our team on **1300 862 667** or visit our website www.lawcompliance.com.au*

Comply Online® – new feature export your compliance data

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If this is functionality your organisation is interested in, please contact your CRM for more information.



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If you have been considering upgrading your organisation's subscription to the Premium version, (which allows you to allocate topics to users and produce compliance Board reports), take a look at the [Key Features fact sheet](#) and [Premium tour video](#).

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Staff News

Law Compliance is growing! We have most recently recruited a number of new staff to help manage our expanding business and client base.

We are delighted to welcome **Chris Martin**, our new Head of Strategy and Third Party Relations. Chris provides expertise and insight as a Solicitor and Management Consultant and is responsible for crafting and executing our long-term strategic initiatives.

We have also recently recruited Solicitors **Amanda Roberts**, **Lindon Parbury**, **Margarette Natividad**, **Maria Toma** and Law Clerk **Sara Ozrain** as the newest members of our expert Compliance team.

Additionally, we extend a warm welcome back to one of our original Compliance team members, **Anne Winter**, Senior Compliance Solicitor.

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South Australia Update

Equal Opportunity (Domestic Abuse) Amendment Act 2023 (SA)

On 1 September 2023, the *Equal Opportunity (Domestic Abuse) Amendment Act 2023 (SA)* (the **Amending Act**) commenced and amended the *Equal Opportunity Act 1984 (SA)* (the **Act**). As a result, discrimination on the ground of being, or having been, subjected to domestic abuse is now a prohibited form of discrimination in certain circumstances.

Prohibitions on domestic abuse discrimination

Section 85T of Part 5B of the Act has been amended to insert a new form of discrimination prohibited by the Act, namely, discrimination on the ground of being, or having been, subjected to domestic abuse.

Accordingly, the prohibitions on discrimination found within Part 5B of the Act now encompass domestic abuse discrimination. Domestic abuse discrimination is prohibited:

- against workers (see sections 85U to 85Z);
- against other bodies (i.e. associations) (see sections 85ZA to 85ZC);
- in education (see sections 85ZD to 85ZE); and
- in relation to land, goods, services and accommodation (see sections 85ZF to 85ZH).

What it means for a person to discriminate on the ground of being, or having been, subjected to domestic abuse

The Amending Act has introduced the new section 85T(8) which describes what it means for a person to discriminate against another person on the ground of being, or having been, subjected to domestic abuse, stating as follows:

- if the person treats another unfavourably because the other is, or has been, subjected to domestic abuse; or
- if the person treats another unfavourably because the other does not comply, or is not able to comply, with a particular requirement and:
 - the nature of the requirement is such that a substantially higher proportion of persons who

are not, or who have not been, subjected to domestic abuse comply, or are able to comply, with the requirement than those who are, or who have been, subjected to domestic abuse; and

- the requirement is not reasonable in the circumstances of the case; or
- if the person treats another unfavourably on the basis of a characteristic that appertains generally to persons who are, or who have been, subjected to domestic abuse, or on the basis of a presumed characteristic that is generally imputed to persons who are, or who have been, subjected to domestic abuse; or
- if the person treats another (not being the perpetrator of domestic abuse) unfavourably because of an attribute of or a circumstance affecting a relative or associate of the other, being an attribute or circumstance described in the preceding points.

Domestic abuse has the same meaning as in the *Intervention Orders (Prevention of Abuse) Act 2009 (SA)* which (in summary) states that domestic abuse is an act of abuse committed by a person (first person) against another person with whom the first person is or was formerly in a relationship.

Conclusion

It is recommended that organisations make themselves familiar with the new prohibition in Part 5B of the Act against discrimination on the ground of being, or having been, subjected to domestic abuse. In addition, processes and controls may need to be updated to ensure this type of discrimination does not occur.

Tasmania Update

Child and Youth Safe Organisations Act 2023 (Tas)

The *Child and Youth Safe Organisations Act 2023* (Tas) (the **Act**) commenced in full on 1 July 2023 and establishes the Child and Youth Safe Standards (the **Standards**) for the safety and wellbeing of children and youths and sets out the responsibilities of certain entities in relation to those Standards. The Act also establishes the Universal Principle and a reportable conduct scheme (the Scheme) and provides for the application, administration and monitoring of that Scheme.

New Standards and Principle – Compliance with the Child and Youth Safe Standards and Universal Principle

Section 14 of the Act states that, from 1 January 2024 (inclusive), an **entity** is to comply with the Standards outlined in Schedule 1 of the Act. Section 15 of the Act establishes the **universal principle** which requires that, in complying with the Standards, an entity must provide an environment that ensures that the right to cultural safety of children who identify as Aboriginal or Torres Strait Islander is respected.

An entity is a relevant body or a member of a class of entities specified in Schedule 2 or 3 of the Act or prescribed for the purposes of section 5 of the Act, and includes:

- entities that provide housing services to and overnight beds for children;
- entities that provide or facilitate overnight excursions, camps or stays for children;
- a religious community service or a religious entity that provides activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children;
- entities that provide child care, child-minding services, child protection services or out-of-home care;
- a disability services provider within the meaning of the Disability Services Act 2011 (Tas);
- entities that provide educational services, health services, justice or detention services;
- a Government Agency or council;
- a club, association or cadet organisation that has a significant membership of, or involvement by, children;
- an entity that provides a coaching or tuition service to children;
- an entity that provides commercial services to children (such as entertainment or party services, gym or play facilities, photography services or talent or beauty competitions);
- an entity that provides, on a publicly funded or commercial basis, a transport service specifically for children;
- an entity operating as a Neighbourhood House that provides community development, support, training and activity programs and is:
 - a member of the Neighbourhood House Program managed by the Department of Premier and Cabinet; or
 - receives Commonwealth funding for the purpose of such programs.

New Reportable Conduct Scheme

Notification of Reportable Allegation or Reportable Conviction

The Reportable Conduct Scheme (the **Scheme**) is established under the Act with the Regulator having various functions and powers in relation to its application. Section 32 of the Act states that a relevant entity, or member of a class of relevant entities, specified in clauses 2 and 3 of Schedule 3

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of the Act (and as mentioned above) is to comply with the Scheme on and after 1 January 2024.

Section 34 of the Act provides that, if the **head** of a relevant entity becomes aware of a reportable allegation or a reportable conviction against a worker of the relevant entity, the head must notify the Regulator, in writing, of the following:

- within 3 business days after becoming aware of the reportable allegation or reportable conviction:
 - that a reportable allegation has been made against, or a reportable conviction recorded against, a worker of the relevant entity; and
 - the name (including any former names or aliases, if known) and date of birth, if known, of the worker concerned; and
 - if the notification relates to a reportable allegation, whether Tasmania Police has been informed about the reportable allegation; and
 - the name, address and telephone number of the relevant entity; and
 - the name of the head of the relevant entity; and
- as soon as practicable, and no later than 30 days after becoming aware of the reportable allegation:
 - all known detailed information about the reportable allegation or reportable conviction; and
 - whether or not the head of the relevant entity has taken, or intends to take, any action in relation to the worker and the reasons why the head has taken, or intends to take or not to take, any such action; and
 - any written submissions, made to the head of the relevant entity concerning the reportable allegation or reportable conviction, that the worker requested to have considered in determining what, if any, action should be taken by the head in relation to the worker.

Importantly under the Act, **head**, in relation to an entity, means the Head of Agency (or delegate) within the meaning of the *State Service Act 2000* (Tas), the prescribed person or a member of the prescribed class of persons if applicable under the regulations or in any other case:

- the chief executive officer of the entity (however titled or described); or
- if there is no chief executive officer, the principal officer of the entity (however titled or described); or
- if there is no chief executive officer or principal officer, a person, or the holder of a position, in the entity who is nominated by the entity as its head and approved by the Regulator.

Organisations should be aware that the head of a relevant entity must not fail, without reasonable excuse, to comply with the above obligations. Non-compliance with this provision will attract a maximum fine of **\$21,720**. In addition, failure to comply with a notice regarding the Standards, Universal Principle or the Scheme, will attract a maximum fine of **\$21,720** for a worker and **\$65,160** for an entity.

Information Sharing

Section 40(4) of the Act provides that persons and bodies may disclose information or documents referred to in section 40(2) (which includes information or documents regarding a reportable allegation or conviction) to certain persons or bodies provided that the disclosure relates to the purposes of the Act, the promotion of the safety and wellbeing of children or a prescribed purpose. These certain persons or bodies include:

- the Regulator, an entity regulator or the head of an entity;
- the Police Commissioner or a commissioned police officer;
- an independent investigator; and
- if the worker who is the subject of the reportable allegation or reportable conviction is a contractor, the head of each relevant entity with whom the worker is engaged as a contractor.

Organisations should be aware that unauthorised use of information as well as the interference with records and documents attract a maximum fine of **\$21,720**.

The following offences outlined in section 44 of the Act attract a maximum fine of **\$21,720** for the

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disclosure of identifying information other than in accordance with a law:

- disclosure of any information that would enable the identification of a person who has notified the Regulator of:
- a reportable allegation or reportable conviction; or
- a concern that reportable conduct has occurred;
- disclosure of any information that would enable the identification of a child in relation to whom:
- a reportable allegation was made or a reportable conviction was notified under the Act; or
- a finding of reportable conduct was made under the Act;

- disclosure of any information, during the period in which an investigation is being conducted, that would enable the identification of the person who is the subject of the investigation.

Conclusion

Organisations should ensure that all staff are made aware of the new Standards, Universal Principle and Scheme established by the Act, as well as the associated obligations set out above. To that end, organisations should consider providing training to staff on how the Standards, Universal Principle and Scheme are to be followed within the organisation. Organisations should also update their policies and procedures to ensure compliance with the new obligations.

*For more information please contact our team on **1300 862 667**
or visit our website www.lawcompliance.com.au*

Base Line Reviews and Follow up Service

To complement our compliance service, Law Compliance also provides a comprehensive base line review service.

The purpose of the review is to examine an organisation's compliance with those Acts and Regulations which are relevant to its operations and to determine whether it has sufficient systems in place to meet those obligations. The review involves interviews and discussions with the organisation's staff and covers all Commonwealth and State Acts and Regulations relevant to the organisation.

The benefits of having our team conduct a base line review include:

- providing a cost-effective means of conducting a comprehensive compliance review without the need to commit significant staff resources;
- implementing an effective compliance program from the start and removing the overwhelming task of your team going through the obligations on their own; and
- the results of the review are entered into your Comply Online profile so that you are immediately on top of all of your current obligations (and only need to deal with future amendments).

Follow up reviews

Clients who have previously undergone a base line compliance review can also undertake a follow up review where our compliance solicitors work through the quarterly updates with your team, identifying any gaps and keeping you up to date.

If you would like more information about our base line review service, please don't hesitate to reach out to your client relationship manager.

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Victoria Update

Child Employment Amendment Act 2022 (Vic)

On 1 July 2023 the *Child Employment Amendment Act 2022 (Vic)* (the **Amending Act**) commenced and amended the *Child Employment Act 2003 (Vic)* (the **Act**). The Amending Act has amended the Act by making changes to the meaning of employment and clarifying activities which are not considered employment. There are new offences introduced for contraventions of the minimum age for employment, employing children in prohibited employment, contraventions of conditions of a licence, contraventions of the requirement to supervise children in employment and contraventions of the conditions of employment. The Amending Act has also removed the system of permits and introduced a system of licences, as well as amended record keeping obligations for employers. There have also been significant increases to penalties under the Act.

Meaning of employment

The meaning of employment, set out in section 4 of the Act, has been amended to further clarify when a child is engaged in employment. The additions to section 4(2) clarify that a child is engaged in employment if:

- the child performs work in a business, trade or occupation for the benefit of the business or a person involved in the business, trade or occupation; or
- a non-profit organisation for the benefit of the non-profit organisation or a person involved in the non-profit organisation; and
- the child is subject to directions about how the child's work is performed.

The Amending Act has inserted section 4A into the Act which contains a list of prescribed activities that do not constitute employment for the purposes of the Act. Examples of the prescribed activities include participating in a church, religious service or religious program, participating in a project or entertainment the net proceeds of which are applied for the benefit of a church or any other religious body or an institution that is established for public worship, or participating in a project or entertainment for the benefit or as part of the activities of a school if the child is enrolled at the school and is under the direction or control of the school, among others.

The Amending Act has also inserted section 4B into the Act which clarifies that a person is taken to employ a child and to be the employer of a child if the person engages the child under a contract or the person engages the child to perform work referred to in section 4(2) (as set out above).

New Offences

The Amending Act has introduced a suite of new offences into the Act for employer representatives and nominated officers. Relevantly, **employer representative**, for an applicant or a licence holder, means a person who is nominated in relation to the licence under section 13(4) or 18AE(3)(d) and **nominated officer**, for an applicant or a licence holder, means a person who is nominated in relation to the licence under section 13(3) or 18AE(3)(c).

Offences for a nominated officer of a licence holder

Sections 35, 36 and 36A of the Act contain offences for a nominated officer for a licence holder where the licence holder engages in conduct that contravenes the prohibition:

- against employing a child below the minimum age for employment (section 10(3) of the Act);
- against employing a child during school hours (section 11(1) of the Act); or

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- against employing children in prohibited kinds of employment (section 12(1) of the Act),

in circumstances where the nominated officer knew of, or knowingly authorised or permitted, the conduct or failed to take reasonable steps to prevent the conduct. The maximum penalty for these offences is 240 penalty units (currently **\$46,154**).

Offences for an employer representative or a nominated officer of a licence holder

Sections 36C, 36D and 36E contain offences for an employer representative or a nominated officer for a licence holder where the licence holder engages in conduct that contravenes:

- the conditions of a licence (section 18(5) of the Act);
- the requirement for an employer to adequately supervise a child who is employed (section 19(1) of the Act); or
- the conditions of employment set out in Division 3 of Part 2 of the Act (section 23(1) of the Act),

in circumstances where the employer representative or the nominated officer knew of, or knowingly authorised or permitted, the conduct or failed to take reasonable steps to prevent the conduct. The maximum penalty for the offences in sections 36C and 36D is 240 penalty units (currently **\$46,154**). The maximum penalty for the offence in section 36E is 120 penalty units (currently **\$23,077**).

Licensing under the Act

Applications and renewals

The Amending Act has replaced the system of permits under the Act with a licensing system. Section 13 has been amended to provide that an application or a licence is to be made to the Wage Inspectorate Victoria (the **WIV**). The application for a licence must be made in writing and in the form approved by the WIV and satisfy the further requirements set out in section 13. If the applicant is a body corporate there are additional requirements for an application which are centred around nominating an employee or officer who will be responsible for decision making about the

employment of children and have responsibility for ensuring compliance with child employment laws and the conditions of the licence.

The Amending Act has inserted section 15 of the Act which introduces the requirement that an applicant for a licence must satisfy the WIV that the applicant is a fit and proper person to employ children.

Further, new section 18AE provides that a licence holder may apply to the WIV for renewal of the licence. An application for renewal must be made before the expiry of the licence and the application must satisfy the further requirements in section 18AE.

Licence conditions

The Amending Act has inserted section 18 of the Act which prohibits a person who employs a child under a licence from contravening the conditions of that licence. A licence may be subject to any conditions determined by the WIV but will include a condition that the licence holder must comply with the child employment laws, and a condition that the licence holder must ensure that there is an employee or officer of the body corporate who is a nominated officer for the licence holder.

Requirement to notify of certain changes

The Amending Act has inserted section 18AD into the Act which requires a licence holder to give the WIV a notice each time the licence holder employs a child after the employment commences. This notice must be in the form and manner approved by the WIV and include certain particulars. Examples of these particulars include the name, date of birth and home address of the child, the name and telephone number of the child's parent or guardian, the intended workplace of the child and the business, among others.

A licence holder must also give the WIV notice if there are any changes in the information it has provided to the WIV in an application.

Amended record keeping obligation

Section 18B of the Act has been amended to require an employer to keep a written record of the name of any person who supervises a child in the course of

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the child's employment and the number of any current WWC clearance for that person. This record must be kept by the employer for a period of 5 years (or as otherwise prescribed) after the person who supervised the child last supervised any child.

Increase to penalties under the Act

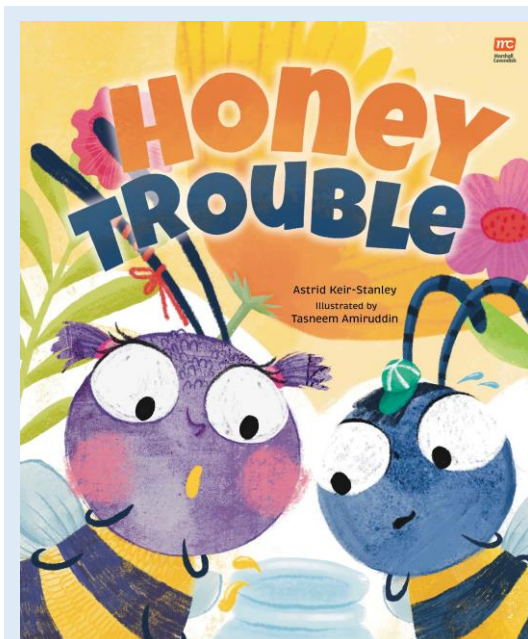
The Amending Act has increased penalties significantly throughout the Act. Notably, a maximum penalty of 1,200 penalty units (currently \$230,772) in the case of a body corporate or 240 penalty units (currently \$46,154) applies for contraventions of the prohibition against employing a child without a licence (section 9 of the Act), the

minimum age for employment (section 10 of the Act), the prohibition against employing children during school hours (section 11 of the Act), the prohibition against employing a child in prohibited employment (section 12 of the Act) and the requirement to supervise children in employment (section 19 of the Act).

Conclusion

The Act contains new and amended obligations and offences. Subscribers should review and, if required, update their policies, processes and systems to reflect the changes. All relevant staff should be made aware of the changes.

For more information please contact our team on **1300 862 667** or visit our website www.lawcompliance.com.au



Congratulations to our Chief Legislative Advisor, Astrid Keir-Stanley – children’s book author, inspired by legislative compliance!

Very few people get excited (let alone INSPIRED!) when they think about legislative compliance. Yet this is exactly what happened to our Chief Legislative Advisor, turned children’s picture book author, Astrid Keir-Stanley.

On reviewing the *Livestock Disease Control Amendment (Beekeeping) Regulations 2019 No.42 (Vic)* to update our VIC – Livestock Disease Control topic, Astrid came across the term “robber bees”, which sparked on her on a wondrous journey of writing a children’s picture book called *Honey Trouble*. It’s a story that explores how we are all different but each of us have something special to contribute.

Available for purchase at all good bookstores.

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Western Australia Update

Environmental Protection Regulations Amendment (Prohibited Plastics and Balloons) Regulations 2023 (WA)

The *Environmental Protection Regulations Amendment (Prohibited Plastics and Balloons) Regulations 2023 (WA)* (the **Amending Regulations**) commenced on 1 March 2023 and have amended the *Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018 (WA)* (the **Regulations**). The Amending Regulations introduce a variety of changes including new offences in relation to the supply of degradable plastic items and prescribed expanded plastic packaging and clarifications to the offence of supplying a prescribed plastic item.

Offence to supply a degradable plastic item

The Amending Regulations have amended the Regulations by replacing regulation 17 which makes it an offence for a person, in the course of conducting a business or undertaking, to supply a **degradable plastic item**.

A **degradable plastic item** is defined as an item or product made wholly or partly from degradable plastic, and **degradable plastic** means plastic that contains an additive designed to accelerate fragmentation of the plastic into smaller pieces under certain conditions, including exposure to light, bacteria or heat but does not include biodegradable plastic.

The penalty for this offence is a fine of **\$5,000**. This offence does not apply to the supply of a degradable plastic item before 1 September 2023.

Offence to supply prescribed expanded plastic packaging

The Amending Regulations have also amended the Regulations by introducing regulation 17F which makes it an offence for a person, in the course of conducting a business or undertaking, to supply **prescribed expanded plastic packaging**. The following definitions have also been introduced:

- **Prescribed expanded plastic packaging** means any of the following made wholly or partly from expanded plastic (including **biodegradable plastic**) - loose-fill or void-fill packaging; packaging for a pre-packaged food or drink

product other than a non-perishable pre-packaged food product; packaging (**moulded packaging**) that is moulded to protect a specific item – but does not include packaging that is a degradable plastic item, a reusable cooler box or a lid for a reusable cooler box.

- **Expanded plastic** includes expanded polystyrene, expanded polyethylene and expanded polypropylene.
- **Biodegradable plastic** means plastic that is able to be broken down by microorganisms into carbon dioxide, water, biomass and a mineral residue and does not contain an additive designed to accelerate fragmentation of the plastic.

This offence does not apply to the supply of **prescribed plastic packaging** if:

- the packaging is used to protect an item that is designed to be used for medical or scientific purposes; or
- in the case of moulded packaging, the packaging is used to protect an item that:
 - weighs 45 kg or more; or
 - has been identified by the manufacturer as being fragile and requiring protective packaging that complies with a standard specified by the manufacturer.

Further, this offence does not apply to the wholesale supply of **prescribed plastic packaging** if the wholesale supplier believes on reasonable grounds that the person to whom the packaging is supplied by the wholesale supplier, or another

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person to whom the packaging is subsequently to be supplied, will:

- use the packaging to protect an item that is designed to be used for medical or scientific purposes; or
- in the case of moulded packaging use the packaging to protect an item that:
 - weighs 45kg or more; or
 - has been identified by the manufacturer as being fragile and requiring protective packaging that complies with a standard specified by the manufacturer.

The penalty for this offence is a fine of **\$5,000**. Importantly, this offence does not apply to the supply:

- before 1 September 2023 of **prescribed expanded plastic packaging** that is loose-fill or void-fill packaging food or drink product; or
- before 1 July 2025 of **prescribed expanded plastic packaging** that is moulded packaging.

Clarifications to the offence of supplying a prescribed plastic item

The Amending Regulations have amended regulation 7 and introduced regulations 7A, 7B and 7C into the Regulations to clarify when the offence of supplying a **prescribed plastic item** in the course of conducting a business or undertaking does not apply.

This offence does not apply to the supply of a prescribed plastic item if the item forms part of, is attached to, or is inside the sealed packaging of, a pre-packaged food or drink product. In addition, this offence does not apply:

- if the item is a food container, food tray or bowl and when supplied it contains food that is not eat-in food or takeaway food and has a lid on it;
- if the item is a lid for a food container, food tray or bowl and when supplied is attached to a food container, food tray or bowl that contains food which is not eat-in or takeaway food or is attached to a food container, food tray or bowl that is not a prescribed plastic item and contains pre-packaged takeaway food; or

- if the item is a catering platter and when supplied contains food and is supplied in the course of conducting a business that provides catering services for functions or events.

However, the offence will apply to the above three items if they are made from **expanded plastic**.

Amendments have also been made to the definition of a **prescribed plastic item** which have removed a food container (made from plastic that is not expanded polystyrene) without a lid; a food container made from expanded polystyrene; a lid made from expanded polystyrene for a food container; a tray made from expanded polystyrene, and a bowl without a lid, but included the following items where they are made from **biodegradable plastic** or wholly or partly from plastic-laminated paper or cardboard:

- a food container;
- a food tray;
- a bowl;
- a lid for a bowl;
- a cup;
- a bowl;
- a lid for a bowl.

On and after 1 September 2023 a **prescribed plastic item** does not include a **degradable plastic item**.

Importantly, the offence in regulation 7(1) does not apply to the supply:

- before 1 September 2023 of a cotton bud, a cup made from expanded plastic or a food tray made from expanded plastic that is used solely as packaging for raw meat or seafood;
- before 1 September 2023 to the wholesale supply of a prescribed plastic item that is a food tray made from expanded plastic if the wholesale supplier believes on reasonable grounds that the person to whom the item is supplied by the wholesale supplier, or another person to whom the item is subsequently to be supplied, will use the item as packaging for raw meat or seafood;

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- before 1 March 2024 of a food tray (made from plastic that is not expanded plastic) without a lid on it, a cup that contains a hot drink or soup when it is supplied or a lid for a cup;
- before 1 March 2024 of a prescribed plastic item that is a cup of a kind that is suitable to be used to contain a hot drink or soup;
- before 1 September 2024 of the following items:
 - a food container (made from plastic that is not expanded plastic) with a lid on it, whether the lid is an integrated part of the food container or is detachable;
 - a lid (made from plastic that is not expanded plastic) for a food container;
 - a food tray (made from plastic that is not expanded plastic) with a lid on it, whether the lid is an integrated part of the food tray or is detachable;
 - a lid for a food tray;
 - a bowl with a lid on it, whether the lid is an integrated part of the bowl or is detachable; or
 - a lid for a bowl; or
- before 1 September 2024 to the wholesale supply, if the wholesale supplier believes on reasonable grounds that the person to whom the item is supplied by the wholesale supplier, or another person to whom the item is subsequently to be supplied, will use the item with a lid on it, a prescribed plastic item that is:

- a food container (made from plastic that is not expanded plastic) without a lid on it;
- a food tray (made from plastic that is not expanded plastic) without a lid on it; or
- a bowl without a lid on it.

Other amendments

The Amending Regulations have introduced new definitions into the Regulations and have amended the key definition of prescribed plastic bag. Amended regulation 3B provides that a **prescribed plastic bag** is a bag (a **carry bag**) with handles that is made wholly or partly from plastic and is designed to convey goods purchased from a retailer, or a bag (a **barrier bag**) without handles that is made wholly or partly from plastic and is used to carry unpackaged fresh fruit or vegetables. It includes carry and barrier bags made wholly or partly from biodegradable plastic or made wholly or partly from plastic-laminated paper or cardboard. On and after 1 September 2023 a **prescribed plastic bag** does not include a **degradable plastic item**.

Conclusion

Subscribers should be aware of the new obligations relating to the supply of degradable plastic items and prescribed expanded plastic packaging and the amendments in relation to prescribed plastic items. Organisations should begin work to implement new policies and procedures to ensure compliance with these obligations.

Compliance Alerts

In response to client demand, we have developed compliance alert services that complement our existing legislative compliance products and services. The alert services allow our clients to prepare for new legislation that will have a significant operational impact before it has commenced.

The Alert Service gives subscribers advanced warning of the commencement of new significant Acts and Regulations as soon as they have been passed by Parliament.


As part of this service, we provide a one to two page summary of the key changes, the likely implications for our subscribers and a link to the relevant legislation.

We provide this summary to our clients via email within 3 business days of the legislation passing.

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Contact us

For further information please contact:

| | | | |
|--|---|---|---|
| <p>Natalie Franks CEO and Legal Counsel Direct 03 9865 1324 Email: natalie.franks@lawcompliance.com.au</p> |  | <p>Chris Martin Head of Strategy & Third Party Relationships Direct: 03 9865 1341 Email: chris.martin@lawcompliance.com.au</p> |  |
| <p>Teresa Racovalis Chief Product Officer Direct: 03 9865 1340 Email: teresa.racovalis@lawcompliance.com.au</p> |  | <p>Sue Allen Senior Consultant Direct: 03 9865 1334 Email: sue.allen@lawcompliance.com.au</p> |  |
| <p>Astrid Keir-Stanley Chief Legislative Advisor Direct: 1300 862 667 Email: astrid.keir-stanley@lawcompliance.com.au</p> |  | <p>Melissa Knoll Compliance Associate Direct: 1300 862 667 Email: melissa.knoll@lawcompliance.com.au</p> |  |
| <p>Ksandra Palinic Head of Client Services Direct: 03 9865 1340 Email: ksandra.palinic@lawcompliance.com.au</p> |  | <p>Andrew Gill Head of Content Development Direct: 03 9865 1322 Email: andrew.gill@lawcompliance.com.au</p> |  |
| <p>Anne Winter Senior Compliance Solicitor Direct: 1300 862 667 Email: anne.winter@lawcompliance.com.au</p> |  | <p>Caitlin Nixon Senior Compliance Solicitor Direct: 1300 862 667 Email: caitlin.nixon@lawcompliance.com.au</p> |  |
| <p>Jillian Britton Specialist Compliance Solicitor Direct: 1300 862 667 Email: jillian.britton@lawcompliance.com.au</p> |  | <p>Lauren Heyward Specialist Compliance Solicitor Direct: 1300 862 667 Email: lauren.heyward@lawcompliance.com.au</p> |  |
| <p>David McKessy Specialist Compliance Solicitor Direct: 1300 862 667 Email: david.mckessy@lawcompliance.com.au</p> |  | <p>James Low Compliance Solicitor Direct: 1300 862 667 Email: james.low@lawcompliance.com.au</p> |  |
| <p>Laurence Foster Compliance Solicitor Direct: 1300 862 667 Email: laurence.foster@lawcompliance.com.au</p> |  | <p>Filomena Rosella Compliance Solicitor Direct: 1300 862 667 Email: filomena.rosella@lawcompliance.com.au</p> |  |
| <p>Adriano Stenta Compliance Solicitor Direct: 1300 862 667 Email: adriano.stenta@lawcompliance.com.au</p> |  | <p>Lindon Parbury Compliance Solicitor Direct: 1300 862 667 Email: lindon.parbury@lawcompliance.com.au</p> |  |
| <p>Amanda Roberts Compliance Solicitor Direct: 1300 862 667 Email: amanda.roberts@lawcompliance.com.au</p> |  | <p>Maria Toma Compliance Solicitor Direct: 1300 862 667 Email: maria.toma@lawcompliance.com.au</p> |  |

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Margarette Natividad
Compliance Solicitor

Direct: 1300 862 667

Email: margarette.natividad@lawcompliance.com.au



William Snowdon
Law Clerk

Direct: 1300 862 667

Email: william.snowdon@lawcompliance.com.au



Sara Ozrain
Law Clerk

Direct: 1300 862 667

Email: sara.ozrain@lawcompliance.com.au



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