

CIVIL LIABILITY (FOOD DONORS AND DISTRIBUTORS) AMENDMENT BILL

22nd July, 3008

Adjourned debate on second reading (resumed on motion).

(Continued from page 3847.)

Mr PEDERICK (Hammond) (16:27): I rise to endorse the comments made by the member for Davenport and congratulate him on the extensive work he has done regarding amendments to this bill. I believe it does need to go forward in regard to dealing not just with donated food. Several volunteer groups have come to me recently, worried about what protection they have under the law. Obviously, if they are working under the umbrella of an organisation, they are protected but, as has been mentioned earlier, a problem arises where the organisation needs insurance. As mentioned by the member for Davenport, a club (whether that be Apex, Rotary, etc.) may need a couple of thousand dollars just to cover the insurance, yet this money would be far better going to a local community agency, to someone in need, to the local church or the footy club, etc.

I also agree with the comments made about why people cannot do a building alteration, or construct a shed or a fence for someone, without being held liable. It is absolutely common sense, so I concur with the comments made by the member for Davenport and believe that wider protections are needed.

In terms of donating goods or giving them in good faith, the way my young boys go through bikes I do not know if they would be any good to donate afterwards but, if they were, I would be happy to donate them to a needy cause. However, I would hate to have the problem of putting up with a legal suit because someone fell over the handlebars—and we had that terrible tragedy interstate recently, where a lad died on a bike track.

Because we live in a litigious society, I think people do need protection with any goods they donate. I guess we live in an, at times, over-regulated world—in fact, the comment was made to me early in the piece that the more often we sit the more freedoms we take from people, and I believe that to be the case. If we go back to food handling, gone are the days when you could go to a public event with a barbeque where people served food with bare hands and tongs. Now everyone has to get the rubber gloves out. I guess that is the way of the world, and we have to comply with regulations and legislation.

I wonder how many dolphin or fish deaths will result from rubber gloves being tossed into the sea. There is a further issue with clubs. Running in tandem with this bill and something which may have to be dealt with down the track is the issue of volunteers working with local community groups and on local hall committees. This issue is relevant in the country. People have written to me and I am awaiting an answer from the minister about liability issues in relation to maintaining a local hall. For example, one group raises \$1,000 a year just to pay insurance on a local hall, which might be used once a year. It is maintained so that local community members can hold family functions, whether it be a 21st birthday or some other celebration.

The Cooke Plains Hall Committee has made a decision in relation to a war memorial hall. It has made the decision that once they sort out the constitution they will sell the hall—and it will be gone from the community. I hope they are able to keep the treasured mementos, and I think they are making arrangements with other organisations to display them elsewhere. They have some excellent photos and honour boards, honouring people who have served overseas.

I do commend the amendments that will be moved by the member for Davenport. I think this bill needs enlarging, and I commend my comments to the house.