WHAT WAS THE LEGAL ADVICE?

Gerry Wood, the Independent Member for Nelson, says that in relation to the failure of the Cash for Container court case, the Minister for Lands, Planning and the Environment, Peter Chandler, has said that the previous Labor government was at fault for the court case and the unfavourable ruling. Mr Chandler went on to say that he warned them that it would not stack up with the Commonwealth Mutual Recognition Act.

Gerry says that the Minister is right, he did warn the government but at the same time he did not provide any legal advice to support that claim. He was likely reiterating a warning told to him from the Australia food and Grocery Industry.

The then Government claimed they had been given the all clear re their legislation but they also were not willing to give details of their legal advice.

Gerry says that it easy to look back and now try and throw blame at one side or the other but that achieves little.

It’s obvious the previous Government’s advice was not right but who knew that at the time.

Gerry says the bottom line is, if Coke had not challenged the legislation then we wouldn’t be having this argument but Coke is a bully and what else would we expect.

Gerry says we should all now work together to get the scheme back up and running as soon as possible and support moves by the Government to get a permanent exemption under the Mutual Recognition Act.

Attached from Hansard are relevant quotes from the Cash for Container debate