



Australian Government
**Department of Agriculture
and Water Resources**

SECRETARY

Senator Barry O'Sullivan
Chair
Senate Rural and Regional Affairs and Transport Legislation Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Senator O'Sullivan

I write to you to clarify evidence given by a departmental witness at Budget Estimates hearings on 24 May 2017.

After further review of the evidence given at the Budget Estimates hearing on 24 May 2017 (see Hansard 24 May 2017, Senate Rural and Regional Affairs and Transport Legislation Committee), in response to questions from Senator Rhiannon regarding live animal exports, I am concerned that the Committee may have been inadvertently misled.

Senator Rhiannon asked whether there was an "exposure" draft in relation to changes to the export control orders for equines. In response to these questions, Dr Clegg informed the Committee that there was no exposure draft. While this answer is correct, it now seems likely to us that the Senator and the Department were using this term to mean different things at the time. Dr Clegg was responding to the conventional use of this term as a description of a formal draft instrument, with policy approval, and for implementation following consultation. It has come to my attention that a draft export control order had been provided to stakeholders in the course of consultation. As this document was not based on any policy approval we would normally describe this as a 'consultation draft'.

While this draft was not an "exposure" draft in our terms, it was used as a tool for discussion prior to any policy approval being given and I understand was wrongly described as such in these consultations. I realise that the Committee is not likely to have appreciated this distinction as it was not addressed at the hearings.

Yours sincerely

Daryl Quinlivan

20 June 2017