



For all creatures great and small.

Mr Alex Olah  
Senate Rural and Regional Affairs and Transport Committee  
Parliament House  
Canberra, ACT  
Email: [rrat.sen@aph.gov.au](mailto:rrat.sen@aph.gov.au)

10 August 2004

Dear Mr Olah

**Re: Inquiry into Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 2), 2004.**

Thank you for the opportunity to present a written submission to the Senate Rural and Regional Affairs and Transport Committee regarding the Agriculture, Fisheries and Forestry Legislation Amendment Bill (No.2) 2004. It should be noted however, that RSPCA Australia was not notified of the inquiry until today, leaving very little time to properly respond. This is the second time where the RSPCA has been invited to provide a submission at very little notice, the first time being in relation to the Agriculture, Fisheries and Forestry Legislation Amendment (Export Control) Bill 2004 in June of this year.

According to the Explanatory Memorandum, the Bill is intended to give effect in part to the Government's response to the Keniry report. The RSPCA is concerned with the Bill's apparent failure to adhere to the text of the Keniry Report's recommendations, and to the Government's response to the recommendations, where it relates to Research and Development; the failure to specifically stress improved 'animal welfare' as the key goal of the Research and Development; and the absence of any independent assessment and monitoring body for the proposed Research and Development.

The impetus for the Keniry Livestock Export Review was wide public concern regarding the welfare of animals in the live export trade. Indeed, animal welfare is listed as the first of five principles identified by the Keniry Review Panel:

**"The welfare of the animals in the livestock export trade is a primary consideration in all areas of the industry:**

- **all states of the livestock export chain, from farm to discharge into the market, must be able to demonstrate that the welfare of the animals has been addressed in its operation."**

Recommendation 2 of the Keniry Report reads, in part:

**Industry should be responsible for research and development and management of quality assurance systems to support its members translate best practice standards into outcomes consistent with best practice:**

- **its activities should be funded by compulsory levies.**

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The Government's response to this recommendation was:

**In line with industry request, a compulsory levy to be introduced for the purposes of export industry research and development activity**

- 1) The recommendation and the Government's response indicate that industry should be responsible for Research and Development, which should be funded by compulsory levies.

At no point does the recommendation or the response suggest that the compulsory levy could be used to fund the **marketing** of the Live Export Trade.

*Recommendation: RSPCA Australia asks that the reference to 'marketing' as a financial beneficiary of the compulsory levy, be removed from the Amendment Bill (2).*

*Should the reference to 'marketing' not be removed, RSPCA Australia asks that the Amendment Bill (2) be modified to quantify what percentage of the funds raised by the compulsory levy can be used for 'marketing'. RSPCA Australia asks that this not be more than 10%.*

- 2) The spirit of the Keniry Report is that industry funded Research and Development must be used to improve the 'welfare' of the animals involved.

*Recommendation: RSPCA Australia asks that 'improved animal welfare' be specifically mentioned as the 'central goal of all the industry funded Research and Development'.*

- 3) The Amendment Bill (2) makes no reference to what process will be used to manage the funds accrued by the compulsory levy; to how the scientific merits of proposed Research and Development will be examined and whether 'improved animal welfare' is a core goal; to how the progress of individual Research and Development projects will be assessed to ensure the funds are being well utilised; and to how the entire Research and Development process will be audited to ensure that it is complying with the intention of the Keniry Report – to improve the welfare of the animals involved.

*Recommendation: RSPCA Australia asks that an independent, accountable and transparent process be established to oversee the management of the funds accrued by the compulsory levy.*

*It asks that, through this process, the scientific merits of every proposed Research and Development project be examined to ensure 'improved animal welfare' is its core goal and that the progress of individual Research and Development projects be assessed to ensure the funds are being well utilised.*

*An annual audit of the entire Research and Development process should be conducted to ensure that it is complying with the intention of the Keniry Report – to improve the welfare of the animals involved. Results of such an audit should be released for broad public consideration.*

RSPCA Australia respectfully requests that the Senate Rural and Regional Affairs and Transport Committee consider all of the above concerns during its assessment of the Agriculture, Fisheries and Forestry Legislation Amendment Bill (No.2) 2004.

Yours sincerely



Dr H J Wirth AM  
President RSPCA Australia