



Australian Livestock Export Corporation Limited

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Maureen Weeks
Committee Secretary
Senate Rural and Regional Affairs and Transport
References Committee
S G 62
Parliament House
Canberra ACT 2600

Dear Ms. Weeks

LiveCorp appreciates the invitation to make a submission to the committee inquiry into the National Animal Welfare Bill 2005.

LiveCorp is an industry body funded by the exporters of livestock to provide services including, research and development, market access, technical and veterinary support and communications. These services are provided in a collaborative arrangement with the producer funded Meat and Livestock Australia (MLA).

Animal welfare is a high priority for the livestock export industry and the majority of the industry R & D and Technical support projects are directed to improve animal welfare outcomes. Good animal welfare is unquestionably good business for both livestock producers and exporters.

This point is highlighted initially in this submission, as the stringent regulatory approach proposed under the Bill would be likely to significantly alter the co-operative basis for achieving favourable animal welfare outcomes that currently exists within Australia.

Significant progress on national co-ordination of the approach on animal welfare has been achieved through government and industry co-operation on the development of the Australian Animal Welfare Strategy (AAWS). This progress would be threatened by the introduction of a further "layer" of bureaucracy inevitable in the introduction of the proposed National Animal Welfare Authority.

There are already a number of regulatory jurisdictions, which oversee animal welfare in the operation of the livestock export industry:

- Separate State and RSPCA inspectors operating under the state prevention of cruelty to animals acts (POCTA)
- AQIS inspectors responsible for ensuring adherence to the Australian Standards for the Export of Livestock (ASEL)
- AQIS licensing of exporters of livestock
- Australian Maritime Safety Authority (AMSA) inspectors who ensure export ships meet the requirements of Marine Orders.

The introduction of a separate additional inspectorate would create further confusion over complementarity of standards and jurisdiction.



The livestock export industry is highly regulated under the ASEL, which are agreed by the States, and Commonwealth and the industry would strongly oppose the introduction of a further inspectorate under a separate authority.

Specific comments on the Bill:

Section 10 Constitution of the Authority

- For only 2 of the members of the authority to represent commercial producers or users of animals is a significant under representation.
- These 2 would have no capability to adequately represent all animal user groups.

Section 88 (1) Livestock must not be exported from Australia without a permit from the Authority

- Currently a permit issued by AQIS is required for all exports of livestock. This would duplicate this function.

Section 89 (2) The application for permit must be made 30 days prior to transportation.

- This would be a significant commercial impediment as many consignments operate under a significantly shorter time frame.

3 (b) Inspection

- A duplication of the AQIS inspection role

3 (c) Inspection of overseas facilities

- Such an approval fails to recognize the cultural, political and trade sensitivities which apply
- To apply an inspection regime in overseas destinations would create considerable animosity
- Many countries importing Australian livestock are third world, and these livestock contribute to ensuring that good quality protein is available to improve human welfare. The industry practice has been to work co-operatively with importers to continually lift standards, which has animal welfare benefit beyond just the Australian sheep that are imported.

An inspection regime which makes judgments that overseas facilities are unacceptable will simply prevent anything being done to co-operatively improve the situation. Animals sourced from elsewhere will still use this facility and overall animal welfare will not improve.

3 (d) Veterinarians / Stockpersons

- This would be a duplication of the AQIS role acting in line with the ASEL

3 (e) Inspector at loading

- Duplication of AQIS role

Inspector at unloading

- Refer 3 (c) above

(5) Overseas standards must be comparable to Australia

- Refer 3 (c) above

(6), (7) & (8) Detaining a vessel or withdrawal of permit

- There must be recognition of the needs and welfare of the animals involved.
- Once stock are in transit for a proposed consignment it may create a more undesirable animal welfare outcome for them to be detained due to some misunderstanding about the Act or conditions in the country of destination.

- 90 (1) & (2) Veterinary report
- Duplication of AQIS role

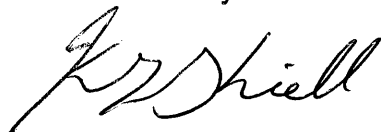
- 91 (1) & (2) Liability remains with the seller of the animals
- Does this mean the livestock producer remains liable right through the export process unless this liability is transferred in writing?
 - In reality, legal ownership of the stock may transfer at a number of stages during the export process, including:
 - farmer to assembler.
 - assembler to exporter.
 - exporter to importer. This may take place as the animals are loaded on the vessel or delivered to country of destination.

There appears to be an assumption in the Bill that existing arrangements are not regulated and that a “big stick” approach is required. This is far from the case, with strong regulation applying - certainly in the case of livestock exports.

It is also critical in the management of animals during transportation that sufficient attention is given to the needs of the animals and the humans involved. This must be recognised within the regulatory approach adopted. Strict and inflexible interpretation of legislative or regulation requirements will not necessarily guarantee good animal welfare outcomes. There must be scope for some discretion to ensure appropriate decisions can be made.

LiveCorp thank the committee for the opportunity to provide this submission.

Yours sincerely



Kevin Shiell
CEO