

Submission into the Biosecurity Bill 2013



From the Australian Veterinary Association Ltd

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About us

The Australian Veterinary Association (AVA) is the national organisation representing veterinarians in Australia. Our 8000 members come from all fields within the veterinary profession. Clinical practitioners work with companion animals, horses, farm animals, such as cattle and sheep, and wildlife. Government veterinarians work with our animal health, public health and quarantine systems while other members work in industry for pharmaceutical and other commercial enterprises. We have members who work in research and teaching in a range of scientific disciplines. Veterinary students are also members of the Association.

Comment

The complexity of this Bill in making consistent legislation for a number of current Acts is a considerable task and the Government is to be congratulated in bringing this together. However, the length of this Bill is such that it is important that there is flexibility for variation of obligations depending on the circumstances and that unintended stakeholders don't get caught up in unnecessary legislation and red tape.

Also, there are significant changes that are likely to result in increased impact on stakeholders and government alike.

Recommendations

Recommendation 1: The AVA recommends deleting captive birds from the designated animals list and instead include a clause that gives a head of power for a regulation to be made for a particular species if a significant biosecurity risk becomes apparent.

Recommendation 2: The AVA recommends that consideration be given to the resource implications of maintaining an up to date registry of biosecurity entities.

Comments

Recommendation 1

In Part 4 'Other offences' the legislation reads

46 Designated animals feeding on animal matter

(1) A person must not feed animal matter to a designated animal.
Maximum penalty—400 penalty units.

(2) A person must take all reasonable steps to ensure a designated animal does not feed on animal matter.

Maximum penalty—400 penalty units.

(3) A person does not commit an offence against subsection (1) or (2) if the person—

- (a) feeds animal matter to a designated show animal; or
- (b) feeds animal matter to a designated animal for the purpose of disease control if—

- (i) the feeding is done by or carried out under the direction of a veterinary surgeon; and

- (ii) the animal matter is derived from a species of animal that is the same species as the designated animal; and

- (iii) the animal from which the animal matter was derived was kept only at the designated place where the designated animal is kept; or

- (c) feeds animal matter to a designated animal—

- (i) in the way prescribed under a regulation; or

- (ii) if the feeding is authorised under another Act or a law of the Commonwealth; or

- (d) is permitted by the chief executive to feed animal matter to a designated animal lawfully used for scientific purposes under the *Animal Care and Protection Act 2001*, chapter 4, and feeds the animal matter to the designated animal in the way permitted; or

- (e) uses animal matter in a poisoned bait for killing a feral pig

This legislation is too broad and has unintended consequences for people who keep birds as pets. The explanatory notes refer to BSE and FMD as the primary examples of disease that are the basis for this legislation. These two diseases are both confined primarily to ruminants (exception BSE in cats). The definition of designated animals includes ruminants and captive birds. The definition for captive birds includes: ***captive bird*** means a bird in captivity, whether wild by nature or bred in captivity and whether native to Queensland, migratory or introduced. *Examples*—chicken, duck,

The primary disease risks for birds are Newcastle Disease and Avian Influenza and the primary means of contracting these viruses is through airborne inhalation or drinking of water that has been contaminated by flying wildlife that may be carriers of the disease. The risk of contracting either of these diseases through household meat scraps is extremely low. In practice, most households with chickens would feed their chickens animal matter. No matter what legislation is in place, this is likely to continue. Given that the risk is low, it would be more important to ensure that captive birds have access to water that is not able to be contaminated by wild birds.

In addition, many birds require meat in their diet. In the natural environment, they may prey on small animals, frogs, worms, smaller birds and to make legislation which restricts birds to a vegetarian diet may be deleterious to their health.

Recommendation 2

The AVA recognises the effectiveness of an accurate biosecurity register for disease control and prevention purposes. Many years ago, properties had to do an annual stock return and this was an excellent way of being aware of risks. However, the resource required to do this was so considerable that the work was discontinued.

Given that a biosecurity entity requires a threshold number of only one animal for designated animals other than captive birds which includes a 100 birds threshold, the potential for large numbers of entities is very high. Many people keep budgerigars in excess of 100 and while for poultry, this may be a suitable number, it may not be applicable for aviary birds which do not enter the food chain.