



Speech by

Pat Purcell

MEMBER FOR BULIMBA

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PRIMARY INDUSTRIES AND FISHERIES LEGISLATION AMENDMENT BILL

Mr PURCELL (Bulimba—ALP) (3.17 p.m.): I rise to support the bill. The Primary Industries and Fisheries Legislation Amendment Bill 2004 proposes to repeal the Sawmillers Licensing Act 1936 and to make amendments to six other acts. More specifically, the repeal of the Sawmillers Licensing Act is required to meet the Queensland government's obligations under the national competition policy. Amendments to the Stock Act and Exotic Diseases in Animals Act will expressly provide for a better and clearer process outlining rights of appeal for decisions made under these acts. Amendments to the Fisheries Act will also meet the government's requirements under the national competition policy, clarifying terms used in the act in relation to possible workplace health and safety issues and allowing for the exchange of information between enforcement agencies.

The Food Safety (Production) Act will be amended to make it clear that game meat harvesting falls within the provisions of the legislation as was the initial policy intent. Amendments to the Grain Industry (Restructuring) Act include changing the review provisions to only require a state review if the federal government takes action to dismantle the national single desk marketing arrangements for wheat export, and it would be a very brave federal government that did that.

I want to address in more detail the changes to the Police Powers and Responsibilities Act 2000 in relation to the government's commitment to animal welfare. These amendments provide clarification of the legislation to allow police officers to respond more effectively to animal welfare incidents. The amendment to the Police Powers and Responsibilities Act aligns police animal welfare powers more closely to those of the RSPCA and Department of Primary Industries and Fisheries inspectors under the Animal Care and Protection Act 2001. It clarifies the original policy intent of the Animal Care and Protection Act that police officers should be able to exercise powers that are very similar to those of other authorised inspectors. The Animal Care and Protection Act is one of the most advanced animal welfare laws in the world with its strong educational emphasis and dramatically increased penalties for cruelty and failure to meet duty of care.

For the first time in Queensland's history the legislation provides a duty of care on people in charge of or responsible for animals. The amendment to the Police Powers and Responsibilities Act will tighten the legislation to give police officers powers to prevent further harm to animals in cases of neglect and abuse. Under these amendments, police officers will be able to seize animals in an expanded range of situations and issue directions to improve animal welfare. This will lead to quicker action to protect animals as in many cases police officers are often the first to reach a scene of animal abuse and neglect. In particular, police will be able to issue a written animal welfare direction or exercise powers to destroy animals in a situation set out in sections 60(1), 66(2) (c), 66(2) (d) and 74(1) (h) of the Police Powers and Responsibilities Act. Section 61 deals with the powers of police to remove animals from the road and other places. That is where the animal is in danger and could also endanger other people who use roads or airfields or wherever that animal is where it should not be. Section 66(2) (c) provides powers to the police

officer to enter places and seize anything that the officer reasonably suspects as evidence of the commission of an offence involving an animal. That could be left to members' imagination.

Ms Jarratt interjected.

Mr PURCELL: That could be to do with cockfighting and all sorts of other types -

Mr Wallace interjected.

Mr PURCELL: Yes. Section 66(2) (d) outlines powers for police seizing an animal considered to be at risk. Section 74(1) (h) sets out police officers' powers under a search warrant to seize things reasonably suspected to be evidence of the commission of an offence.

These amendments will more closely align the powers of police to those of other authorised animal welfare inspectors. As well as police officers having powers under animal care and protection legislation, animal welfare inspectors also operate through the Department of Primary Industries and Fisheries' stock inspectors and veterinarians to act as inspectors as well as the RSPCA officers. The significance of the Queensland government's commitment to animal care and protection is demonstrated through penalties associated with breaches of the act. For example, a failure to meet duty of care, such as not providing appropriate food, water or accommodation, attracts penalties of up to \$22,000 or one year's imprisonment. Together with the implementation of the Animal Care and Protection Act, the government has focused on education as a key strategy in promoting responsible animal care and welfare to the community. The state government established a mobile education unit together with the RSPCA to tour Queensland visiting schools, community functions and other venues to promote animal welfare.

The amendments to the Police Powers and Responsibilities Act will provide animals in Queensland with greater care and protection. The amendments are part of the Queensland government's proactive approach to reducing the incidents of cruelty and abandonment of animals. I commend the bill to the House.