




Speech By
Glenn Butcher

MEMBER FOR GLADSTONE

Record of Proceedings, 17 August 2016

EXHIBITED ANIMALS REGULATION

Disallowance of Statutory Instrument

 **Mr BUTCHER** (Gladstone—ALP) (7.50 pm): I rise to speak against the disallowance motion before the House tonight. I do so because I am proud to be a member of a government that puts a premium on fairness and which values consultation. On both of these measures, fairness and consultation, the Exhibited Animals Act 2015 and the Exhibited Animals Regulation 2016 pass the test with flying colours. Fees under the previous legislation were anything but fair. They resulted in small exhibitors subsidising larger ones. Fees for the licensing of exotic animals were only about 10 per cent of the fee for native animals. When it comes to rates, the same principle is in play when home owners pay rates to their local councils. It would not be fair if the owner of a mansion set in a hectare of grounds paid the same fee as someone in a small one-bedroom unit. There is an assumption that someone with a larger, more elaborate and highly valued home can afford to pay more than someone who lives in a flat. Is there anyone in this House who questions the fairness of that principle?

For much the same reason, the fees are structured to take into account the size of the business and level of risk associated with its operation. The result is that the majority of exhibitors now pay less or about the same as they did under the previous legislation. A few larger exhibitors have seen their fees rise to higher levels, but it is in line with their ability to pay. Those who exhibit exotic animals only—for example, magicians, circuses and zoos—also pay higher fees compared to the previous lower rate. By the same token, I believe that the majority of Queenslanders will find it reasonable that fees payable to the government reflect the cost of the service that the government provides. If an assessment by a suitably qualified professional can be completed in one hour, surely it should cost less than one by the same person that takes two or three hours. That is precisely what happens now under the regulation the LNP wants to scrap.

Under the previous legislation operators were charged just \$16 for an amendment to their licence for a native species. There was no fee for an amendment to add an exotic animal to a licence even though the risks are significantly higher. By any measure, \$16 is not a fair or reasonable fee for anything in 2016 other than a cup of coffee and a cheese sandwich. Does anyone know a plumber who charges a \$16 call-out fee to change a leaky tap? I do not think so. Can anyone name a lawyer who will charge you \$16 to come to your home or place of work to provide a legal service?

A government member interjected.

Mr BUTCHER: A good friend of mine on this side probably would; he is a good bloke. As we are talking about welfare and risk threats associated with animals, perhaps we should be considering how much a vet might charge for a home visit to treat a sick dog or a horse. I dare say it is more than \$16.

I think I have dealt with the fairness issue, so I would now like to turn my attention to the question of whether there was adequate consultation on the act and regulation before it was implemented. By my reckoning there were approximately five years of consultation with stakeholders. Do I think that is

adequate? I do not think any Queenslander would conclude that the government of the day rushed into these reforms without considering the possible consequences. Workshops were first conducted on key principles of legislation as long ago as April 2011 in Brisbane, Gold Coast, Sunshine Coast, Gladstone, Rockhampton and Cairns. In November 2013 the previous LNP government continued the consultation process through a regulatory impact statement. A number of options were proposed and the majority of respondents favoured this new legislation. Fees and detailed assessments of costs and benefits were considered as part of this consultation. In July 2014—again during the previous LNP government—there was consultation on a draft bill which informed further development of the 2015 bill. In April 2015 the Agriculture and Environment Committee held a public hearing to provide industry and stakeholders with an opportunity to submit responses to the proposed Exhibited Animals Bill 2015.

In October last year the industry was consulted on the process for meeting the criteria for category C1 species. C1 species are exotic species that are deemed suitable for mobile exhibition—an opportunity that the regulation provides and which was not previously available to this sector of the industry. That consultation resulted in industry nominating species being assessed and listed in the regulation. Finally, in March 2016 consultation was undertaken on an exposure draft of this regulation. This last consultation related to fees, record keeping, mandatory conditions of licences and national tax on specific codes. As a result of feedback received, the tax on codes were omitted to provide more time for these to be agreed nationally and for further consultation within the industry.

I cannot imagine what more could have been done in terms of liaising with stakeholders and acting upon concerns that they raised prior to the introduction of these regulations. Throughout this lengthy process the fee structure—the principle of users being charged fairly—and the appropriate work involved in the granting and amending of licences and the various obligations for exhibitors were discussed openly and with stakeholders affected.

An honourable member: They were long the whole time.

Mr BUTCHER: They were long and they were thorough. There has been no sleight of hand here: only honest, open, transparent lawmaking. For the reasons that I have described, and because the regulations represent sensible and overdue reform, the motion before the House deserves to fail. The opposition has not provided a convincing case for this disallowance.