

Biosecurity Bill 2013

Response to the report by the Agriculture, Resources and Environment Committee

Recommendations

Recommendation 1

The Committee recommended that the Biosecurity Bill 2013 be passed with the amendments outlined in the report.

Government position: The government notes the recommendation.

Recommendation 2

Given the magnitude of the changes to biosecurity management that are proposed in the Bill, that the Bill's implementation and the operation of each provision of the legislation be reviewed during the Fifty-Fifth Parliament.

Government position: Given the extensive suite of subordinate legislation to be developed, the Act will commence on a date fixed by proclamation, but no later than 1 July 2016. The Minister commits to an early review of the Act, but as the commencement date has not been fixed, review during the fifty-fifth Parliament may not be optimal. Clause 501 requires the Minister to review the efficacy and efficiency of the Act within 5 years after its commencement. The clause will be amended to require the review to be completed within 3 years of commencement of the Act.

Recommendation 3

The Minister review the arrangements for the management of rabbits in Queensland to determine whether the current funding model is fair and equitable and whether a different approach to operational matters between the State Government, local governments and the Darling Downs–Moreton Rabbit Board would result in greater efficiencies and better use of the limited available resources.

Government position: The Government supports this recommendation as there have been land use changes within the Board's operational area since the funding model was last reviewed. The Department of Agriculture, Fisheries and Forestry will work with the Darling Downs Moreton Rabbit Board, local governments and other key stakeholders to review the current funding model and examine alternative approaches to operational matters.

Recommendation 4

Clause 115 be amended to limit the duration of a biosecurity emergency order.

Government position: The Government supports this recommendation as it provides clarity and additional certainty on the duration of an order.

Recommendation 5

Schedule 2 at page 432 of the Bill be amended by inserting the word 'feral' before 'rusa deer'.

Government position: The Government supports this recommendation as it clarifies that the restrictions only apply to feral rusa deer, not all rusa deer.

Recommendation 6

The definition for 'saleyard' provided in Schedule 5 of the Bill be amended to more narrowly define a 'saleyard' as a place where there is a public auction or tender, as proposed by the Australian Livestock and Property Agents Association.

Government position: The Government supports this recommendation as it implements the nationally agreed approach to reporting of consignment of stock following private sales.

Recommendation 7

The Explanatory Notes to the Biosecurity Bill 2013 be amended to include under 'Consistency with fundamental legislative principles' the potential retrospective effects of clause 515.

Government position: The Government supports this recommendation as the fundamental legislative principle warrants discussion in the Explanatory Notes.

Recommendation 8

That clause 239 (1), (2) and (3) be amended to remove the words 'as far as practicable'.

Government position: The Government supports this recommendation as the words 'as far as practicable' are superfluous and have no intrinsic effect.

Recommendation 9

The Explanatory Notes to the Biosecurity Bill 2013 be amended to include under 'Consistency with fundamental legislative principles' the powers afforded to authorised officers in clauses 233-236.

Government position: The Government supports this recommendation as the fundamental legislative principles related to powers afforded to authorised officers in clauses 233-236 warrant discussion in the Explanatory Notes.