Exotic Animal Disease Control Bill 1989

Date Introduced: 24 May 1989
House: House of Representatives
Presented by: Hon. John Kerin, M.P., Minister for Primary Industries and Energy

Digest of Bill

Purpose
To establish the Exotic Animal Diseases Preparedness Consultation Council (the Council) which will inquire into and advise the Government on Australia's preparedness to take action with respect to outbreaks of exotic animal diseases. The Bill will also provide for Commonwealth and industry contributions to fund Council programs.

Background
Exotic animal diseases are diseases which do not currently exist in Australia, some of which have the potential to cause severe disruption to trade in animal and animal products and pose a threat to public health. The viability of Australia's livestock trade depends on the country's freedom from a number of animal diseases. For example, if foot and mouth disease were introduced, it could cost Australia billions of dollars of export revenue. Other threats posed by the introduction of an exotic animal disease include: diminished livestock production and expensive damage control and eradication measures.

Legislation both at the Federal and State level provides for the control of exotic animal diseases. The Federal legislation is primarily concerned with preventing the introduction of disease or things that might carry disease, while State and Territory legislation is concerned with eradicating a disease if an outbreak occurs. In preventing the introduction of disease into Australia the Commonwealth has relied on the quarantine power under section 51 of the Constitution. The most important piece of legislation is the Quarantine Act 1908. This Act is primarily aimed at preventing the introduction into Australia of human, animal and agricultural diseases and pests. Theoretically, the Commonwealth has the power to enact national legislation in respect of exotic animal diseases. This could be done through the combined use of the quarantine, commerce, corporations, and territories powers contained in the Constitution. The States could also refer their power to the Commonwealth. All States and Territories have enacted stock diseases legislation. This legislation is primarily aimed at the eradication and prevention of disease in stock.
Australian planning and emergency preparedness to contain outbreaks of exotic livestock diseases is limited. The only program now in place funds education for Australian veterinarians in awareness and eradication strategies, contributes to funding of a strategic reserve of foot and mouth disease vaccine in England, a screw worm fly facility in Papua New Guinea, and develops testing techniques to control feral animal populations. However, the Commonwealth and the States have commenced implementation of a contingency plan, the Australian Veterinary Emergency Plan (AUSVETPLAN). AUSVETPLAN is intended to link policy, strategies, implementation, co-ordination and counter-disaster agency plans in relation to the eradication and control of the more important animal diseases not presently occurring in this country.

The Bill gives effect to a commitment made in a Government Policy Statement of May 1988 – Primary Industries and Resources, Policies for Growth – which aims to improve the quality and timeliness of advice to the Government on the most cost effective preparedness measures through the establishment of a Consultative Committee. The Committee’s membership is to include representatives from Commonwealth, State, Territory Departments, primary producer representatives, and people with special expertise.²

Main Provisions
Clause 5 provides for the establishment of the Council.

The object of the establishment of the Council is to provide the Minister with information and advice on matters relating to the preparedness of Australia to take action in respect of outbreaks of exotic animal diseases (clause 6).

The functions of the Council are contained in clause 7 and include: to report to the Minister on the adequacy of the strategies and procedures of any plan of the Australian Agricultural Council for the control and eradication of exotic animal diseases on their outbreak in Australia; the availability and suitability of plant and equipment required for carrying out exotic animal disease campaigns; the social and economic effects of outbreaks; and the principles that are to apply in payment of compensation for any loss sustained as a result of an outbreak. The Council, in the performance of its functions, is to comply with Ministerial directions, but may also act on its own motion.

The Council is to consist of a Chairperson, two persons nominated by the National Farmers Federation, one by the Australian Agricultural Council, a Departmental officer, and three persons qualified to deal with the object of the Council. Members will be appointed on a part-time basis by the Minister, who also may reject a nomination by an industry body and request the nomination of another person for membership (clause 11).
Clause 21 provides for the establishment of the Exotic Animal Disease Preparedness Trust Account (the Account).

Clause 22 provides for payment of amounts, equal to those received by the Commonwealth from the exotic animal disease component of levies on egg, live-stock, chicken meat, and pig industries, to be paid into the Account. The wool industry will contribute a prescribed amount, which is to be paid by the Wool Corporation.

Clause 23 provides that funds in the Account may be spent on programs related to the control and eradication of exotic animal diseases approved by the Minister, and for recovery of costs incurred by the Commonwealth in the collection and administration of industry contribution to the Account.

Clause 24 provides for the closing of the Account on 30 December 1995 and payment of moneys remaining in the Account to the research organisations associated with the contributing industries, and in the case of the wool industry, to the Australian Wool Corporation.

Clause 30 provides for the Council to cease operating on 30 June 1995, and for payments into and out of the Account, and the closing of the Account, to be finalised by 31 December 1995.

References

For further information, if required, contact the Law and Government Group.

2 June 1989

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

© Commonwealth of Australia 1989

Except to the extent of the uses permitted under the Copyright Act 1968, no part of this publication may be reproduced or transmitted in any form or by any means, including information storage and retrieval system, without the prior written consent of the Department of the Parliamentary Library. Reproduction is permitted by Members of the Parliament of the Commonwealth in the course of their official duties.