



Queensland

# **Animal Care and Protection Amendment Regulation (No. 1) 2013**

## **Explanatory Notes for SL 2013 No. 23**

made under the

*Animal Care and Protection Act 2001*

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## **General outline**

### **Short title**

*Animal Care and Protection Amendment Regulation (No. 1) 2013.*

### **Authorising law**

Sections 114, 116 and 217 of the *Animal Care and Protection Act 2001*.

### **Policy objectives and the reasons for them**

The objective of the subordinate legislation is to facilitate ongoing monitoring of compliance with animal welfare requirements in abattoirs by appointing 'authorised officers', under the *Food Production (Safety) Act 2000* (FPS Act), as inspectors under the *Animal Care and Protection Act 2001* (Animal Care Act).

While the Animal Care Act applies to the use of animals in abattoirs (duty of care and animal cruelty, etc.) it does not readily enable the ongoing monitoring of compliance in abattoirs. Responses to poor animal welfare practices in an abattoir are usually in reaction to a complaint made either to the Department of Agriculture, Fisheries and Forestry (DAFF) or the Royal Society for the Prevention of Cruelty to Animals (RSPCA). The treatment

of animals in abattoirs is not readily open to public scrutiny and is considered high risk from an animal welfare perspective.

Safe Food Production Queensland (Safe Food) is the food safety regulator in Queensland responsible for the accreditation of operators and monitoring of compliance at meat processing sites such as abattoirs. As such, Safe Food authorised officers can often have or acquire direct knowledge regarding the operations of these businesses, including animal welfare related matters.

Safe Food has advised that there are 73 accredited abattoirs in Queensland. Of these 19 are export abattoirs and the remainder slaughter specifically for the domestic trade. Export abattoirs are required to have a minimum of one Australian Department of Agriculture, Fisheries and Forestry (ADAFF) veterinarian and one ADAFF inspector to ensure compliance with export legislation and other requirements. A role of an ADAFF veterinarian is to ensure the welfare of the animals. Because of this, export abattoirs are considered a low animal welfare risk.

However, domestic abattoirs are not required to have a government veterinarian or inspector and are largely self-regulated. This system does not provide the same level of animal welfare assurances as that used in the export abattoirs.

While Safe Food authorised officers conduct annual audits and monitor compliance with the FPS Act, it does not have provisions to ensure the welfare of animals at abattoirs. The main objects of the FPS Act relate to food safety and quality, and not animal welfare.

Consequently, Safe Food authorised officers do not currently have any statutory powers to take action to stop or prevent breaches of the Animal Care Act that may be detected when conducting their duties under the FPS Act.

The appointment of Safe Food authorised officers as inspectors under the Animal Care Act is expected to increase public confidence in the treatment of animals in domestic abattoirs and enable animal welfare incidents which are detected while Safe Food authorised officers are onsite to be addressed more effectively

### **Achievement of policy objectives**

The subordinate legislation will achieve its objectives by declaring 'authorised officers', who are employees of Safe Food Production

Queensland under the FPS Act, as an approved class of persons for the purpose of appointment as inspectors under the Animal Care Act.

### **Consistency with policy objectives of authorising law**

The subordinate legislation is consistent with the policy objectives of the Animal Care Act.

### **Inconsistency with policy objectives of other legislation**

The subordinate legislation is not inconsistent with the policy objectives of other legislation.

### **Benefits and costs of implementation**

No additional costs will be incurred in the implementation of this subordinate legislation.

### **Consistency with fundamental legislative principles**

The subordinate legislation is consistent with fundamental legislative principles.

### **Consultation**

Safe Food has been consulted and advised of its support of the proposed amendments.

The Regulatory Review Branch of Queensland Treasury and Trade has been consulted in regard to the need for a Regulatory Assessment Statement (RAS) and advised that a RAS was not required as the amendments constitute minor changes to policy and intent and do not impose any significant impact on businesses or the community.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Agriculture, Fisheries and Forestry.

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