

Animal Care and Protection Amendment Regulation (No. 1) 2014

Explanatory Notes for SL 2014 No. 12

made under the

Animal Care and Protection Act 2001

General Outline

Short title

Animal Care and Protection Amendment Regulation (No. 1) 2014

Authorising law

Sections 13 and 217 of the *Animal Care and Protection Act 2001*.

Policy objectives and the reasons for them

The objective of the amendment regulation is to recognise the prior experience of some Queensland pig producers in pig husbandry procedures, who are not otherwise accredited or do not possess formal qualifications in pig production.

Experienced pig producers who are not accredited as suitably qualified to carry out certain procedures or who do not possess a Certificate III in Agriculture (Pig Production) or equivalent are not currently considered to be suitably qualified to carry out husbandry procedures on pigs. This means that they may not meet the competency requirements of industry quality assurance programs and access to some markets may be denied as a result.

The amendments seek to enable such pig producers to undertake husbandry procedures whilst preserving the integrity of Queensland's commercial pig production. As such, the legislation will continue to provide assurance to consumers that pigs are produced in establishments which meet competency standards which deliver acceptable animal welfare outcomes.

Achievement of policy objectives

The amendment regulation achieves its objective as it will amend the provision prescribing competency standards to also provide for recognition of a person's prior experience handling pigs.

The amendment regulation provides that where a person has at least 12 months practical training and experience in husbandry procedures at a pig establishment that complied with an industry recognised quality assurance program or had in place an industry recognised herd health program, that person is considered to be suitably qualified to undertake husbandry procedures on pigs.

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the objects of the *Animal Care and Protection Act 2001* by promoting the responsible use and care of animals whilst achieving a balance with the interests of persons whose livelihood is dependent on animals.

Inconsistency with policy objectives of other legislation

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

Benefits and costs of implementation

The amendment regulation is of a beneficial nature in that it removes a restriction upon producers who do not hold accreditation to carry out husbandry procedures on pigs or who do not hold formal qualifications in pig production. These producers will be able to maintain continued access to domestic and international markets for their product as they will be able to comply with competency standards for handling pigs.

There are no costs to implement the proposed amendment.

Consistency with fundamental legislative principles

The amendment regulation is consistent with fundamental legislative principles.

Consultation

The Department of Agriculture, Fisheries and Forestry (DAFF) consulted Pork Queensland Incorporated and Australian Pork Limited which are both supportive of the proposed amendment.

DAFF consulted the Office of Best Practice Regulation (OBPR) within the Queensland Competition Authority in regard to regulatory impact statement (RIS) requirements. The OBPR advised that this regulatory proposal is excluded from the RIS system on the basis that the proposal has already undergone an extensive impact assessment process comparable to the requirements of the RIS system.