



Queensland

Exotic Diseases in Animals Amendment and Repeal Regulation (No. 1) 2012

Explanatory Notes for SL 2012 No. 219

made under the

Exotic Diseases in Animals Act 1981

General outline

Short title

Exotic Diseases in Animals Amendment and Repeal Regulation (No. 1) 2012.

Authorising law

Sections 10, 10A and 47 of the *Exotic Diseases in Animals Act 1981* (the Act).

Policy objectives and the reasons for them

The purpose of the subordinate legislation is to repeal the *Exotic Diseases in Animals (Avian Paramyxovirus) Notice 2011* (the Notice) and amend the Schedule of the *Exotic Diseases in Animals Regulation 1998* (the Regulation) to omit avian paramyxovirus as an exotic disease.

In October 2011, following the detection of an exotic strain of avian paramyxovirus in a number of pigeon flocks in Victoria, avian paramyxovirus was declared as an exotic disease in Queensland and the Notice was made to restrict the movement of pigeons, pigeon eggs and fittings associated with pigeons from Victoria into Queensland. Following

confirmation of an outbreak in New South Wales, the Notice was amended in July 2012 to provide similar movement restrictions on New South Wales.

The Department of Agriculture, Fisheries and Forestry considers that imposing restrictions under the Notice on the movement of pigeons, pigeon eggs and fittings associated with pigeons into Queensland, is no longer an appropriate way to deal with the risk of infection and spread of avian paramyxovirus.

This is due to the fact that the spread of avian paramyxovirus into Queensland is most likely inevitable and Queensland pigeon keepers, breeders and racers are progressively implementing their own biosecurity and vaccination measures to manage the risk, with only a minority of pigeon keepers relying on entry restrictions for protection.

Avian paramyxovirus is also now considered to be established and permanent in Australia and it is no longer appropriate to refer to it as 'exotic' or to respond to its detection by eradication measures as if it were an exotic disease

Achievement of policy objectives

The subordinate legislation will achieve its objective of alleviating the burdens and economic costs on persons who breed, show and race pigeons by repealing the Notice which imposes restrictions on the movement into Queensland of pigeons, pigeon eggs and fittings from States where avian paramyxovirus has become endemic. However, in order to provide pigeon owners with time to complete vaccination of pigeon flocks prior to the commencement of the 2013 racing season, the subordinate legislation will not commence until 17 December 2012.

The subordinate legislation will also achieve its objective of reducing the imposition and financial burden on government as it will omit avian paramyxovirus as an exotic disease. Once the subordinate legislation is introduced, the Queensland Government will be alleviated of its obligation to respond to incidents of infection by regulatory actions of quarantine or disease elimination. However, it will maintain its ability to monitor the spread of avian paramyxovirus and advise pigeon keepers and other stakeholders as necessary.

Consistency with policy objectives of authorising law

This subordinate legislation is consistent with the provisions of the Act.

Inconsistency with policy objectives of other legislation

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

Benefits and costs of implementation

The benefit of this subordinate legislation is that it will enable those who keep, breed and race pigeons to undertake normal breeding activities and reduce transport and breeding costs overall as it will again allow them to source pigeons and pigeon eggs from Victoria and New South Wales, which were previously restricted.

A further benefit will be realised through a reduction in administrative costs to government by not having to conduct surveillance or inspection of suspect birds or flocks.

Consistency with fundamental legislative principles

The subordinate legislation is consistent with fundamental legislative principles.

Consultation

Queensland pigeon organisations and clubs were consulted in late September 2012 on a range of options. The majority of those consulted preferred restrictions to be lifted with the majority of organisations (as opposed to individuals) preferring the lifting of restrictions by the end of 2012.

Consultation on the subordinate legislation was undertaken with the Regulatory Review Branch, Queensland Treasury and Trade with regard to regulatory assessment statement (RAS) requirements. Queensland Treasury and Trade advised that a RAS is not required as there are no negative impacts arising from the subordinate legislation.

ENDNOTES

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

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