

Animal Care and Protection Amendment Regulation 2025

Explanatory Notes for SL 2025 No. 152

made under the

Animal Care and Protection Act 2001

General Outline

Short title

Animal Care and Protection Amendment Regulation 2025

Authorising law

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

Policy objectives and the reasons for them

The purpose of the *Animal Care and Protection Amendment Regulation 2025* (the Amendment Regulation) is to correct an error in the *Animal Care and Protection Regulation 2023* (the Regulation) which was unintentionally drafted when the former *Animal Care and Protection Regulation 2012* (the former Regulation) was remade following its expiry.

The error in the Regulation concerns the practice of mulesing of sheep and currently prescribes that a person must ensure that only skin which is not wool-bearing is removed.

The Australian Animal Welfare Standards and Guidelines for Sheep (the national standards) provide standards and guidelines for the welfare of all sheep and were endorsed by state and territory governments in 2016. The Act and Regulation are Queensland's principal animal welfare legislation. The Regulation implements the national standards, including those regarding sheep mulesing, as a compulsory code of practice.

Mulesing is a procedure during which the skin around the breech and tail of a sheep is removed. Once the wound has healed, the skin becomes tight and very little wool grows. This permanently reduces the likelihood of urine and faeces staining the area and reduces the likelihood of blowfly strike, which could otherwise lead to tissue damage, infection, weight loss, reduced wool quality and mortality of a sheep if not treated appropriately.

The national standards require that a person mulesing sheep must only remove wool-bearing skin.

The Amendment Regulation corrects the error and restores the policy intent for mulesing to reflect the former Regulation and the national standards, such that a person performing mulesing on a sheep must ensure they only remove skin that is wool-bearing. Despite this error, there have been no issues with the enforcement of the Regulation to date.

Achievement of policy objectives

To achieve its policy objective, the Amendment Regulation amends Schedule 3, section 8 of the Regulation to prescribe that a person mulesing a sheep must ensure they only remove skin that is wool-bearing.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the purposes of the Act, in that mulesing of sheep must only be conducted in accordance with the provisions of the compulsory code of practice made under the Act.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation concerning animal welfare and other states' laws relating to mulesing, which also implement the national standards.

Alternative ways of achieving policy objectives

There are no feasible alternatives to achieve the policy objective. Not correcting the current error in Schedule 3, section 8 would maintain the inconsistency between the national standards and the Regulation, leading to confusion as it contradicts current industry practice for mulesing.

Benefits and costs of implementation

In correcting the unintended error, the Amendment Regulation corrects the policy intent for the practice of mulesing and ensures continued alignment with the national standards on sheep welfare. The Amendment Regulation does not attract any costs.

Consistency with fundamental legislative principles

The Amendment Regulation has been drafted with regard to, and is consistent with, the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

The Department of Primary Industries did not undertake consultation with the community or other stakeholders as the Amendment Regulation merely corrects an unintended error.

Regulatory Impact Analysis

In accordance with the *Queensland Government Better Regulation Policy*, a Summary Impact Analysis Statement (IAS) for the Amendment Regulation has been prepared. The key findings of the IAS were that the amendments are minor and machinery in nature on the basis that it corrects an error. Therefore, no further regulatory impact analysis is required. The IAS was approved by the Director-General, Department of Primary Industries and the Minister for Primary Industries.

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