

28 January 2020

Ms Linda Black  
Chair – Independent Review Panel

By email: [AWA.reviewpanel@dpiird.wa.gov.au](mailto:AWA.reviewpanel@dpiird.wa.gov.au)

Dear Ms Black

**Re: Independent Review Panel Submission Relating to the Operation and Effectiveness of the *Animal Welfare Act 2002***

The Australian Livestock Exporters' Council (ALEC) appreciates the opportunity to comment on the key principles and issues relating to the Independent Review Panel's consideration of the operation and effectiveness of the *Animal Welfare Act 2002* (the Act). ALEC is a member-based, peak industry body representing Australia's livestock export sector which contributes over \$1 billion in export earnings annually while employing 13,000 mainly regional Australians. ALEC provides strategic direction to the industry, sets industry policy and represents Australia's livestock export trade in Australia and internationally.

ALEC members account for more than 96 per cent of Australia's annual livestock exports, by volume and value. ALEC's membership also extends to supply chain participants including registered premise operators, ship owners, feed suppliers and other service providers to the trade. More on the importance of the livestock export industry to Australian agriculture and the economy can be found at Attachment 1.

ALEC supports submissions to this process made by Kimberley Pilbara Cattlemen's Association (KPCA), the National Farmers Federation and Pastoralists and Graziers Association of Western Australia (PGA).

Animal welfare is a key priority for ALEC and our members, and continual improvement in the treatment of animals is an important component of that. It is imperative that legislative reviews are conducted in accordance with the Council of Australian Governments (COAG) principles in relation to best practice regulation. Adhering to these principles will ensure that a balanced and inclusive approach is taken by government in relation to regulation.

The Act and its accompanying regulations provide the legal framework in Western Australia (WA) for ensuring all animals in WA have appropriate standards of care. While ALEC supports the intent of the Act to promote and protect the welfare of animals, amendments are required to improve the operation of the Act.

One such required amendment is to separate livestock production and companion animals within the Act. This would result in Department of Primary Industries and Regional Development (DPIRD) having the compliance, inspection and/or prosecution powers in relation to livestock production, removing RSPCA WA role in this area. This is critical given RSPCA WA's inherent conflict with its policy position of opposing livestock export.

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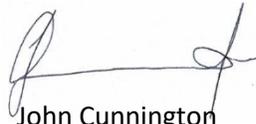
Commonwealth animal welfare laws have constitutional authority over State regulation, pursuant to section 109 of the Commonwealth Constitution as tested in 2005, which found that a State regulator should not be permitted to seek to overrule or second guess Commonwealth regulation under local animal welfare laws. The Commonwealth already has in place a comprehensive regulatory framework for live animal exports, including when vessels are in port in WA. It is therefore important that the Act confines DPIRD officer animal welfare regulatory activity to that which occurs onshore. This will ensure consistent, efficient and effective regulation of live animal exports and the appropriate use of the DPIRD resources in administering of the Act.

Thank you for the opportunity to comment on the on the key principles and issues relating to the operation and effectiveness of the Act. ALEC expects that this submission will assist in the Independent Review Panel's consideration. Please do not hesitate to contact me if you require further information.

Regards,



Mark Harvey-Sutton  
Chief Executive Officer  
Australian Livestock Exporters Council



John Cunnington  
Chairman  
WA Livestock Exporters Association

*Attach.*

## Attachment 1

### *The importance of the livestock export industry to Australian agriculture and the economy*

According to market intelligence company Mercado, over \$620 million of revenue from live cattle exports is returned to the farm gate, representing around 50 per cent of total revenue. Live Cattle exports are valued at \$1.2 billion, representing 13 per cent of the total cattle industry value. The live cattle industry also sustains approximately 10,000 full time jobs.

Of more relevance to the discussion paper is a similar report prepared by Mercado, which recently found that the average value of Australia's Live Sheep exports from 2014-18 is \$220 million per annum. Almost half of the revenue earned from the live sheep export trade is retained on-farm and is estimated to have averaged \$100 million per annum over the last five years. Western Australia is the largest exporter accounting for 82 per cent of all sheep exports, representing nearly 30 per cent of annual sheep and lamb turn off.

This indicates that the live export sector plays an integral role in underpinning price, which assists in growing the overall value of the sector. Many chilled and frozen markets have been established off the back of the live export industry's initial presence, providing a pathway for chilled and frozen exports.

There are also significant other benefits of the trade beyond economic:

- Some countries do not produce enough livestock to feed their population and as a result they rely heavily on Australian livestock for their food security and in some cases, social harmony.
- Processing animals locally, for some nations, is often cheaper than buying boxed or chilled meat slaughtered in Australia, which is a high input cost industry compared to its global competitors.
- Religious requirements, particularly around festival times, dictate the slaughter of animals (under Australian controlled conditions where Australian animals are involved).
- International processors prefer to use not just the meat, but the entire animal for different products.
- The export of livestock supports a wide range of consumers and different market segments that live animals processed locally are most suited to (for example, wet markets).
- Exporting livestock strengthens breeding and herd numbers with quality genetics and aids many developing countries in achieving self-sustainability goals.
- Australia's live exports support the development of a local processing sector in developing countries.
- Live export supports public policy programs to increase meat and dairy consumption and the endeavours of importing countries to provide food security.

Over 100 countries export live animals with Australia having the highest standards in the world. Indeed, through the Livestock Global Assurance Program (LGAP) which is an initiative of the Australian industry, a global standard will be set for live animal exports.

Australia's increased efforts to help improve animal welfare is recognised as contributing to wider social and ethical change, better treatment of local livestock, improved worker safety and better meat quality. This positions the sector as a key driver of animal welfare improvements globally.