



Australian Meat and Live-stock Industry (Export of Live-stock to the Republic of Indonesia) Order 2011 (No. 2)

I, Conall O'Connell, Secretary of the Department of Agriculture, Fisheries and Forestry, make this Order under section 17 of the *Australian Meat and Live-stock Industry Act 1997*.

Dated

6 July 2011

Conall O'Connell

CONALL O'CONNELL

Secretary

Department of Agriculture, Fisheries and Forestry

1 Name of Order

This Order is the *Australian Meat and Live-stock Industry (Export of Live-stock to the Republic of Indonesia) Order 2011 (No. 2)*.

2 Commencement

This Order commences on the day after it is registered.

3 Repeal

The *Australian Meat and Live-stock Industry (Export of Live-stock to the Republic of Indonesia) Order 2011* and the *Australian Meat and Live-stock Industry (Protection of Animal Welfare) Order 2011* are repealed.

4 Definitions

In this Order:

live-stock export licence has the meaning given by section 7 of the *Australian Meat and Live-stock Industry Act 1997*.

live-stock has the meaning given by section 3 of the *Australian Meat and Live-stock Industry Act 1997*.

OIE recommendations means the recommendations and standards set out in Chapter 7 of the *Terrestrial Animal Health Code (2010)* published by the World Organisation for Animal Health.

Note At the date of commencement of this Order, the *Terrestrial Animal Health Code (2010)* was available on the Internet at <http://www.oie.int/international-standard-setting/terrestrial-code/access-online/>.

5 Export of live-stock to the Republic of Indonesia subject to approval

- (1) In order for the holder of a live-stock export licence to be able to export live-stock to the Republic of Indonesia the licence holder needs to obtain an approval from the Secretary under section 6.
- (2) Subsection (1) does not apply to breeder live-stock.

6 Approvals where consignments comply with acceptable standards

- (1) The Secretary may grant approval in writing to the holder of a live-stock export licence to export a consignment of live-stock to the Republic of Indonesia.
- (2) The Secretary may only grant an approval if the Secretary is satisfied that the holder of the live-stock export licence has in place arrangements to ensure that the consignment of live-stock exported under the approval will be the subject of transport, handling, slaughter

and related operations which are in accordance with relevant OIE recommendations.

- (3) Without limiting the matters to which the Secretary may have regard when deciding whether to grant approval, the Secretary may have regard to the live-stock export licence holder's record in compliance with approval conditions.
- (4) The Secretary may grant an approval subject to conditions to be complied with by the holder of the live-stock export licence. The conditions may relate to:
 - (a) transport, handling and slaughter of live-stock and related operations;
 - (b) identification, tracking and reconciliation of live-stock;
 - (c) independent auditing in relation to matters referred to in (a) and (b);
 - (d) access to premises; and
 - (e) any other matter the Secretary considers appropriate.
- (5) Without limiting the circumstances in which the Secretary may revoke an approval given under subsection (1) the Secretary may revoke the approval if:
 - (a) the Secretary is not satisfied that the transport, handling, slaughter and related operations will be conducted in accordance with relevant OIE recommendations; or
 - (b) the holder of the live-stock export licence has not complied with any condition in the approval or in a previous approval.

Note Section 33 of the *Acts Interpretation Act 1901* provides for revocation of instruments.

7 Provision of information, declarations and documents

For the purposes of:

- (a) assessing whether to grant an approval in relation to a consignment under section 6, including determining conditions of an approval; or
- (b) assessing compliance with any conditions of an approval

the Secretary may require the holder of a live-stock export licence to which the consignment relates to provide the Secretary with information, documents or declarations.