

2016-2017-2018

The Parliament of the  
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

*Presented and read a first time*

**Live Sheep Long Haul Export  
Prohibition Bill 2018**

**No.     , 2018**

*(Ms Sharkie)*

**A Bill for an Act to restrict the long haul export of  
live sheep, and for related purposes**



---

## Contents

|   |   |   |
|---|---|---|
| 1                                       | Short title.....  | 1 |
| 2                                       | Commencement.....                                       | 1 |
| 3                                       | Schedules.....  | 2 |
| <b>Schedule 1—Main amendments</b>       |   | 3 |
|   | <i>Australian Meat and Live-stock Industry Act 1997</i> | 3 |
|   | <i>Export Control Act 1982</i>                          | 4 |
| <b>Schedule 2—Contingent amendments</b> |   | 6 |
|   | <i>Export Control Act 2018</i>                          | 6 |



# **A Bill for an Act to restrict the long haul export of live sheep, and for related purposes**

The Parliament of Australia enacts:

## **1 Short title**

This Act is the *Live Sheep Long Haul Export Prohibition Act 2018*.

## **2 Commencement**

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

---



---

| <b>Commencement information</b>   |   |                     |
|---|---|---------------------|
| <b>Column 1</b>   | <b>Column 2</b>   | <b>Column 3</b>     |
| <b>Provisions</b>   | <b>Commencement</b>   | <b>Date/Details</b> |
| 1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table | The day this Act receives the Royal Assent.   |                     |
| 2. Schedule 1   | The day after this Act receives the Royal Assent.   |                     |
| 3. Schedule 2   | The later of:<br>(a) the commencement of the provisions covered by table item 2; and<br>(b) immediately after the commencement of section 3 of the <i>Export Control Act 2018</i> .<br><br>However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. |                     |

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

### 3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

## **Schedule 1—Main amendments**

### ***Australian Meat and Live-stock Industry Act 1997***

#### **1 After section 16**

Insert:

#### **16A Live-stock export licence also subject to condition relating to long haul export of sheep etc. by ship to the Persian Gulf or Red Sea**

- (1) A live-stock export licence is subject to a condition that live-stock that are sheep or lambs must not be exported from Australia, by ship, to:
- (a) a place in the Persian Gulf or the Red Sea (whether or not that place is the intended final overseas destination for the sheep or lambs); or
  - (b) any other place, if the route of the ship to that place is through the Persian Gulf or the Red Sea;
- in a July, August or September in the transitional period, or at any time after the end of that period, if the duration of the voyage is 10 days or more.
- (2) In this section:
- transitional period* means the period of 5 years starting on the day Schedule 1 to the *Live Sheep Long Haul Export Prohibition Act 2018* commences.

#### **2 Paragraphs 17(1)(a) and (b)**

After “the regulations”, insert “or section 16A”.

#### **3 At the end of subsection 18(4)**

Add “or section 16A”.

#### **4 At the end of paragraph 23(1)(g)**

Add “(other than the condition in section 16A)”.

**5 After subsection 23(2)**

Insert:

- (2AA) If the Secretary has reasonable grounds for believing that the holder of a live-stock export licence has contravened the condition in section 16A, the Secretary must give a written notice under this section to the holder.

**6 Paragraph 23(3)(a)**

After “(1)”, insert “or (2AA)”.

**7 After subparagraph 24(1)(b)(i)**

Insert:

- (ia) if subsection 23(2AA) applies—of the matter mentioned in subsection 23(2AA); or

***Export Control Act 1982***

**8 After section 7**

Insert:

**7AA Regulations taken to prohibit long haul export of live sheep etc. by ship to the Persian Gulf or Red Sea subject to conditions and restrictions**

*Live sheep and lambs are taken to be prescribed goods*

- (1) The regulations are taken, on and after the commencement of this section, to declare that live-stock that are sheep or lambs are prescribed goods for the purposes of this Act.

*Prohibition on export to Persian Gulf or Red Sea subject to conditions*

- (2) Regulations made for the purposes of subsection 7(1) are taken, on and after the commencement of this section, to prohibit the export of live-stock that are sheep or lambs, by ship, to:
- (a) a place in the Persian Gulf or the Red Sea (whether or not that place is the intended final overseas destination for the sheep or lambs); or



- (b) any other place, if the route of the ship to that place is through the Persian Gulf or the Red Sea;
- unless:
- (c) the condition in subsection (3) is complied with; and
  - (d) any other conditions or restrictions prescribed for the purposes of section 7 that are applicable to the goods are, to the extent that those other conditions or restrictions are not inconsistent with subsection (3) of this section, complied with.
- (3) The condition is that:
- (a) the sheep or lambs are exported at a time that is:
    - (i) before the end of the transitional period; but
    - (ii) not in July, August or September; or
  - (b) the duration of the voyage is less than 10 days.

#### *Definitions*

- (4) In this section:

***live-stock*** has the same meaning as in the *Australian Meat and Live-stock Industry Act 1997*.

***transitional period*** means the period of 5 years starting on the day Schedule 1 to the *Live Sheep Long Haul Export Prohibition Act 2018* commences.

## **9 Application of amendments**

- (1) The amendments of the *Australian Meat and Live-stock Industry Act 1997* made by this Schedule apply in relation to a live-stock export licence that is in force on or after the commencement of this item, whether the licence was granted before, on or after that commencement.
- (2) The amendment of the *Export Control Act 1982* made by this Schedule applies in relation to an act or omission occurring on or after the commencement of this item.

## Schedule 2—Contingent amendments

### *Export Control Act 2018*

#### **1 At the end of Division 3 of Part 1 of Chapter 2**

Add:

#### **29A Rules taken to prohibit long haul export of live sheep etc. by vessel to the Persian Gulf or Red Sea subject to conditions**

*Live sheep and lambs are taken to be prescribed goods*

- (1) Rules made for the purposes of subsection 28(1) are taken, on and after the commencement of this section, to prescribe live sheep and live lambs.

*Prohibition on export to Persian Gulf or Red Sea subject to conditions*

- (2) Rules made for the purposes of subsection 29(1) are taken, on and after the commencement of this section, to prohibit the export of live sheep or live lambs from Australian territory, by vessel, to:
- (a) a place in the Persian Gulf or the Red Sea (whether or not that place is the intended final overseas destination for the sheep or lambs); or
  - (b) any other place, if the route of the vessel to that place is through the Persian Gulf or the Red Sea;

unless:

- (c) the condition in subsection (3) is complied with; and
  - (b) any other prescribed export conditions that are applicable to the goods are, to the extent that those other conditions are not inconsistent with subsection (3) of this section, complied with.
- (3) The condition is that:
- (a) the sheep or lambs are exported at a time that is:
    - (i) before the end of the transitional period; but
    - (ii) not in July, August or September; or
  - (b) the duration of the voyage is less than 10 days.

- (4) Subsection (3) is a prescribed export condition for the purposes of this Act.

*Meaning of transitional period*

- (5) In this section:

***transitional period*** means the period:

- (a) starting on the commencement of this section; and
- (b) ending at the end of the period of 5 years starting on the day Schedule 1 to the *Live Sheep Long Haul Export Prohibition Act 2018* commences.

## **2 Application of amendments**

The amendment of the *Export Control Act 2018* made by this Schedule applies in relation to an act or omission occurring on or after the commencement of this item.