

2019

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

SENATE

LIVE ANIMAL EXPORT (SLAUGHTER) PROHIBITION BILL 2019

EXPLANATORY MEMORANDUM

(Circulated by authority of Senator Faruqi)

LIVE ANIMAL EXPORT (SLAUGHTER) PROHIBITION BILL 2019

OUTLINE

The Live Animal Export (Slaughter) Prohibition Bill 2019 amends the *Export Control Act 1982* to end the export of live animals for slaughter.

The bill contains provisions that will make it unlawful to export from Australia live-stock for slaughter with a commencement start time from the start of the day two years after the day the Act commences.

NOTES ON CLAUSES

Clause 1: Short Title

1. This clause is a formal provision specifying the short title of the Bill.

Clause 2: Commencement

2. This clause provides for the commencement of the Act. It provides that the substantive provisions of the Act will commence the day after the Act receives Royal Assent.

Clause 3 – Schedules

3. This clause provides that an Act that is specified in a Schedule is amended or repealed as set out in that Schedule, and any other item in a Schedule operates according to its terms.

Schedule 1—Item 1

4. This item inserts a new section 7AA in the *Export Control Act 1982* which provides in subsection 7AA(1) definitions of live-stock and live-stock for slaughter to limit the application of the section to live-stock, as defined in section 3 of the *Australian Meat and Live-stock Industry Act 1997* as cattle, calves, sheep, lambs, goats or other prescribed animals, that is intended to be exported and slaughtered overseas. Subsection 7AA(1) also provides that the commencement of the prohibition of the export of live-stock for slaughter is from the start of the day two years after the day the Act commences.
5. Subsection 7AA(2) provides that the regulations are taken to have declared live-stock for slaughter as prescribed goods under the Export Control Act.
6. Subsection 7AA(3) provides that the regulations are taken to have prohibited absolutely the export of live-stock for slaughter.

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Live Animal Export (Slaughter) Prohibition Bill 2019

This Bill is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Bill

The Live Animal Export (Slaughter) Prohibition Bill amends the *Export Control Act 1982* to prohibit the export of cattle, calves, sheep, lambs, goats or other prescribed animals for slaughter overseas.

Human rights implications

This Bill does not engage any of the applicable rights or freedoms, including the human right to work or rights in work. This Bill promotes employment in the domestic live-stock processing industry and associated supply chains.

Numerous economic reports note: that a very small percentage of Australian live-stock producers sell into the live export trade, which produces a small percentage of the income streams for the large majority of those producers; that domestically processed animals are of greater value to the Australian economy, as are the maintenance and creation of domestic employment along the supply chain; that international market factors beyond Australia's control present a constant threat to the sustainability of the live export industry; and that the live export trade is in direct competition with the domestic meat processing industry, in that the closure of domestic processors and the loss of local employment can be directly attributable to the growth of the live export trade.¹

It is also noted that the chilled sheep and cattle meat trade is consistently worth some 750% more in trade income than live exports;² and that domestic on farm jobs and supply chains such as stockmen, transport and feedlots are similarly required for domestically processed animals.

This Bill fulfils humanity's responsibility to protect and defend the rights of animals to live a life free of cruelty and suffering.

Conclusion

This Bill is compatible with human rights as it does not raise any human rights issues.

Senator Faruqi

¹ Western Australia Ministerial Taskforce, *Cattle and Sheep Meat Processing in Western Australia* (2004); ACIL Tasman *Australian Live Sheep Exports* (2009); ACIL Tasman *The Value of Live Sheep Exports from Western Australia* (2009); S.G.Heilbron, *The Future of the Queensland Beef Industry and the Impact of Live Cattle Exports* (2010); ACIL Tasman *An economic analysis of the live exportation of cattle from northern Australia* (2012); Sapere Research Group, *Economic impact of phasing out the live sheep export trade* (2013); ABARES *Live export trade assessment* (2014)

² Agricultural Commodities Statistics Rural commodities -Meat – general (2001-2015)