EXPLANATORY STATEMENT

Issued by the authority of the Minister for Agriculture, Fisheries and Forestry

Australian Meat and Live-stock Industry Act 1997

Australian Meat and Live-stock Industry (Export of Live-stock to Saudi Arabia) Order 2005

Subsection 74(1) of the Australian Meat and Live-stock Act 1997 (‘the Act’) provides that the Governor General may make regulations prescribing all matters that are required or permitted by the Act to be prescribed, or that are necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Paragraph 17(1)(a) of the Act provides that the Secretary may make written orders, not inconsistent with the regulations, to be complied with by holders of export licences.

Paragraph 17(5)(a) of the Act provides that an export licence is subject to the condition that the holder of the licence must comply with orders made under section 17.

The purpose of the Australian Meat and Live-stock Industry (Export of Live-stock to Saudi Arabia) Order 2005 (‘the new Order’) is to revoke the Australian Meat and Live-stock Industry (Export of Live-stock to Saudi Arabia) Order 2003 which prevented the export of live-stock to Saudi Arabia, and to re-impose conditions or restrictions on the export of sheep, goats or cattle to Saudi Arabia, to allow the trade to be resumed. These conditions and restrictions were previously imposed by the Australian Meat and Live-stock Industry (Live Sheep and Goats Exports to Saudi Arabia) Order 2002.

A regulation impact statement was not required for the making of the new Order, as the new Order simply imposes the conditions and restrictions applying to the trade prior to its prohibition in 2003. Nevertheless, the Australian Quarantine and Inspection Service undertook consultation with industry regarding the resumption of the trade and the details of the Order following the announcement by the Minister for Agriculture, Fisheries and Forestry on 4 May 2005 that the trade with Saudi Arabia would be resumed.

The details of the new Order are set out below:

**Order 1**

1. This order provides that the new Order is named the Australian Meat and Live-stock Industry (Export of Live-stock to Saudi Arabia) Order 2005.

**Order 2**

2. This order provides that the new Order commences the day after it is registered on the Federal Register of Legislative Instruments.

**Order 3**

Order 4

4. This order defines approved training program, AQIS, Saudi Arabia and trained vaccinator, for the purpose of the new Order.

Order 5

5. This order prohibits export of sheep, goats or cattle to Saudi Arabia unless conditions or restrictions are complied with.

6. Suborder 5(1) prohibits export of sheep, goats or cattle to Saudi Arabia unless the conditions or restrictions specified in the new Order are complied with.

7. Suborder 5(2) makes it clear that nothing in the new Order limits the condition or restriction in any other legislative instrument in which the export of sheep, goats or cattle is subject. However, to the extent of any inconsistency between such a conditional restriction and a conditional restriction in the new Order, the condition or restriction in the new Order takes precedence.

Order 6

8. This order sets out requirements for the export of sheep or goats to Saudi Arabia.

9. Suborder 6(1) provides that an exporter must not export sheep or goats to Saudi Arabia unless a trained vaccinator has assessed the age of the sheep and goats, administered a second scabby mouth vaccination, identified the relevant sheep and goats with numbered and coded ear tags, and compiled records and information relating to the sheep and goats.

10. Suborder 6(2) specifies the contents of the records that an exporter must compile in paragraph 6(1)(d).

11. Suborder 6(3) clarifies the meaning of paragraph 6(1)(a) in relation to the assessment of the age of the sheep.

12. Suborder 6(4) requires the exporter to collect and maintain records of vaccination and identification of each consignment of sheep or goats to Saudi Arabia.

Order 7

13. This order specifies certain requirements for goats.

14. Suborder 7(1) provides that the exporter must ensure that goats are treated for internal parasites prior to export.

15. Suborder 7(2) provides that no more than 5,000 goats may be prepared for any one assignment unless prior approval has been granted by the Secretary to the Department of Agriculture, Fisheries and Forestry (‘the Secretary’).

16. Suborder 7(3) prohibits the export of female goats unless written approval has been granted by the Secretary.

17. Suborder 7(4) prevents the export of feral goats and specifies that only farmed goats are sourced for export.
18. Suborder 7(5) sets the minimum weight for goats of export at 28 kilograms.

**Order 8**

19. This order sets out the shipping requirement for sheep, goats and cattle.

20. Suborder 8(1) sets out the amount of feed that the exporter must provide for sea voyages for sheep and goats.

21. Suborder 8(2) provides that goats must only be penned in single tiers on a ship, unless prior written approval has been granted by the Secretary.

22. Suborder 8(3) requires the exporter to ensure that the health certificate issued by AQIS prior to export is endorsed by the Saudi Arabian Embassy in Australia before a ship carrying sheep, goats or cattle arrives in Saudi Arabia.

23. Suborder 8(4) provides that the exporter must confirm with the master of the ship that once the vessel has completed loading in Australia it will sail directly to the port of Jeddah in Saudi Arabia and not stop anywhere else on route.

**Order 9**

24. This order provides the Secretary with the discretion to exempt provisions of the new Order that are not to apply to or in relation to a consignment.