Export Control (Protection of Animal Welfare) Order 2011

I, JOSEPH WILLIAM LUDWIG, Minister for Agriculture, Fisheries and Forestry, make the following order under regulation 3 of the Export Control (Orders) Regulations 1982.

Dated 2 June 2011

JOSEPH WILLIAM LUDWIG
Minister for Agriculture, Fisheries and Forestry
1 Name of Order
This Order is the Export Control (Protection of Animal Welfare) Order 2011.

2 Commencement
This Order commences on the day after it is registered.

3 Definition
In this Order:


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

4 Prohibition of exports of live animals
The export of live animals to a place described in Schedule 1 is prohibited, except pursuant to an approval under section 5.

*Note* Live animals are prescribed goods for the purposes of the Export Control Act 1982 because of Order 1.04 of the Export Control (Animals) Order 2004.

5 Approvals where places conform to OIE recommendations
(1) This section applies if the Minister is satisfied, in relation to a place specified in Schedule 1, that:
   (a) slaughter and related operations are being conducted in accordance with relevant OIE recommendations; or
   (b) arrangements are in force to ensure that, within a period satisfactory to the Minister, slaughter and related operations will be conducted in accordance with relevant OIE recommendations.
(2) The Minister may grant approval in writing for the export of live animals to a place referred to in section 5(1). The approval may be granted subject to conditions specified in the approval.

(3) The Minister must not grant an approval in the circumstances specified in section 5(1)(b), unless the Minister is satisfied that slaughter and related operations with respect to the animals to be exported pursuant to the approval will be conducted in accordance with relevant OIE recommendations.

(4) Without limiting the circumstances in which the Minister may revoke an approval given under section 5(2), the Minister may revoke the approval if:
   (a) the Minister considers that operations at the place are not being conducted in accordance with relevant OIE recommendations; or
   (b) conditions in the approval are not being complied with.

Note Section 33 of the Acts Interpretation Act 1901 provides for revocation of instruments.
Schedule 1  Places

(Section 4)

1. Bayur, Jakarta, Banten
2. Gondrong, Jakarta, Banten
3. Terpadu, Bogor, West Java
4. Depok, Jakarta, Banten
5. Z Beef, Banderlampung, Sumatra
6. Kaliawi, Banderlampung, Sumatra
7. Mabar, Medan, Sumatra
8. Jalan Stasiun, near Medan, Sumatra
9. Tani Asli, near Medan, Sumatra
10. Kota Binjai, near Medan, Sumatra
11. Mataram, West Nusa Tenggara, Lombok
12. Taliwang, West Nusa Tenggara, Sumbawa

Notes

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the Legislative Instruments Act 2003. See www.frli.gov.au.