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
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


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.


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.