

EXPLANATORY STATEMENT
DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY

Australian Meat and Live-stock (Quotas) Act 1990
Australian Meat and Live-stock Industry Act 1997
Australian Meat and Live-stock Industry
(High Quality Beef Export to the European Union)
Order 2013

Statutory Basis

Under the *Australian Meat and Live-stock (Quotas) Act 1990* and the *Australian Meat and Live-stock Industry Act 1997*, the Secretary of the Australian Government Department of Agriculture, Fisheries and Forestry (the department) may, where restrictions are imposed on exports of Australian meat, establish a scheme to allocate quota among holders of export licences.

This order is made under section 17 of the *Australian Meat and Live-stock Industry Act 1997*.

Background to Order

The European Union (EU) allows Australia to ship each financial year (1 July to 30 June) a quantity of high quality beef (HQB) to EU member countries at reduced tariff rates under a country-specific quota. The quota is managed on a cost-recovery basis by the department, which issues an order each year to ensure a fair and orderly export of HQB to the EU. The order also provides for the export of grain fed high quality beef to the EU under different quota arrangements.

For the purpose of this order, the quota year is from 1 July 2012 to 30 June 2013.

Consultation

The current quota administrative arrangements were developed in consultation with industry. Each year the order is updated to re-align the administrative and operating dates for the next quota year. These amendments are mechanical in nature and do not require additional consultation with industry.

The regulatory impact analysis conducted in line with Office of Best Practice Regulation guidelines indicates the changes would have low or no impact on businesses (ID 14738).

Summary of Order

The EU HQB quota access is for 7150 tonnes, which for administrative purposes is divided into 6650 tonnes of standard quota and 500 tonnes of non-standard quota. The orders detail the department's administrative processes for managing the quota. The management aim is to optimise the value of the HQB access for the collective benefit of the Australian beef industry.

Orders are issued each year and focus on changing the dates to fit in with the operational requirements for the next quota year.

Explanation of Amendments

1. The amendments to the dates reflect the timelines for the 2013-2014 financial year.
2. The amendment to the name of DAFF Biosecurity to 'the department' reflects the change of the departmental structure.

Human Rights Compatibility

The amendments to the Order are 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*.

The amendments to the order do not raise any human rights issues as their focus is on continuing existing administrative arrangements into the next quota year. The compatibility statement is attached.

**STATEMENT OF COMPATIBILITY FOR A LEGISLATIVE INSTRUMENT
THAT DOES NOT RAISE ANY HUMAN RIGHTS ISSUES**

Statement of Compatibility with Human Rights

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

Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Order 2013

This Legislative Instrument 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 Legislative Instrument

The European Union (EU) allows Australia to ship each financial year (1 July to 30 June) a quantity of high quality beef (HQB) to EU member countries at reduced tariff rates under a country-specific quota. The order is updated each year to continue existing administrative arrangement into the next quota year.

Human rights implications

This Legislative Instrument does not engage any of the applicable rights or freedoms.

Conclusion

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

Thomas Parnell, delegate to the Secretary of the Department of Agriculture, Fisheries and Forestry

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