

# Biosecurity Regulations Development Update

*February 2014*

## Current situation

The Biosecurity Bill 2013 (the Bill) is currently before the Queensland Parliament.

If passed by the Legislative Assembly, the new legislation would not commence immediately. Biosecurity Queensland would first need to review the many current regulations that would be repealed by the Bill and develop a single new Biosecurity Regulation.

Central to the Bill is the general biosecurity obligation. It requires any person who deals with biosecurity matter (a living thing, a pathogen such as a virus, a disease or a contaminant), deals with a carrier of biosecurity matter, or who undertakes an activity that poses or could pose a biosecurity risk to take all reasonable and practical steps to minimise the risk. In this way it extends responsibility for minimising biosecurity risks to all those who can reasonably make a contribution.

The development of the Biosecurity Regulation is an opportunity to realise the Government's commitment to reducing red tape. In some cases, specific provisions about how to meet the general biosecurity obligation may need to be included in the new Biosecurity Regulation due to the nature or seriousness of the risks that need to be minimised. However, Biosecurity Queensland will generally be proposing that prescriptive requirements are kept to a minimum in the Biosecurity Regulation. This will allow community members to use risk mitigation measures best suited to their circumstances and minimise their compliance costs.

## Consulting with stakeholders

Biosecurity Queensland will be seeking consensus between government, industry and the community about the right balance between prescriptive requirements and flexibility about how risks are minimised. It has already begun discussing with some stakeholders how various biosecurity risks could be addressed under the new legislation.

Some current arrangements may need to be transitioned into the new Biosecurity Regulation without substantial change. For example, some things will need to be in the Biosecurity Regulation to comply with a national agreement or because they are the only way to adequately address the risk.

Current arrangements proposed to be transitioned into the Biosecurity Regulation include those for fire ants, Cape York, Newcastle disease, Mediterranean fruit fly, exceptions to the ban on feeding animal matter to designated animals and aspects of the National Livestock Identification Scheme.

Over coming months Biosecurity Queensland will be confirming that relevant peak industry groups and other major stakeholders support continuing these arrangements and explaining how they may be reflected in the Biosecurity Regulations.

Biosecurity Queensland has also identified some biosecurity risks that may be addressed in a new way under the new legislation. It is forming a number of industry/government working groups to consider the costs and benefits of options for future management of these risks. Working groups



have already met in relation to banana and sugar pests and diseases and in relation to cattle tick management.

Given the general biosecurity obligation, there are some risks addressed in the current regulations that may not need to be addressed at all in the Biosecurity Regulation. Biosecurity Queensland will discuss with relevant industries how these risks could be managed in future without prescriptive regulation.

More comprehensive consultation, including public release of a Regulatory Impact Statement (RIS) for the proposed Biosecurity Regulation, will occur if the Legislative Assembly passes the Bill.