

27 April 2018

Hon Dr S Talbot MLC
Chair
Legislative Council Standing Committee on Legislation
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Dear Dr Talbot

Animal Welfare Amendment Bill 2017

Wellard Limited (Wellard) is a Licenced Exporter with major commitment to the livestock and livestock export industries through investments in purpose built, technologically advanced and modern livestock vessels, state of art registered premises and dedicated feed milling facilities.

Wellard has been a major active exporter since the company's formation in 1987. Over the past 30 years the company has invested in infrastructure that facilitates best practice in animal feeding, handling and transport and is committed to animal welfare through the supply of healthy animals to our markets. This commitment also makes commercial sense to Wellard as our animals are sold on a Cost Insurance Freight (landed) basis and we are paid for healthy animals that are supplied on a delivered weight basis.

The company is committed to continuous improvement and therefore would support legislative changes where improved animal welfare outcomes are clearly demonstrated in the context of production animal management systems. In this regard, Wellard is proud of the procedures, training and management systems that have been implemented that seek to maximise animal welfare throughout its supply chains and to identify and remedy any issues quickly and responsibly.

Furthermore, Wellard complies with both the code of practice for sheep and cattle in Western Australia developed by the Livestock and Rural Transport Association of Western Australia (Inc) (LRTAWA) and the National Animal Welfare Standards and Guidelines for livestock.

Wellard welcomes the Committee's inquiry and offers the following comments regarding the Animal Welfare Amendment Bill 2017.

As a member of the Western Australia Exporters Association (WALEA), Wellard supports the association's submission to the inquiry particularly its reservations about the credentials, proposed powers and operations of the new class of inspectors which is also reflected in the comments expressed below.

While we support the Animal Welfare Amendment Bill 2017 giving regulatory effect to the National Animal Welfare Standards and Guidelines for livestock, we do have concerns regarding the proposed new category of 'Designated General Inspectors'.

Having reviewed both the Minister's second reading speech, explanatory memorandum and the Bill there is a lack of any evidence or justification for the proposed new category of Designated General Inspectors. Nor is there sufficient explanation, in what capacity the inspectors will be authorised to operate. Furthermore, there is a lack of clarity on compliance expectations and standards or the consequences for non-compliance.

The proposed new category of inspectors appointed by the Minister differs significantly to the existing General Inspectors that are appointed by the Director General of the Department. Arguably ministerial appointments have the potential to be politicised and could jeopardise the independence and impartiality of the animal welfare regime.

The proposed powers to enter by the new category of inspectors is disconcerting and 'notice' and 'consent' by the owner/occupier to enter non-residential places and vehicles should continue to underpin the inspector's powers to enter these premises and vehicles.

We also note, that Clause 19 of the Bill amends Section 94 of the Act, which has been identified in the *Discharge of Order and Referral to Standing Committee on Legislation - Motion* as a Henry VIII clause, giving power for regulations to include provisions which can amend or repeal matters that may be inconsistent with the primary legislation. It is our firm view, that any amendment that is inconsistent with the primary legislation should always be dealt with by the Parliament and not simply delegated to the executive arm of government that again has the potential to be politicised.

Finally, we understand that the Minister for Regional Development; Agriculture and Food is in receipt of the report following the full review of the Animal Welfare Act 2002 which the Minister initiated. It is our view that the Bill should be postponed until industry stakeholders have been fully canvassed and engaged regarding the report. As an industry stakeholder we support the advancement of humane animal welfare outcomes and this is best done with open dialogue between all participants in the industry.

Should the committee require any further information please do not hesitate to contact me.

Yours sincerely



Fred Troncone
Executive Director – Operations
Wellard Limited