

INVESTIGATION OF BREACH OF ANIMAL WELFARE ACT

1099. Hon JIM SCOTT to the Minister for Local Government and Regional Development:

I refer to the complaint lodged in connection with the exporting of sheep aboard the MV *AI Kuwait*.

- (1) Did the advice received by the Director General of the Department of Local Government and Regional Government from the State Solicitor's Office identify any reasons that the conduct complained of would not constitute a breach of the Animal Welfare Act 2002; and, if so, what are the reasons?
- (2) If no to (1), why has the Department of Local Government and Regional Development subsequently sought advice from the federal Government?
- (3) Does the Director General of the Department of Local Government and Regional Development accept that the department has a duty to investigate the complaint to establish whether there has been a breach of the Animal Welfare Act 2002?
- (4) If such an investigation were to establish a breach, does the minister accept that it is the duty of the Government to prosecute those persons responsible?
- (5) Will the minister table the copy of the legal opinion obtained from the State Solicitor's Office?

Hon LJILJANNA RAVLICH replied:

I thank the member for some notice of this question.

- (1)-(4) The complaint lodged by Animals Australia in relation to the MV *AI Kuwait* is currently under consideration by the Department of Local Government and Regional Development. Before investigating the complaint it is important to first determine whether the State or the federal Government has jurisdiction over the sheep in question. If the federal Government has jurisdiction over this issue, obviously state laws will not apply.
- (5) This question asks whether I will table a copy of the legal opinion. The normal practice is that legal opinions are not tabled in the Parliament. Good try, Hon Jim Scott, but the answer is no.