



BIOSECURITY ACT 2015

Discussion Paper: Non-indigenous animals

December 2015



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Submissions on this Paper close on 12 February 2016

Email your submission to: submissions.biosecuritylegislation@dpi.nsw.gov.au

Post your submission to:
Biosecurity Bill 2015
NSW Department of Primary Industries
Locked Bag 21
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For more information

See: www.dpi.nsw.gov.au/biosecurityact

Email: submissions.biosecuritylegislation@dpi.nsw.gov.au

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Summary

The Biosecurity Act 2015 will repeal the *Non-Indigenous Animals Act 1987* (the NIA Act), which currently includes various regulatory controls and powers with respect to the introduction, movement and keeping of non-indigenous (exotic) animals.

Having considered existing management arrangements and the risks associated with non-indigenous animals, it is proposed to implement similar management arrangements using the **biosecurity registration** provisions under the Biosecurity Act.

Background Information

What is the problem?

Since European settlement, non-indigenous animal species have been introduced to Australia and, although many are considered as having beneficial aspects, some non-indigenous animals are highly invasive and damaging, resulting in serious negative impacts to the economy, environment and the wider community. Notable examples of established non-indigenous pest animals include the cane toad, fox, cat and rabbit. However, there are many other, less common non-indigenous animals which can cause adverse impacts on agriculture and the environment.

Why is it important?

Invasive non-indigenous animals threaten and impact NSW farms, parks, forests, waterways, biodiversity and catchment assets. In NSW, non-indigenous animals have contributed significantly to the extinction of at least 41 species of animals. The impact on Australian agriculture from non-indigenous animal pests is estimated to be greater than \$1 billion per annum through disease transmission, predation and competition for resources. Indirect impacts of non-indigenous animals include the potential to introduce and spread infectious exotic animal diseases such as rabies, foot and mouth disease and Herpes simian B virus.

What is the outcome we are seeking?

The desired outcome is to prevent the entry of animals with an extreme pest potential that are not presently in NSW, followed by management of species that are within the state, to prevent their escape from captivity and subsequent establishment in the environment.

Current management arrangements

The NIA Act classifies **terrestrial non-indigenous** animals into seven categories, depending on their threat to the environment, agriculture or persons, the security requirements for keeping and transporting the animals and the pest potential of animals. Generally, animals assessed as having an extreme pest potential are not permitted in NSW whilst animals assessed as having a **significant biosecurity** risk are managed through a system of licences, permits and regulations to regulate their control, importation, keeping, movement and release.

Non-indigenous animals that are considered as economically important animals, domestic animals or widespread pests which, if they escaped into the wild, would be unlikely to greatly worsen an existing threat, are not regulated under the NIA Act.

In general, to keep certain non-indigenous animals in a private capacity in NSW, a licence from DPI is required under Section 14 of the NIA Act. To transport a privately kept higher-risk controlled category non-indigenous animal in NSW, a movement permit from DPI is required under Section 19 of the NIA Act.

Proposed Management under the NSW Biosecurity Act 2015

Registration

The keeping of non-indigenous animals under the Biosecurity Act will be managed using the **biosecurity registration** provisions in the Act. These provisions require that anyone who keeps, moves or otherwise deals with a class 3b non-indigenous animal must be registered as a **registered entity** unless the keeping is for permitted exhibition purposes under the *Exhibited Animals Protection Act 1986* or permitted animal research purposes under the *Animal Research Act 1985*.

It is proposed that the only animals that will be prescribed as class 3b non-indigenous animals under the Biosecurity Act will be blackbuck, the dromedary camel and guanaco. It is also proposed that any person who wishes to keep dromedary camels in eastern New South Wales will be exempt from registration if the camels are identified with an approved permanent identifier.

American bison, Banteng and domestic water buffalo are currently listed as class 3b animals in the NIA but it is proposed that rather than requiring registration to keep these animals they will instead be regulated under the identification and traceability scheme to be prescribed in the regulations (see the Discussion Paper titled “Livestock Identification and Traceability” available at: www.dpi.nsw.gov.au/biosecurityact.)

Under the Biosecurity Act, biosecurity registration can be granted for a period of up to 5 years and can be conditional. Conditions will generally be similar to current licence conditions and can include a requirement to comply with specified standards, a requirement to carry out certain work or to put in place specified measures to manage the biosecurity risks associated with keeping the non-indigenous animal.

Matters that are likely to be considered in deciding whether to grant or renew registration include:

- the life expectancy and specialised care requirements of the animal;
- whether the number of licenses relating to certain species should be restricted;
- whether the applicant is a suitable person to keep the animal concerned;
- whether the applicant has had related licences cancelled or has breached the conditions of a relevant licence or permit;
- whether the applicant has had animal welfare or similar convictions;
- whether an application contains false or misleading information; and
- location and land ownership or leasing details where the animal is proposed to be kept.

Any licences under the NIA Act that are in force when the Biosecurity Act commences will automatically be taken as registration under the new Act and will be subject to the same conditions as under the NIA Act. Once these licences expire, renewal under the Biosecurity Act will be required.

Prohibited dealings

As well as providing for registration to keep certain non-indigenous animals, the Biosecurity Act also specifies some non-indigenous animals that *cannot* be kept. These prohibited dealings include the keeping of class 1a and 1b animals and also the keeping of class 2 and 3a animals unless kept for permitted exhibition purposes under the *Exhibited Animals Protection Act 1986* or permitted animal research purposes under the *Animal Research act 1985*.

The regulations made under the Biosecurity Act will specify which animals are classified as class 1a, 1b, 2 and 3a animals. It is proposed that these classification will generally reflect the current class 1a, 1b, 2 and 3a non-indigenous animals.

Although the keeping class 1a, 1b, 2 and 3a animals will be prohibited under the Biosecurity Act, arrangements will be put in place to allow persons who are currently authorised to keep animals categorised as class 2 and 3a animals to continue to keep those animals. This will be done via the issue of a permit under the Act.

Note: The Natural Resource Commission (NRC) is currently undertaking a review of pest animal management in NSW. A draft report is due for release by the NRC in February 2016 with a final recommendations report scheduled for June 2016. The findings and recommendations contained in the NRC's reports may affect the proposed management approach set out in in this discussion paper.

What do you think?

We value your comments on how we can improve our biosecurity system and look forward to receiving your input into this important process.

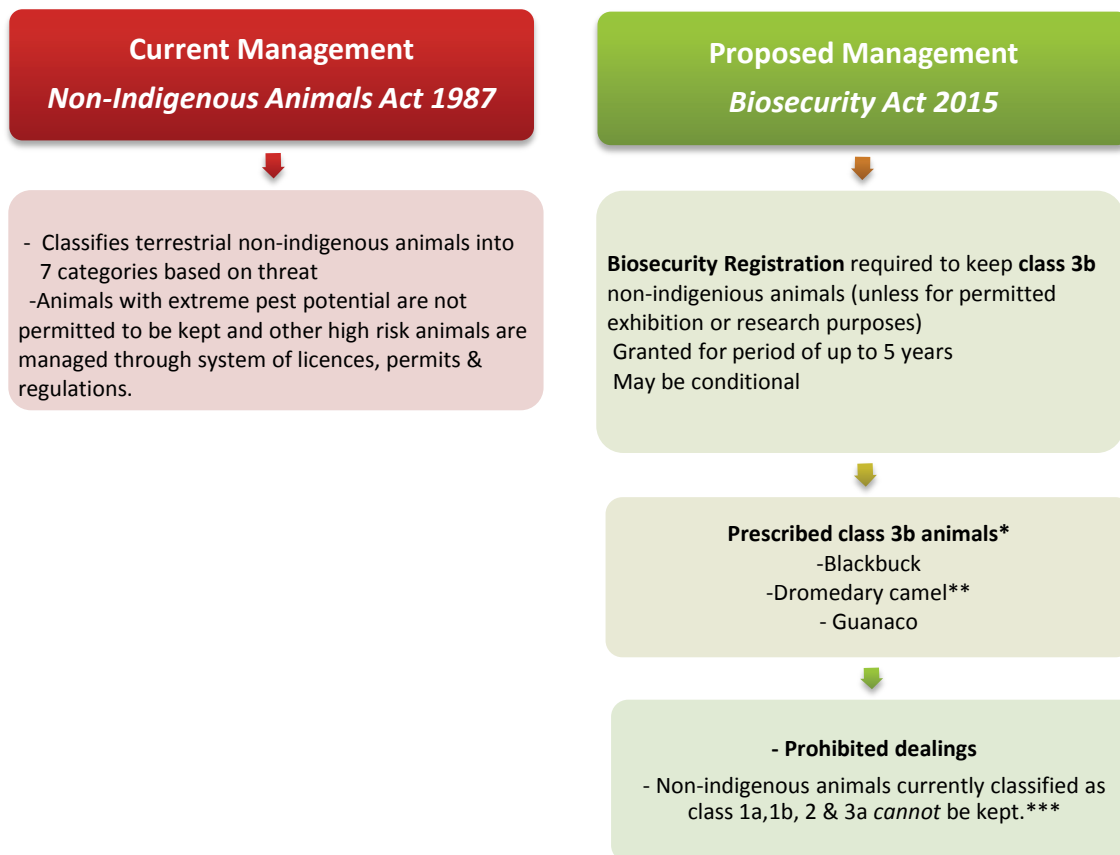
Please complete the following survey on 'Non-Indigenous Animals' at:
<https://www.surveymonkey.com/r/nonindigenousanimals>.

Alternatively, submit your feedback **by Friday, 12 February 2016** via [email](#) or post to:

Biosecurity Act 2015
NSW Department of Primary Industries
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Orange NSW 2800

For more information about the *Biosecurity Act 2015* and regulatory framework, please visit www.dpi.nsw.gov.au/biosecurityact.

Summary of current and proposed management of non-indigenous animals



*American bison, Banteng and domestic water buffalo are currently listed as class 3b animals under the *Non-Indigenous Animals Act 1987* but it is proposed that rather than requiring registration they will be regulated under the identification and traceability scheme to be prescribed in regulations (see Discussion Paper "Livestock Identification and Traceability" available at www.dpi.nsw.gov.au/biosecurityact).

**Dromedary camels exempt from registration in eastern NSW if camels have approved permanent identifier.

*** Arrangement will be made for the keeping of class 1a, 1b, 2 and 3a animals that are currently authorised under the NIA Act.

Note: Licences under the NIA Act that are in force when the Biosecurity Act commences will automatically be subject to the same conditions and upon expiration will require renewal under the Biosecurity Act.