



Department of
**Primary Industries and
Regional Development**

Summary report: Consultation on amendments to the *Biosecurity and Agriculture Management Regulations 2013*

A Wyntje, March 2019

Executive Summary

The Department of Primary Industries and Regional development (DPIRD, the Department) engaged in formal consultation with stakeholders as the final stage in developing amendments to the *Biosecurity and Agriculture Management Regulations 2013*.

The Department received no negative responses to the proposal and it is recommended that the Regulations be amended as proposed.

Introduction

The *Biosecurity and Agriculture Management Act 2007* (the Act) and Regulations 2013 (the Regulations) were implemented on 1 May 2013. During the first five years of operation a number of opportunities to improve the Regulations were identified. Amendments to the Regulations were drafted accordingly.

The proposed amendments may be divided into three key focus areas:

- 1: addressing errors and omissions;
- 2: supporting consistency in provisions and requirements; and
- 3: enabling more responsive regulation.

The Department engaged in formal consultation with stakeholders as the final stage in developing the amendments.

The consultation process

Formal consultation regarding the proposed amendments to the Regulations was carried out for a period of three weeks (from 8 February until 1 March 2019).

The business areas in the Biosecurity directorate identified approximately 1250 stakeholders, who were invited to comment on the proposed amendments by means of email. They were encouraged to visit the DPIRD Agriculture and Food website for information and to provide feedback.

A dedicated webpage entitled '*BAM Regulations amendments – consultation*' gave an outline of the amendments and the feedback process as well as access to the draft amendment regulations and a full explanation of the proposed amendments (the consultation paper).

The webpage also provided contact details for key personnel in the biosecurity program areas who were able to respond to queries, and provided links to the Act and current Regulations.

Stakeholders were invited to provide comments either via an online portal where they could enter comments or upload a submission, or by means of a hard-copy submission addressed to the consultation co-ordinator.

Responses and enquiries

The Department received one (1) written submission and three (3) enquiries in response to the proposed regulation amendments. The submission was received from a commercial entity that has a significant role in supporting primary industries in Western Australia.

The submission was concerned with the proposal to provide 'more responsive regulation' by establishing the facility to publish intrastate movement restrictions for potential carriers in the same manner as the Director General may currently publish import requirements. The respondent noted the Department's commitment to a communication and consultation process with relevant stakeholders prior to such publication and recommended a specific advisory committee as a facilitator for future consultation with the relevant industry.

The key personnel in the Department's biosecurity program areas reported a combined total of three enquiries regarding the proposed amendments. Two were concerned with the process of declaring an organism to be a pest (which remains unchanged), and one sought to confirm that the movement of a declared pest within a declared pest area for the purpose of controlling it remains permissible.

Discussion

DPIRD targeted a wide range of stakeholders that would likely be affected by the proposed amendments to the Regulations. Stakeholders provided no objection to, and very little comment on, the proposed amendments.

The lack of enquiries suggests that stakeholders found the explanatory material provided to support the proposed amendments to be sufficient and clear.

Although not used on this occasion, the Department's social media accounts (Facebook and Twitter) may be used in future to promote awareness of the opportunity to comment on proposed amendments.

Conclusions

Following broadly targeted consultation, the Department received no objections to the proposed amendments to the BAM Regulations.

Recommendations

It is recommended that the Department proceed with the amendment of the BAM Regulations as proposed.

Important disclaimer

The Chief Executive Officer of the Department of Primary Industries and Regional Development and the State of Western Australia accept no liability whatsoever by reason of negligence or otherwise arising from the use or release of this information or any part of it.

Copyright © Department of Primary Industries and Regional Development, 2019