



16 January 2015

Committee Secretary
Senate Standing Committees on Rural and Regional Affairs and Transport
PO Box 6100
Parliament House
Canberra, ACT 2600

Dear Senate Committee Secretary,

Thank you for the opportunity to provide a submission to the Rural and Regional Affairs and Transport Legislation Committee's inquiry into the Biosecurity Bill 2014 (and related legislation).

The ABGC congratulates the Australian Government on presenting the Biosecurity Bill and the four companion bills to the Parliament for scrutiny and debate. It is critical for Australia to have a modern legislative framework to support a world class biosecurity system and the nation had clearly outgrown the *Quarantine Act 1908*.

The ABGC understands that the Bill articulates the high level biosecurity framework that will manage pests and diseases that may cause harm to human, animal and plant health or the environment. As such, the ABGC supports the principles underpinning the legislation and understands that the supporting regulations, once developed, will contain the detail about how various parts of the legislation will be applied and enforced.

It is in this context that the ABGC would like to see officers from the Department of Agriculture continue to undertake genuine and meaningful engagement with relevant Australian industries such as the banana industry, so that they may provide feedback on the proposed content of the regulations before they are finalised. The ABGC welcomed the consultation for the review of the import risk analysis process that commenced in 2014 and would like to see it continue and expand in 2015.

Therefore, in the absence of detail (that may be contained in the new regulations), the ABGC would like to briefly outline its areas of concern with the Biosecurity Bill and flag a desire for further input:

Regional Differences

The Bill states that "A Biosecurity Import Risk Analysis (BIRA) may identify conditions that must be met to manage the level of biosecurity risk associated with the goods, or class of goods, to a level that achieves the ALOP for Australia".

The ABGC is concerned that the generality of this clause, when combined with the regulation, could allow BIRAs to stipulate import conditions that would allow the importation of goods into certain parts of Australia on the basis that

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the risk of spreading pests and diseases for that region were not high. The ABGC strongly objects to the development of regional import conditions that would allow the importation of fruit into certain states or zones within Australia as there is no way to monitor or restrict the movement of fruit from one state to the next. This responsibility would fall to the state government jurisdictions that do not have the resources – either people or money – to police and enforce such movement. It is not acceptable to suggest that the protection of a domestic industry from exotic pests and diseases will rely upon the public's goodwill to appropriately dispose of fruit when travelling interstate or between restricted zones. Given that bananas are the single most commonly purchased item in Australian supermarkets, the ABGC considers both the likelihood and consequence of the travelling public transferring disease into commercial growing regions as high.

Inspector-General of Biosecurity and Eminent Scientists Group

While the role of the Inspector-General for Biosecurity is referenced briefly in Minister Joyce's second reading speech, there are no details provided in the Bill about the position's role and responsibilities. Like many aspects of this legislation, it is assumed that the details will be contained in the relevant regulation(s). The ABGC is very interested in the role of Inspector-General and its relationship to the Eminent Scientists Group (ESG) and would seek to have further discussion about it with the relevant officers prior to the finalisation of the regulation(s). The ABGC is a strong advocate for ensuring that the scientific integrity of the BIRA process is not undermined or influenced by trade-based pressures. Further the ABGC believes that the role of the ESG in BIRAs must be maintained and strengthened.

Yours sincerely

Jim Pekin
Chief Executive Officer