

Exotic Diseases in Animals and Another Regulation Amendment Regulation (No. 1) 2015

Explanatory Notes for SL 2015 No. 58

made under the

Exotic Diseases in Animals Act 1981
Stock Act 1915

General Outline

Short title

Exotic Diseases in Animals and Another Regulation Amendment Regulation (No. 1) 2015

Authorising law

Section 47 of the *Exotic Diseases in Animals Act 1981*
Section 48 of the *Stock Act 1915*.

Policy objectives and the reasons for them

The objective of the subordinate legislation is to provide for the prescription of a number of diseases to enable a more rapid response to a number of exotic diseases of concern if they are detected in Queensland. These amendments will assist in the facilitation of international trade with countries requiring proof of freedom from some of these diseases by providing a basis for ensuring appropriate export certification.

Amendments to the *Exotic Diseases in Animals Regulation 1998*

The *Exotic Diseases in Animals Act 1981* provides for the prescription of exotic diseases. Schedule 2 to the Act includes a definition of exotic disease to include any other disease prescribed by regulation to be an exotic disease.

The subordinate legislation amends the *Exotic Diseases in Animals Regulation 1998* by prescribing a number of exotic diseases for the purposes of the Act.

Exotic diseases, such as Ebola virus and Middle Eastern Respiratory Syndrome (MERS), are zoonotic diseases which cause fatalities in humans. The Ebola outbreak in West Africa is the largest in history affecting multiple countries in West Africa. The translocation of Ebola,

MERS and similar diseases can be facilitated through the global travel of a person carrying the disease. Animals which come in contact with a person carrying the disease can act as vectors if they contract the disease. In the event of an animal contracting one of these diseases, it is important Biosecurity Queensland has the necessary power to be able to deal with it.

Schmallenberg virus causes congenital malformations and stillbirths in ruminants including cattle, sheep, goats, and possibly alpaca. Transmission in animals is by insect vectors (e.g. biting midges) and to offspring during pregnancy. If introduced to Australia, it could have significant impacts on the productivity of key industries and access to export markets. A number of countries, such as Russia, Ukraine, Kazakhstan, Egypt, Mexico and the United States, have banned imports of live cattle, germplasm, embryos and semen from affected countries following recent European outbreaks. There is currently no specific treatment for Schmallenberg virus.

Porcine epidemic diarrhoea virus (PEDV) is a highly infectious gastrointestinal infection of pigs that causes abortions and significant illness and death (up to 50 per cent) in piglets. It is spread by the faecal-oral route. PEDV is not known to be zoonotic and is not known to have any potentially harmful public health impacts. If introduced to Australia, PEDV is expected to have significant impacts on the pig industry and it would restrict access to both domestic and international markets.

Enzootic abortion in ewes is caused by the bacteria *Chlamydophila abortus*. It is the most frequently diagnosed cause of abortion in sheep in the United Kingdom with it causing abortion storms in naïve (unexposed) flocks. If established in Australia, it is likely to result in a significant economic cost in terms of reduced productivity. It is of zoonotic importance due to its potential to cause serious infection and abortion in pregnant women.

Mediterranean Theileriosis (*Theileria annulata*) is a tick borne disease of cattle which may cause up to 90 per cent mortality rates in affected animals. It is widely distributed in north Africa, the Mediterranean coastal area, the Middle East, India, the former USSR and Asia. It is exotic to Australia and listed on the national notifiable diseases list.

Amendment to the *Stock Regulation 1988*

The *Stock Act 1915* (Schedule 2) provides for the prescription of both prescribed diseases and notifiable diseases by regulation.

The subordinate legislation amends the *Stock Regulation 1988* by prescribing both Avian metapneumovirus (turkey rhinotracheitis) and Epizootic haemorrhagic disease (EHD) as a prescribed and a notifiable disease.

Avian metapneumovirus is exotic to Australia and induces an acute, highly contagious infection of the upper respiratory tract of turkeys and chickens. Morbidity in birds of all ages may reach 100 per cent and mortality may be 1–30 per cent depending on age and constitution of the flock as well as secondary infections.

Some serotypes of EHD have been found in Australia but it is not known to occur in Queensland. EHD viruses can infect most wild and domestic ruminants and rare outbreaks have been reported in cattle overseas.

Although rare it is still important that there be a requirement to notify of the existence or suspicion of these diseases, so that the government can respond appropriately for trade purposes and for exclusion diagnoses.

Achievement of policy objectives

The subordinate legislation will achieve its objectives by prescribing each of the following diseases to be an exotic disease in the *Exotic Diseases in Animals Regulation 1998*:

- Ebola virus
- Enzootic abortion of ewes (*Chlamydophila abortus*)
- Mediterranean Theileriosis (*Theileria annulata*)
- Middle Eastern Respiratory Syndrome
- Porcine epidemic diarrhoea virus
- Schmallenberg virus

This will then allow the Queensland Government to exercise regulatory powers such as surveillance and control activities to prevent the spread of the diseases if they are detected in Queensland.

The subordinate legislation will also amend Schedules 1 and 6 of the *Stock Regulation 1998* to prescribe both Avian metapneumovirus and Epizootic haemorrhagic disease as a prescribed and a notifiable disease. This will provide the means of the Queensland Government to exercise regulatory means to prevent the spread of disease and require a prescribed person such as an owner or a veterinarian to report any cases of the diseases once they become aware of it.

Consistency with policy objectives of authorising law

The subordinate legislation is consistent with the main policy objectives of the *Exotic Diseases in Animals Act 1981* (EDIA) and the *Stock Act 1915*.

The objectives of the EDIA are:

- to provide for the control, eradication and prevention of exotic diseases in animals,
- the compensation of owners for loss or destruction of animals and property during outbreaks of exotic diseases,
- the establishment of an exotic diseases expenses and compensation fund and for related purposes

Prescribing the diseases as exotic diseases for the purposes of the EDIA will enable the Government to control, eradicate and prevent the diseases if they are detected in Queensland and enable compensation to be provided to owners that suffer loss as a result of an outbreak of an exotic disease.

The Stock Act consolidates legislative requirements relating to diseases in stock. Prescribing both Avian metapneumovirus (turkey rhinotracheitis) and Epizootic haemorrhagic disease as a notifiable disease under the Stock Act will provide the mechanism to enable the government to regulate diseases so as to prevent the spread of disease in stock.

Consistency with policy objectives of other legislation

The subordinate legislation is not inconsistent with the policy objectives of other legislation.

Alternative Ways of Achieving Policy Objectives

Unless the diseases are prescribed as proposed, the government will have inadequate powers to deal with any outbreaks of these diseases including having no obligations for notification.

Benefits and costs of implementation

The subordinate legislation will benefit the community by reducing the potential spread of the diseases if detected by providing the Government enhanced powers to respond to any outbreaks of these diseases. It will also facilitate trade with countries requiring proof of freedom from these diseases and provide a basis for ensuring appropriate export certification can be provided.

The State Government will not incur any additional costs in the implementation of this subordinate legislation.

Consistency with fundamental legislative principles

The subordinate legislation is consistent with fundamental legislative principles.

Consultation

Consultation outside of Government on these amendments was not undertaken because the proposal is an administrative matter provided for under the relevant Acts.