

Australian Meat and Live-stock Industry (Export Licensing) Amendment Regulations 1999 (No. 1) 1999 No. 177

EXPLANATORY STATEMENT

STATUTORY RULES 1999 No. 177

Issued by the Authority of the Minister for Agriculture, Fisheries and Forestry

Australian Meat and Live-stock Industry Act 1997

Australian Meat and Live-stock Industry (Export Licensing) Amendment Regulations 1999 (No. 1)

Subsection 74(1) of the *Australian Meat and Live-stock Industry Act 1997* (the Act) provides, *inter alia*, that the Governor-General may make regulations prescribing all matters that are required or permitted by the Act to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The Australian Meat and Live-stock Industry (Export Licensing) Regulations introduced the scheme for the administration of export licensing under this Act. An applicant for an export licence must be able to satisfy the Secretary of the Department of Agriculture, Fisheries and Forestry, that the applicant is a person of integrity, competent to hold a licence and of sound financial standing.

The purpose of the amendments is to limit overly intrusive provisions, in relation to the test of integrity, as well as remove the reference to a delegate of the Secretary. These amendments are in response to a recommendation of the Senate Standing Committee on Regulations and Ordinances. The amendments also seek to ensure that by providing the applicant's date of birth at the time an application for licence is made, the applicant for a licence is correctly identified.

The Office of Regulation Review has advised that a Regulation Impact Statement is not required for this amendment.

The Regulations are amended as follows.

Regulation 1. This regulation names the Regulations the *Australian Meat and Livestock Industry (Export Licensing) Amendment Regulations 1999 (No. 1)*.

Regulation 2 This regulation provides that the Regulations commence on gazettal.

Regulation 3 This regulation provides that Schedule 1 will amend the *Australian Meat and Live-stock Industry (Export Licensing) Regulations 1998*.

Schedule 1.

Item 1. This item amends paragraph 6(1)(a) to include the date of birth of the applicant.

Item 2. This item amends paragraph 6(1)(d) to limit the offence that must be declared by the applicant to an offence for which the maximum penalty is a period of imprisonment or a fine of at least \$1000.

Item 3. This item amends paragraph 6(1)(e) to limit the offence that must be declared by the applicant to an offence for which the maximum penalty is a period of imprisonment or a fine of at least \$1000.

Item 4. This item amends paragraph 8 (a) to limit the offence that the Secretary must have regard to, to an offence for which the maximum penalty is a period of imprisonment or a fine of at least \$1000.

Item 5. This item amends paragraph 8 (b) to limit the offence that the Secretary must have regard to, to an offence for which the maximum penalty is a period of imprisonment or a fine of at least \$1000.

Item 6. This item amends paragraph 10 (2) (b) to limit the offence that must be declared by the licence holder, to an offence for which the maximum penalty is a period of imprisonment or a fine of at least \$1000.

Item 7. This item amends sub paragraph 13 (c) (i) to limit the offence that a notice of appointment of a nominee must contain to an offence for which the maximum penalty is a period of imprisonment or a fine of at least \$1000.

Item 8. This item amends regulation 14 to omit the reference to a delegate of the Secretary.

The Regulations commence on gazettal.