

## **EXPLANATORY STATEMENT**

*Australian Meat and Live-stock Industry Act 1997*

*Australian Meat and Live-stock Industry  
(High Quality Beef Export to the European Union)  
Repeal Order 2016.*

### **Legislative Authority**

*Under the Australian Meat and Live-stock (Quotas) Act 1990 and the Australian Meat and Live-stock Industry Act 1997, the Secretary of the Australian Government Department of Agriculture and Water Resources (the department) may, where restrictions are imposed on exports of Australian meat, establish a scheme to allocate quota among holders of meat export licences.*

*The Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Repeal Order 2016 (the Order) is made under section 17 of the Australian Meat and Live-stock Industry Act 1997.*

The power to make the Order was delegated by the Secretary under section 70 of the *Australian Meat and Live-stock Industry Act 1997* on 20 December 2001.

### **Purpose**

The purpose of the Order is to repeal the *Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Order 2015*.

### **Background**

The *Export Control Amendment (Quotas) Act 2015* (the Quotas Act), came into effect on 11 December 2015.

The Quotas Act introduced changes that consolidated four Acts that govern tariff rate export quotas into one Act that covers all commodities. The changes established a new section (section 23A) in the *Export Control Act 1982* that provides the Secretary with powers to make orders providing for, or in relation to, the establishment and administration of a system or systems of tariff rate quotas.

Due to the enactment of this legislation, the department is now moving all quota legislation to sit under the *Export Control Act 1982*. This will be achieved through the creation of new orders for all quotas.

The *Export Control (High Quality Beef Export to the European Union Tariff Rate Quota) Order 2016* has been issued. Therefore, the *Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Order 2015* is redundant and needs to be repealed.

## **Impact and Effect**

The Order repeals the *Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Order 2015* from 1 July 2016. The impact of the Order is minimal as a new order has been created for the European Union (EU) beef quota.

## **Consultation**

The department consulted the EU beef quota industry through their peak industry body, throughout 2015. Regular teleconferences and meetings took place to ensure industry awareness of the changes made by the *Export Control Amendment (Quotas) Act 2015*, and to ensure that the transition of existing quota arrangements under the newly created section 23A of the *Export Control Act 1982* were understood and fully supported.

The department consulted with the Office of Best Practice Regulation (OBPR) and was advised that a RIS is not required as the changes are minor and machinery in nature, OBPR ID: 19443.

The Order is compatible with human rights and freedoms recognised or declared under section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*. A full statement of compatibility is set out in Attachment A.

The Order is a legislative instrument for the purposes of the *Legislation Act 2003*.

## **Details of the *Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Repeal Order 2016*.**

### Section 1 – Name

This section provides that the name of the Order is the *Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Repeal Order 2016*.

### Section 2 – Commencement

This section provides for the Order to commence on 1 July 2016.

### Section 3 – Authority

This section provides that the Order is made under section 17 of the *Australian Meat and Live-stock Industry Act 1997*.

### Section 4 – Schedules

This section provides that each instrument specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule, and any other item in a Schedule to this instrument has effect according to its terms.

## **Schedule 1–Repeals**

### Item 1–The Whole of the Order

This item provides the repeal of the *Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Order 2015*.

**Statement of Compatibility with Human Rights**

*Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011*

*Australian Meat and Live-stock Industry  
(High Quality Beef Export to the European Union)  
Repeal Order 2016.*

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

**Overview of the Legislative Instrument**

The purpose of the *Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Repeal Order 2016* is to set out the administrative arrangements for the system of tariff rate quotas for the export of high quality beef quota goods from Australia to the European Union.

**Human rights implications**

This Legislative Instrument does not engage any of the applicable rights or freedoms.

**Conclusion**

This Legislative Instrument is compatible with human rights as it does not raise any human rights issues.

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