

House of Representatives
Supplementary Order Paper

Wednesday, 5 October 2011

National Animal Identification and Tracing Bill

Proposed amendments

Hon David Carter, in Committee, to move the following amendments:

Clause 4

Definition of **transit stop**: to omit this definition (lines 15 to 17 on page 9) and substitute the following definition:

transit stop means a NAIT location where a NAIT animal is temporarily held during transport or droving between 2 NAIT locations

Definition of **transition animal**: to omit this definition (lines 18 to 20 on page 9) and substitute the following definition:

transition animal means a NAIT animal that was born before the species or sub-group of species to which it belongs was subject to the NAIT scheme

Clause 18

Heading to *clause 18*: to omit “**and accredited entities dealing with NAIT animals**” (lines 27 and 28 on page 26).

Subclause (2): to omit this subclause (lines 5 to 8 on page 27).

Clause 19

To insert the following subclause after *subclause (4)* (after line 34 on page 27):

- (4A) Any consultation undertaken by NAIT Limited before the commencement of **subsection (3)(a)** in respect of an accreditation standard is to be treated as consultation by the NAIT organisation for the purposes of **subsection (3)(a)**.

Clause 20

Heading to *clause 20*: to omit “**providers and entities dealing with NAIT animals to provide movement information**” (lines 7 and 8 on page 28) and substitute “**providers and entities dealing with NAIT animals**”.

Subclause (1): to omit this subclause (lines 10 to 25 on page 28) and substitute the following subclauses:

- (1) The NAIT organisation may accredit—
 - (a) an entity as an information provider if the entity meets the accreditation standards that the NAIT organisation has issued for entities that apply to be accredited;
 - (b) an entity dealing with NAIT animals if the entity meets the accreditation standards that the NAIT organisation has issued for entities that apply to be accredited.
- (1A) An accreditation under **subsection (1)(b)** is for the purpose of enabling a PICA sending a NAIT animal to (or receiving a NAIT animal from) a PICA employed by the entity to qualify for any exemptions specified in regulations made under this Act with respect to the obligation to declare movement of the animal.

Subclause (5)(a)(i)(B): to omit this subsubparagraph (lines 7 to 9 on page 29) and substitute the following subsubparagraph:

- (B) an accredited entity for the purpose of **subsection (1A)**:

Clause 25

Subclause (1)(a)(iii): to omit this subparagraph (lines 6 to 8 on page 34).

Subclause (2)(b): to omit “duties” (line 14 on page 34) and substitute “functions and duties”.

Subclause (2)(c): to omit this paragraph (lines 16 to 18 on page 34).

Subclause (4): to omit this subclause (lines 22 to 24 on page 34) and substitute the following subclause:

- (4) To avoid doubt, an entity dealing with NAIT animals accredited under **section 20(1)(b)** may employ 1 or more PICAs for whom the obligations set out in **Part 3** apply under **subsection (1)(a)**.

Clause 45

Subclause (2)(b): to omit this paragraph (lines 10 and 11 on page 44) and substitute the following paragraph:

- (b) information that—
 - (i) is about an animal for which the applicant is the PICA; and
 - (ii) is not another PICA’s personal information.

Clause 46

To insert the following subclauses after *subclause (21)* (after line 31 on page 47):

- (21A) An entity dealing with NAIT animals may make an application for access to enable a particular PICA or PICAs for the entity to link into and access the NAIT information system,

individually or jointly, for the purposes of inputting and editing high-volume core data.

- (21B) The administrator must grant an application by an entity dealing with NAIT animals if—
- (a) the entity is accredited under **section 20**; and
 - (b) the linking and access do not compromise the operation of the NAIT information system.

Schedule 1

Item relating to cattle: to add (line 5 on page 124) “that are farmed or kept in captivity”.

Item relating to deer: to omit “all farmed members of the family Cervidae”(line 6 on page 124) and substitute “all members of the family Cervidae that are farmed or kept in captivity”.

Schedule 1A

Clause 2(1)(d): to omit this paragraph (lines 35 and 36 on page 126).

Clause 2(2): to omit this subclause (lines 1 to 11 on page 127) and substitute the following subclause:

- (2) The matters that may be required under **subclause (1)** must be reasonably necessary for the purpose of—
 - (a) determining whether—
 - (i) a person is duly registered as a PICA in respect of 1 or more specified NAIT locations; or
 - (ii) a person is complying with this Act, regulations made under it, or standards issued under it; or
 - (iii) a NAIT officer, a NAIT authorised person, or the Director-General should exercise other powers under this Act for the purpose of ascertaining and ensuring compliance with this Act; or
 - (b) ascertaining the movements of NAIT animals.

Explanatory note

This Supplementary Order Paper amends the National Animal Identification and Tracing Bill.

The amendments to *clause 4* refine the definitions of transit stop and transition animal.

The amendments to *clause 18* remove the references to accredited entities dealing with NAIT animals.

The amendments insert *new clause 19(4A)*, which provides that any consultation undertaken by NAIT Limited before the commencement of section 19(3)(a) in respect of an accreditation standard is to be treated as consultation by the NAIT organisation for the purposes of section 19(3)(a).

The amendments to *clause 20* clarify the NAIT organisation's accreditation function.

The amendments to *clause 25* clarify the application of the specified obligations. The amendments to *clause 45* clarify provisions relating to determinations by the NAIT information system administrator.

The amendments to *clause 46* clarify provisions relating to determinations by the NAIT information system administrator or the NAIT information system access panel.

The amendments to *Schedule 1* clarify that the references to cattle and deer are to cattle and deer that are farmed or kept in captivity.

The amendments to *Schedule 1A* clarify the provisions concerning the production of information.
