

Regulatory Burdens: Business & Consumer
Productivity Commission
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Onerous approval requirements when importing a new species

In addition to the comments already incorporated into the Annual Review of Regulatory Burdens 2010, there is further comment on the requirements of the Vertebrate Pests Committee (VPC) in relation to moving species between states and territories. At present the different states and territories conduct risk assessments in relation to the species for import. These risk assessments range in quality from “asking a few questions” to fulfilling a quantitative assessment using the Bomford model. As a result of this, one state may have a different assessment of a species’ risk potential to another state. So even though permission to import/export an animal may be received from the host state/territory, the movement of the animal may be declined by the receiving state/territory, as the animal may be deemed a risk by a different assessment process. Not being able to move an animal between the states/territories has long-term consequences for the zoo industry in Australia as it is vital for sustainable species management.

Pivotal to species selection and management is that institutions cannot work in isolation but rather must operate as part of a cooperative network. Many of the world’s zoos and aquaria work closely with each other to facilitate decisions on which species are held in which institutions and how they are managed. Breeding programs of priority species are managed as regional or global cooperative programs and participating institutions share a set of specific program objectives. The benefits of this include increased viability and sustainability of captive populations, and more opportunities to contribute to conserving wildlife. The inability to move animals between the states/territories although they have approval to be in Australia can seriously compromise a species’ management program.

The complexity of the system makes it difficult for zoos to determine the requirements for each of the transfers that they undertake. This is because each state or territory has a separate approach to risk assessment and the subsequent reporting requirements, and may also have different requirements for different species. So although approval is received from DEWHA for the animal to be imported into Australia, movement between states and/or territories may be restricted due to state requirements, although DEWHA sends its risk assessments to the states for comment during the ‘Live Import List’ process. Essentially the states and/or territories are duplicating the assessment process already conducted by DEWHA.

The Bomford model is used both by DEWHA and the states and/or territories as their quantitative risk assessment. Unfortunately the original concept behind the model has been lost by the states and territories leading to a flawed system of risk assessment. The quantitative model was designed

to be a broad sweep approach to risk assessment and to be used in conjunction with a qualitative assessment. As the states and territories are only using the quantitative assessment portion of the Bomford model, it results in a biased decision being made in relation to an animal's import/export request. This bias is skewed towards the high risk categories as the Bomford model uses the precautionary principle, meaning that if there is not sufficient information on a species then the highest risk is allocated to the species and mitigating measures, such as biosecurity and containment, are not taken into account. This places an extra burden on business as the industry is then required to request a review of the assessment and appeal the decision so that mitigating measures are accounted for, this process takes time and money to complete.

The Beale review recommended a national approach to regulation. The current system requires a quantitative risk assessment to be conducted by DEWHA for the 'Live Import List', by Biosecurity Australia for the Import Risk Analysis (IRA) and the Vertebrate Pests Committee from each State. The risk assessments conducted by DEWHA and the VPC both use the Bomford model for quantitative risk assessment.

Recommendation

To minimise the business burden in relation to risk assessment and species import, a national approach is implemented to streamline the process. There should be one point of contact for the applicant to supply the details, which then leads into two assessment streams; the first an IRA conducted by Biosecurity Australia in relation to disease potential and the second a quantitative risk assessment by DEWHA in relation to pest potential. There must be an integrated decision making process with a series of decision waypoints during the quantitative assessment process, so one stream (Biosecurity Australia or DEWHA) does not continue their assessment even though the other stream have already established that the import should not occur. If these decision waypoints are not part of this process, then one stream may waste time and money on assessments that will not lead to a successful import as the other stream have already decided against it.

Once the two quantitative assessments are completed they should then be brought together and used in conjunction with one qualitative assessment to determine the import of a species to the Commonwealth, as well as the states and territories, taking into account mitigating measures. The decision from this process should be considered final and an "authority to import given by the Commonwealth to import into Australia also authorises import into a state or territory on the same conditions" (Beale Recommendation 1). This will reduce the triplicate bureaucracy that currently exists in relation to the import and movement of animals into and around Australia.

Burden in relation to audits

A number of regulatory bodies require audits to be conducted at zoos; these include quarantine audits and licensing audits, including animal welfare (AWWS). The Beale Review (Recommendation # 28a) recommended biosecurity audits, which have been welcomed by the industry. In addition, the current review of the VPC *Guidelines for the Import, Movement and Keeping of Non-indigenous*

Vertebrates in Australia is also recommending audits of zoos. Each one of these audits is a cost to the business and many contain overlap in the information that they are auditing.

Recommendation

The Beale review recommends “reduced regulatory burdens for businesses that maintain an excellent track record of compliance with co-regulatory agreements” (recommendation #28). To ensure that there is not an excessive regulatory burden, a national body should be established which conducts site visits on behalf of the various government authorities. In this way, a zoo can request that all its audits be conducted at the same time, rather than having them spread across the year. This will reduce the cost of the audits and allow more efficiency in assessment.

An option that should be investigated is the establishment of an Australian Zoo Standards QANGO (Quasi-Autonomous Non-Governmental Organisation) which consists of members of government bodies, such as DAFF, VPC, DEWHA, and other appropriate organisations, such as the Zoo and Aquarium Association and the RSPCA. This QANGO would inspect and audit all licensed zoos and aquariums on behalf of the licensing authorities to ensure that national animal welfare standards, biosecurity requirements and VPC requirements are being met. The inspections and audits would cover re-licensing applications, as required by the authority and investigation of complaints. The licensing authority would retain the decision to issue a licence with the QANGO’s site inspection report as part of the authority’s consideration. The inspection staff would be drawn from existing state and territory departments who remain public servants seconded to the QANGO for tasking. The inspection teams may also include Zoo and Aquarium Association representatives, and RSPCA representatives, with the costs borne by the Association and the RSPCA, respectively. The QANGO could charge a fee to the licensing authority and or the applicant on a full or partial cost recovery basis. This works in line with the Beale recommendation (#28) in relation to co-regulation, using different inspectors by the same administration. This would have the added benefit of coordinated inspections for the different areas of welfare, biosecurity and other required audits, therefore cutting down the costs to an institution. Such a service could also accommodate the current burden on major institutions with quarantine facility ‘accreditation’.

Burden in relation to animal records

Currently, each State or Territory requires zoos to submit documentation in relation to animal records, often called “Animal births, deaths, movements and collections”. This documentation is submitted annually to the respective licensing body in each State or Territory. Some institutions are able to submit this documentation electronically but the majority are required to submit this data in a hand-written format using a ‘faunal’ book which allows for the original copy to be submitted to government and the duplicate copy to remain with the institution. Each species that is held by an institution must be submitted on a separate page. This requires that the institution provides the following details, hand-written on each page: species name, type of arrival, details of supplier (if any), transaction approval number, arriving sex of specimens, total sex of held specimens, identifying numbers, departure details, departure approval number, departure sex of specimens, trading name, licence approval number and permit number (if a permit species). A preliminary

analysis of the Zoo and Aquarium Association membership (16 submissions) shows that on average it takes seven (7) working days to complete the required annual reporting at an average cost to business of \$1,600. This does not account for the cost to government of having to manually enter the data once received.

In addition to this annual submission of animal records, animal movement permits are required to be submitted each time an animal is moved meaning that much of the information submitted in the annual report is a duplication of the permitting requirements submitted throughout the year. As this information is required to be submitted in a hand written paper format it places an undue burden on business, particularly those smaller institutions. In NSW, the animal records are submitted to the Animal Welfare Branch of Industry and Investment NSW and used to monitor animal transactions and any arising animal welfare issues. An employee of Industry and Investment NSW is then required to manually enter the data from the hand written books into the database.

The zoo industry works closely with each other to facilitate decisions on which species are held in which institutions and how they are managed. In order to achieve this animal records are maintained on a globally recognised database called ISIS (International Species Information System). From the industry in-house animal records (maintained on the ISIS program ARKS), zoos can extract basic biological information such as age, sex, parentage, place of birth, and circumstance of death for specimens, in addition, to movement of the animals and identifying factors. This information can be compiled and used for many different kinds of reports and analyses on the status of captive populations. At a regional level, the Zoo and Aquarium Association produces an annual Census and Plan which lists all species held by the membership, which institutions hold these species, the sex of the specimens held and the planned future holdings of the membership. This data is provided by the Zoo and Aquarium member institutions via an on-line database using their in-house animal records; the Census and Plan is then made available on-line to the membership.

Recommendation

In line with the national development of the Australian Animal Welfare Standards (AAWS), a national approach to animal records reporting should be implemented. A central database for the zoo industry needs to be developed which can be used to produce the required statutory authority reports for the various departments in the different states and/or territories. Animal record information is often required by the State or Territory Animal Welfare branches, the Vertebrate Pests Committees and Biosecurity branches. Providing this information to each statutory body that requires it is a burden on business. As the animal record information is consistent across the various sections of government, it is how each section uses it that differs, there should be a centralised database that both government and industry can access to upload and download relevant information. This centralised database could be established and maintained as part of the Australian Zoo Standards QANGO; with access fees paid by the respective statutory bodies requiring access.