

Animal Diseases (Exotic Disease Quarantine Area) Declaration 2008 (No 1)

Disallowable instrument DI2008–33

made under the

Animal Diseases Act 2005, s 19 (1) (Exotic disease quarantine area)

1. Name of instrument

This instrument is the Animal Diseases (Exotic Disease Quarantine Area) Declaration 2008 (No 1).

2. Commencement

This instrument commences on the day after notification.

3. Declaration of quarantine area

I declare that the entire area of the Australian Capital Territory is an Exotic Disease Quarantine Area.

4. Animals to which this declaration applies

The animals to which this declaration applies are horses, mules, donkeys and other animals in the Equidae family (*equines*).

5. Disease in relation to which this declaration is made

This declaration is made in relation to the Equine Influenza disease.

6. The area to which the declaration applies

The area to which this direction applies is the entire geographic area of the Australian Capital Territory.

7. Restrictions on entry to, leaving and movement within the quarantine area

- (1) The restrictions on the movement of equines into and out of the quarantine area are set out in Schedule 1.
- (2) The restrictions on the movement of equines within the quarantine area are set out in Schedule 2.
- (3) The Director of Veterinary Hygiene may issue and publish guidelines from time to time in relation to the entry, leaving and movement of equines consistent with this declaration.

8 Restrictions on sale in the ACT of animals etc

Subject to the section 7 above, the sale in the ACT of an animal, animal products or any other thing to which this declaration applies is not restricted.

9 Duration of declaration

This declaration has effect until it is revoked.

10 Dictionary

The dictionary in Schedule 3 provides definitions for terms used in this declaration.

11. Revocation of previous declaration

Disallowable Instrument DI 2007-227 (Animal Diseases (Exotic Disease Quarantine Area) Declaration 2007 (No 3)) is revoked.

Jon Stanhope MLA
Minister for the Environment, Water and Climate Change

26 February 2008

Animal Diseases (Exotic Disease Quarantine Area) Declaration 2008 (No 1) – Schedule 1

Restrictions on the movement of equines into and out of the quarantine area.

- 1.1 The movement of equines into or from the ACT is forbidden, unless it is authorised.

Movement of equines from NSW Restricted Areas or Qld Restricted Areas

- 1.2 Before moving an equine into the ACT through or from a NSW Restricted Area, or a Qld Restricted Area the person in control of the equine must request authorisation to move the equine to the ACT from the ACT Director of Veterinary Hygiene.
- 1.3 The Director of Veterinary Hygiene may authorise the entry of an equine from NSW Restricted Area, or a Qld Restricted Area if he or she is satisfied that:
- (a) the equine is not contaminated with equine influenza; and
 - (b) the equine's movement has been approved:
 - (i) under the NSW Act – in the case of an equine moving through or from a New South Wales Restricted Area; or
 - (ii) under the Qld Act – in the case of an equine moving through or from a Queensland Restricted Area.

Movement of equines from other areas

- 1.4 The entry of equines into the ACT from areas of New South Wales not referred to in section 1.2 above is authorised if the movement of the equine within New South Wales was in compliance with the requirements of any authorisation or relevant order made under the NSW Act.

Note 1: The movement of equines through NSW from other States or Territories may also require authorisation from those States or Territories.

Note 2: The movement of equines within the ACT must comply with the requirements of Schedule 2 of this declaration.

General equine movement requirements

- 1.5 A person moving an equine from any area of New South Wales into the ACT must carry proof of authorisation of the New South Wales portion of the journey for the duration of the journey through the ACT.

Movement of equines from the ACT

- 1.6 The movement of equines out of the ACT is authorised if the portion of the journey within the ACT has been authorised under Schedule 2.

Note The entry of equines into other States or Territories is subject to the requirements of those jurisdictions and the authorisation to leave the ACT might not be sufficient to permit the travelling of the animal through the other jurisdiction. Additional authorisation for the portion of the journey in the other jurisdictions may be required from the relevant State or Territory authority.

Animal Diseases (Exotic Disease Quarantine Area) Declaration 2008 (No 1) – Schedule 2

Restrictions on the movement of equines within the quarantine area.

- 2.1. The movement of equines and the holding of equine events in the ACT is forbidden, unless it is authorised.

Authorisation of the movement of equines by riding or walking within the ACT

- 2.2 The movement of equines by riding or walking within the ACT, other than riding or walking to an event, is authorised.

Authorisation of the movement of equines to events, or in vehicles generally within the ACT

- 2.3 The movement of an equine to an equine event (whether by riding, walking or moving by means of a vehicle) and the movement generally of an equine by means of a vehicle within the ACT is authorised if:

- (a) the equine that is proposed to be moved has *not* shown signs of respiratory disease (e.g. coughing, sneezing, nasal discharge, elevated temperature) for 30 days prior to its proposed movement;
- (b) a properly completed Equine Movement Statement is lodged with the Department of Territory and Municipal Services and any movement of the equine is in accordance with the conditions listed on that statement; and
- (c) the person in control of the equine retains a copy of the statement with them at all times when moving the equine.

Authorisation of the holding of equine events in the ACT

- 2.4 The holding of an equine event in the ACT is authorised if:
- (a) the organiser of the proposed equine event registers that event with the Department of Territory and Municipal Services prior to the event taking place;
 - (b) the equine event organiser permits only equines that are accompanied with signed Equine Movement Statements, or equines that are normally kept at the place of the event, to participate in the event;
 - (c) the equine event organiser obtains the Equine Movement Statement identification number for each equine that has been moved to the event on its arrival at the location where the event is to be held and records those identification numbers on an equine event participant register; and
 - (d) the equine event organiser retains the equine event participant register for at least 30 days after the conclusion of the equine event and makes that register available for inspection by any person authorised under the *Animal Diseases Act 2005*.

Animal Diseases (Exotic Disease Quarantine Area) Declaration 2008 (No 1) – Schedule 3

Dictionary

Equines – see section 4 of the declaration.

Equine event means any market, fair, sale, parade, race meeting, recreational activity, competition or other gathering comprising 10 or more equines, or any number of equines from 3 or more premises and where the equines are moved to the event and back to their premises of origin within 5 days.

Equine Movement Statement means the document entitled “Animal Diseases Act 2005 – Equine Movement Statement” available from the Department of Territory and Municipal Services at:

http://www.tams.act.gov.au/forms/animal_diseases_act_2005_movement_permit

Equine Movement Statement identification number means the unique number situated on the top of an Equine Movement Statement.

NSW Act means the *Exotic Diseases in Animal Act 1991* (NSW).

NSW Restricted Area means a NSW Restricted Area (Amber), a NSW Restricted Area (Red) or a NSW Special Restricted Area (Purple).

NSW Restricted Area (Amber) means any restricted area which at the time of the movement of the equine has been declared as such under section 15 of the NSW Act, in relation to the disease equine influenza.

NSW Restricted Area (Red) means any restricted area which at the time of the movement of the equine has been declared as such under section 15 of the NSW Act, in relation to the disease equine influenza.

NSW Special Restricted Area (Purple) means any restricted area which at the time of the movement of the equine has been declared as such under section 15 of the NSW Act, in relation to the disease equine influenza.

Person in control of the equine means the owner of the equine or the person moving the equine;

Premises includes a parcel of land, or several parcels of land which:

- (a) are contiguous with one another or are separated from one another only by a road, river, creek or other watercourse, and
- (b) constitute or are worked as a single property irrespective of whether those parcels are held under the same title or different titles or titles of different kinds.

Qld Act means the *Exotic Diseases in Animals Act 1981* (Qld).

Qld Restricted Area means the restricted area which at the time of the movement of the equine has been declared by notice issued under the Qld Act, in relation to the disease equine influenza.