

REGULATOR PERFORMANCE FRAMEWORK REPORT

DEPARTMENT OF AGRICULTURE AND FISHERIES

Under its Regulatory Performance Framework, Queensland Government regulators whose regulatory activities impact business, particularly small business, are required to publicly report annually on their regulatory performance. This document is the report of the Department of Agriculture and Fisheries (“the department”).

The 5 main areas of regulatory activity for the department are:

- Biosecurity
- Agricultural chemicals and veterinary medicines
- Animal welfare and management
- Fisheries
- Forestry.

The department also regulates a small industrial cannabis production industry and certain other matters which are not separately assessed in this report.

In 2020-21, regulatory performance for each of the department’s main regulatory activity areas has been self-assessed by the department’s business groups against each of the five model practices and supporting principles (shown in Table 1). These assessments are contained in Tables 2 to 10. The assessment using the following star rating system:

- ★ **Underdeveloped**—Significant gaps in regulator performance exist and work is required to bring activity in line with the regulator model principles.
- ★★ **Developing**—Work is being undertaken to bring regulatory activity in line with the regulator model principles.
- ★★★ **Developed**—Significant progress has been made to ensure policy and performance are in line with the regulator model principles; however, work to embed these practices is required.
- ★★★★ **Embedding**—Policy and performance are in line with the regulator model principles and embedding is underway.
- ★★★★★ **Embedded**—Policy and performance is fully embedded in line with the regulator model principles.

Two case studies—one showing an area of success and the other an area for improvement—are also included for most of the main regulatory activity areas.

Table 1 Regulator model practices and supporting principles

Regulator model practices	Supporting principles
1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden	<ul style="list-style-type: none"> • A proportionate approach is applied to compliance activities, engagement and regulatory enforcement actions. • Regulators do not unnecessarily impose on regulated entities. • Regulatory approaches are updated and informed by intelligence gathering so that effort is focused towards risk.
2. Consult and engage meaningfully with stakeholders	<ul style="list-style-type: none"> • Formal and informal consultation and engagement mechanisms are in place to allow full stakeholder input and government decision-making circumstances. • Engagement is undertaken in a way that helps regulators to develop a genuine understanding of the operating environment of regulated entities. • Cooperative and collaborative relationships are established with stakeholders, including other regulators, to promote trust and improve the efficiency and effectiveness of the regulatory framework.

Regulator model practices	Supporting principles
3. Provide appropriate information and support to assist compliance	<ul style="list-style-type: none"> • Clear and timely guidance and support is accessible to stakeholders and tailored to meet the needs of the target audience. • Advice is consistent and, where appropriate, decisions are communicated in a manner that clearly articulates what is required to achieve compliance. • Where appropriate, regulatory approaches are tailored to ensure compliance activities do not disproportionately burden particular stakeholders (e.g. small business) or require specialist advice.
4. Commit to continuous improvement	<ul style="list-style-type: none"> • Regular review of the approach to regulatory activities, collaboration with stakeholders and other regulators to ensure it is appropriately risk-based, leverages technological innovation, and remains the best approach to achieving policy outcomes. • To the extent possible, reform of regulatory activities is prioritised on the basis of impact on stakeholders and the community. • Staff have the necessary training and support to effectively, efficiently and consistently perform their duties.
5. Be transparent and accountable in actions	<ul style="list-style-type: none"> • Where appropriate, regulatory frameworks and time frames for making regulatory decisions are published to provide certainty to stakeholders. • Decisions are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions. • Indicators of regulator performance are publicly available

REGULATOR PERFORMANCE FRAMEWORK REPORT

ABOUT THE DEPARTMENT

Vision - Queensland is a world leading provider of high-quality, safe and sustainably produced food and fibre.

Purpose - To create value for Queensland by connecting industries, the community and government to grow the economy and safeguard the natural environment.

Objectives –

- Innovative and globally competitive agribusinesses accessing improved practices, data and new technologies to enhance the productivity, profitability and sustainability of food and fibre value chains
- Prosperous economies providing business and employment opportunities across diversified markets and value-added products
- A resilient sector with secure production, and value chains that can deal with natural disasters, climate change and other emerging challenges
- Consumer and community expectations for ethically produced food and fibre, a sustainable natural environment and high standards of animal welfare are met
- Capable and connected people who are high-performing, safe, healthy and supported to deliver services and achieve their potential within the department and the community.

REGULATOR PERFORMANCE FRAMEWORK REPORT

BIOSECURITY

*Biosecurity Act 2014***Nature of regulation**

Biosecurity Queensland leads Queensland Government's efforts to prevent, respond to and recover from pests and diseases threatening agricultural prosperity, the environment, social amenity and human health. This is achieved by maintaining market access, dealing with pests and diseases and reducing the risk of contamination from agricultural chemicals.

Biosecurity Queensland operates in a diverse environment comprised of many different industries and enterprises in the primary and secondary production sectors. The key piece of legislation administered by Biosecurity Queensland is the *Biosecurity Act 2014*.

Entities regulated

The *Biosecurity Act 2014* imposes obligations on everyone to take all reasonable and practical measures to deal with biosecurity risks. Biosecurity Queensland deals with this requirement through appropriate communication, education, surveillance, compliance and enforcement commensurate to the level of risk posed by the issue.

While the *Biosecurity Act 2014* applies to everyone, stakeholders who are most likely to be regulated are farmers, industries associated with farming of livestock and plant produce, and rural landowners. However, people who enter farms, rural properties and places where farm animals are kept are also regulated. Further, there are specific obligations on people who deal with prohibited matter, restricted matter or biosecurity matter identified in the legislation. The communication with stakeholders and government actions taken relating to these matters are proportionate to the risks posed.

Other obligations and offences under the *Biosecurity Act 2014* include animal tracing requirements, restrictions on feeding animals and reporting notifiable incidents such as unwell cattle or high mortalities.

The legislation applies to businesses of all sizes, to other Government departments and its entities, and to the community in general.

Legislation

- *Biosecurity Act 2014*
 - Provides a framework for an effective biosecurity system for Queensland that helps to minimise biosecurity risks.
 - Facilitates response to biosecurity events in a timely and effective way and ensures the safety and quality of animal feed, fertilisers and other agricultural inputs.
 - Ensures biosecurity matters align with national and international obligations and requirements for accessing markets for animal and plant produce.
- *Biosecurity Regulation 2016*
 - Operationalises the *Biosecurity Act 2014*, particularly around methods to meet a person's general biosecurity obligation (GBO).

Table 2 Assessment of the regulator performance for the *Biosecurity Act 2014*

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
<p>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</p> <p>★★★★★</p>	<p>Biosecurity Queensland ensures its regulatory approach both minimises the burden on regulated entities and is commensurate to risk. The commencement of the <i>Biosecurity Act 2014</i> in 2016 helped Biosecurity Queensland align its activities to the supporting principles of proportionate and informed regulatory approach and reduction of burden. The Act consolidates the requirements for issues across plant and animal biosecurity and invasive</p>	<p>In 2019–20 amendments were made to the <i>Biosecurity Act 2014</i> to protect animal production and processing facilities from biosecurity risk stemming from unauthorised access. The amendments clarified the GBO and allowed for stronger penalties to address the biosecurity risks posed by these activities, affording important protection of Queensland's \$6 billion livestock industry and the state's regional communities. In 2020-21 the</p>	<p>In 2019-20 Biosecurity Queensland modernised existing authorised officer training for the <i>Biosecurity Act 2014</i>. The training is now more accessible, relatable and current. The training was endorsed in 2020-21 and is expected to be published early in 2021-22. The updated training will ensure that new officers are well supported in continuing to achieve best practice in enforcing legislation. The GBO is one of the foundational</p>

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
	<p>species. The most stringent requirements are applied to biosecurity emergencies, given the impact that a high-risk biosecurity matter can cause to the economy, social amenity and the environment. Matters of moderate to high risk have clear obligations and restrictions applied to them, while those of low to medium risk are dealt with through other proportionate measures. This risk-based nature of the <i>Biosecurity Act 2014</i> and the GBO mean that no particular group of stakeholders is unnecessarily burdened. Everyone has an obligation to appropriately deal with biosecurity risks they know or ought to know about. The <i>Biosecurity Act 2014</i>, <i>Biosecurity Regulation 2016</i> and codes of practice provide ways in which a person must meet their obligation for specific risks.</p>	<p>frequency of unauthorised access onto these facilities has dropped dramatically, demonstrating that the extra protections have been beneficial to the community.</p> <p>The new risk based decision making approach and embedding of human rights considerations introduced in 2019-20 have been supported as standard practice in 2020-21, ensuring that regulatory practices are proportional and justifiable.</p>	<p>concepts in the Biosecurity Act and applies to everyone in Queensland. In 2019-20, Biosecurity Queensland invested in behavioural research which informs the department's ongoing investment in targeted communications and stakeholder engagement. In 2020-21, a GBO component was incorporated as part of the Biosecurity Planning App project, funded by the Australian Government. The aim was to develop a video and targeted social media tools to help promote GBO and show in practical terms on how it can apply. These tools will be available in 2021/22.</p> <p>A number of outcomes of the review of the <i>Biosecurity Act 2014</i> in 2018-19 will be progressed as legislative priorities permit, expected in 2021-22.</p>
<p>2. Consult and engage meaningfully with stakeholders</p> 	<p>Biosecurity Queensland regularly undertakes consultation with stakeholders to ensure legislative and policy decision-making best reflects the needs and expectations of regulated entities. Formal consultation mechanisms are put in place for legislative matters (i.e. creation or amendment). For other issues, including discussion of particular matters, Biosecurity Queensland leads or provides membership to a multitude of committees for a range of activities in biosecurity, animal and plant health, agvet chemical management and management of invasive species. Biosecurity Queensland has cooperative and collaborative relationships with industry, community and other government agency groups. This is reflected in the range of shared activities including cost-sharing of biosecurity responses, collaborative initiatives, and research and development projects to boost biosecurity capability and preparedness. For example, a project with the state's sea ports to boost marine pest preparedness in Queensland has been embedded as ongoing core business. Similarly, collaborative research into optimising pest detection and understanding pest spread is furthering biosecurity outcomes.</p>	<p>Biosecurity Queensland consults with key biosecurity partners at annual Biosecurity Partners forums. The forums provide a platform for biosecurity partners to collaborate on the development of action plans under the <i>Queensland biosecurity strategy: our next five years 2018-2023</i> and importantly help to further partnerships between government, industry, universities and other key groups in the biosecurity system.</p>	
<p>3. Provide appropriate information and support to assist compliance</p> 	<p>Biosecurity Queensland develops tailored communication via the department's website to clearly articulate the rules, requirements and obligations under the Biosecurity Act.</p> <p>The department is committed to ensuring that all Queenslanders have fair access to programs and services regardless of cultural, language and religious backgrounds, and physical ability. A range of materials in a variety of languages have been produced to ensure biosecurity rules and regulations can be understood by all. The department also has a language services policy and process for engaging accredited interpreters.</p> <p>Contestability and flexibility for the private sector has been fostered through</p>	<p>Public education on regulations is integral to community understanding and uptake of rules. The most cost-beneficial method of communicating to the public is through social media. In 2020-21, Biosecurity Queensland focused its efforts on expanding Instagram and newsletter subscribers resulting in a 34% and 17% increase in followers respectively. Across all social media platforms, there was a steady 4% increase in followers.</p> <p>Mission Biosecurity, an initiative by the Australian Government aims to encourage biosecurity warriors to help protect Australia from pests and diseases. This initiative provides a range of tools and resources which is</p>	<p>Biosecurity Queensland aims to continue increasing followers and engagement on social media platforms through targeted messaging and a digital advertising budget on a range of biosecurity matters, including how individuals can meet their GBO under the Biosecurity Act.</p> <p>As Biosecurity Queensland continues to facilitate a shared responsibility model with Queenslanders, the use of penalty infringement notices (PINS; on-the-spot fines) as an enforcement tool has become an important means to deter unlawful biosecurity activities and promote</p>

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
	<p>the opportunity for compliance agreements with the State and through industry accreditation schemes. These opportunities enable a person to self-manage risks associated with their business activities, leveraging industry knowledge about best practice risk management for its particular circumstances.</p>	<p>promoted by all states and territories. Biosecurity Queensland has actively promoted this messaging and tools through its social media platforms, newsletters and website, which further enhances the community's capacity to comply with regulations and achieve the objectives of the Biosecurity Act.</p> <p>Biosecurity Queensland consistently ensures timely decision-making and notification of decisions made within statutory time frames for permits, licences and other applications made by regulated entities.</p>	<p>awareness for good biosecurity outcomes.</p> <p>New PINs were approved in 2020-21 which will further enhance awareness, while giving an option to compliance officers to not be bound to the more significant impacts of taking a person to court, where appropriate.</p> <p>PINs are used sparingly alongside a culture of education and engagement. In 2020–21, 37 PINs were served for a range of biosecurity related offences under biosecurity legislation.</p>
<p>4. Commit to continuous improvement</p> 	<p>Biosecurity Queensland is continually improving the way it regulates. The review of the <i>Biosecurity Act 2014</i> in 2018–19 highlighted a range of matters for improvement, including training, communications and administration. Improvements have been made in training and communications. Commitment to continual improvement of the state's biosecurity system is also demonstrated through a collaborative governance approach under the biosecurity strategy.</p> <p>In 2014, a review of biosecurity capability was undertaken for the entire system (including internally). Biosecurity Queensland is incorporating the learnings from that review and continues to implement recommendations through a variety of capability projects to enhance internal and external capability and preparedness.</p> <p>Hosting of the strategy and action planning at annual biosecurity partner forums facilitates collaboration, discussion and shared decision-making for prioritisation of improvements to stakeholder experience and the reduction of burden.</p>	<p>Biosecurity Queensland recognised the need to update its training material for authorised officers. Instead of specific training for each piece of legislation, high-level foundational training materials have been developed covering all biosecurity legislation, providing greater clarity for authorised officers, particularly new recruits. These new materials are now approved and are expected to be released early in 2021-22.</p>	<p>A significant package of 10 training modules was developed as part of the <i>Biosecurity Act 2014</i> implementation program 3 years ago. These training packages have been updated to address issues relating to understanding of the GBO and risk-based decision-making.</p> <p>The new training was endorsed in 2020-21 and is expected to be published early in 2021-22.</p>
<p>5. Be transparent and accountable in actions</p> 	<p>Biosecurity Queensland is transparent in its actions by reporting regularly to the public on a range of issues, both specific and more general. Published biosecurity maps define the areas of biosecurity zones identified under the <i>Biosecurity Act 2014</i>. Similarly, the creation and updating of biosecurity programs is communicated to the public by notification within statutory time frames.</p> <p>Decisions made under the <i>Biosecurity Act 2014</i> are subject to both internal and external review. Templates and training have been developed for use by all decision-makers in Biosecurity Queensland. These include examples of the type and level of information that decision-makers should provide in their decisions and what is needed for a review.</p> <p>All internal reviews were completed within the required time frames. Indicators of regulatory performance by Biosecurity Queensland are communicated annually to the public.</p>	<p>Biosecurity Queensland uses its media, social media and website platforms to communicate industry best practice. In turn, these tools are also used to communicate enforcement outcomes, including fines when legislated biosecurity obligations are not met.</p>	<p>Consideration is being given to whether to publish de-identified or summarised stories on Penalty Infringement Notices that have been issued.</p>

Case study 1: – An area of success**Development of Farm Check-In tool**

During 2020-21, stakeholders across agriculture, biosecurity, resources and utility sectors were involved in the development of the Farm Check-In app. The tool was developed in conjunction with an on-farm biosecurity portal to create awareness of biosecurity risks when visitors enter agricultural properties.

This tool supports visitors in meeting their general biosecurity obligation under the Biosecurity Act 2014.

In addition to this initiative, stakeholders were also given the opportunity to user-test a new reporting website to assist industry and community to report invasive pests and diseases. Titled 'Report a biosecurity pest and disease', this website has streamlined existing forms and adding a range of new forms to make it easier to report a pest or disease.

This work was funded by the Australian Government as part of the Small Business Regulatory Reform initiative.

Case study 2: – An area for improvement [being worked on]**Review of Biosecurity Act 2014**

In 2019 Biosecurity Queensland finalised the review of the *Biosecurity Act 2014*. The review produced a suite of recommendations for proposed Biosecurity Act amendments to reduce regulatory burden. A number of these were raised by affected stakeholders.

The proposed Act amendments were planned for possible inclusion in a Bill in 2020-21, however due to the government COVID-19 response and re-evaluated government priorities, this work has been delayed.

At this time, preparation for the Bill is expected to begin in 2021-22.

REGULATOR PERFORMANCE FRAMEWORK REPORT***Drugs Misuse Act 2986 (part 5B)*****Nature of regulation**

Part 5B of the *Drugs Misuse Act 1986* provides the licensing framework for industrial cannabis (hemp) and allows for commercial production, seed handling and research into the commercial production of industrial cannabis fibre and seed, including the growing of industrial cannabis for food for human consumption. Growing industrial cannabis outside of this licensing framework is otherwise illegal.

Industrial cannabis contains low levels of the psychoactive compound tetrahydrocannabinol (THC) and presents little value as a narcotic. It is, however, visually indistinguishable to the untrained eye from cannabis that contains higher levels of THC, which creates a number of risks. All varieties of cannabis contain some level of THC and, while unlikely, industrial cannabis could potentially be diverted to the recreational drug market. This risk is increased with research cannabis, due to licensees being authorised to possess cannabis with a THC content over 1 percent.

Part 5B of the *Drugs Misuse Act* mitigates these risks by ensuring that commercial production, seed handling and research of industrial cannabis is carried out only by licensed individuals or corporations who are assessed as being fit and proper and otherwise eligible to hold such a licence.

Industrial cannabis is regulated as distinct from medicinal cannabis and illicit cannabis, which are regulated by the Australian Government and the Queensland Police Service, respectively.

Entities regulated

Individuals and corporations who wish to grow industrial cannabis plants and seed, handle seed or conduct research into the commercial production of industrial cannabis fibre and seed.

Legislation

Part 5B, *Drugs Misuse Act 1986*

Table 3 Assessment of the regulator performance for Part 5B, *Drugs Misuse Act 1986*

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
<p><i>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</i></p> <p>★★★★★</p>	<p>Biosecurity Queensland ensures its regulatory approach to industrial cannabis both minimises the burden on regulated entities and is commensurate to risk.</p>	<p>Risk-based decision-making principles are supported by legislation and incorporated into policies and operating procedures. Regulatory response is proportionate, based on type and level of risk and antecedent incidents.</p>	<p>Compliance and enforcement strategies are being reviewed to better align with contemporary risk management principles.</p> <p>Legislative reform is being progressed to reduce unnecessary impost on regulated entities.</p>
<p><i>2. Consult and engage meaningfully with stakeholders</i></p> <p>★★★★★</p>	<p>Biosecurity Queensland regularly undertakes consultation with stakeholders to ensure legislative and policy decision-making best reflects the needs and expectations of regulated entities.</p> <p>Formal consultation mechanisms are utilised for legislative matters in addition to informal processes for other matters.</p> <p>Biosecurity Queensland leads or provides membership to a number of national committees whose purpose is to improve and align industrial cannabis policy, regulation and compliance.</p>	<p>Biosecurity Queensland conducts consultation with key stakeholders on a regular basis, including regulators in Commonwealth and other state and territory jurisdictions.</p> <p>Biosecurity Queensland is an active member of the Australian Industrial Hemp Regulator's Network and, through this committee, is playing a central role in setting the national agenda for the regulation of industrial cannabis.</p> <p>Biosecurity Queensland leverages cooperative and collaborative relationships with other regulators to improve the efficiency and effectiveness of the regulatory framework by ensuring alignment of requirements across multiple jurisdictions and portfolios.</p>	<p>Biosecurity Queensland engages with other agencies and inter-jurisdictional counterparts, national committees and industry bodies to provide in-depth awareness about the implications of recent national and international changes to the scheduling of cannabis extracts and desirable policy and legislative changes to ensure the line between industrial and medicinal cannabis remains clear.</p> <p>Biosecurity Queensland fosters an excellent working relationship with industrial cannabis licensees from the outset and maintains that cooperative and collaborative relationship with licensees to ensure that any proposed changes to licensee activities are brought to the department's attention to allow meaningful consultation prior to the changes occurring.</p>
<p><i>3. Provide appropriate information and support to assist compliance</i></p> <p>★★★★★</p>	<p>Biosecurity Queensland provides documentation on the department's website to clarify the rules, requirements and obligations for industrial cannabis licence holders.</p> <p>Comprehensive information to address common stakeholder questions is available through the department's Customer Support Centre.</p> <p>Website content and Customer Support Centre material is reviewed and updated regularly.</p> <p>Industrial cannabis licensing and operational subject matter experts are available to provide tailored information to stakeholders to assist with compliance by regulated entities.</p>	<p>Biosecurity Queensland consistently ensures timely decision-making and notification of decisions made within statutory time frames for licence and other applications made by regulated entities.</p> <p>Biosecurity Queensland actively engages with regulators of other jurisdictions regarding industrial cannabis related matters to ensure the provision of consistent advice.</p> <p>Regulatory approaches are tailored, where possible, so that stakeholders are not unnecessarily burdened.</p>	<p>Industrial cannabis licensing and operational subject matter experts determine appropriate compliance activities, particularly where licence conditions vary between licensees due to differing research or production circumstances.</p>
<p><i>4. Commit to continuous improvement</i></p> <p>★★★★★</p>	<p>Biosecurity Queensland is continually improving the way it regulates industrial cannabis and leads or provides membership to a number of national committees whose purpose is to improve and align industrial cannabis policy, regulation and compliance.</p> <p>Biosecurity Queensland is an active and leading participant in the review and development of policy to underpin legislation at the national level.</p> <p>This ongoing contribution and leading role in identifying and resolving policy issues at the national level highlights the department's commitment to progressive and appropriately risk-based continuous improvement of regulation.</p>	<p>Biosecurity Queensland, in collaboration with regulators in other jurisdictions, has recently considered the best approach to industrial cannabis regulatory activities and policy in light of international and national changes to the scheduling of cannabis extracts and is considering whether reform of regulatory activities is required.</p> <p>Additional reforms are being considered to allow greater access to agronomic analysis services and information sharing which would facilitate better outcomes for regulated entities and the community more broadly.</p> <p>Biosecurity Queensland continues to review and update high-level foundational training materials to provide greater clarity for authorised officers, particularly for new recruits.</p>	<p>Biosecurity Queensland continues to collaborate with Commonwealth and State and Territory counterparts to ensure the approach to regulatory activities is risk-based, takes account of modern innovation, and achieves intended policy outcomes.</p> <p>Consideration is being given to developing a targeted training package to upskill authorised officers who work in industrial cannabis compliance.</p>

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
		Biosecurity Queensland is considering the need for additional training resources.	
<p data-bbox="108 311 312 360"><i>5. Be transparent and accountable in actions</i></p> 	<p data-bbox="416 311 751 439">Indicators of regulatory performance for industrial cannabis legislation administered by Biosecurity Queensland are communicated on an annual basis to the public.</p> <p data-bbox="416 450 735 577">Information regarding regulatory decision-making processes and timeframes are published on the department's website and identified on approved forms.</p> <p data-bbox="416 589 751 714">Regulatory decisions are made and the decisions and reasons for them are communicated to stakeholders, in a clear and concise manner and in line with statutory timeframes.</p>	<p data-bbox="778 311 1114 495">Biosecurity Queensland consistently ensures regulatory decisions regarding industrial cannabis matters are made and notified within statutory timeframes and that the underlying reasons for decisions made are clearly articulated.</p> <p data-bbox="778 506 1098 678">Biosecurity Queensland regularly reviews the information on the department's website to ensure it continues to clarify the rules, requirements and obligations for all industrial cannabis licensees in Queensland.</p> <p data-bbox="778 689 1098 898">Where changes to regulatory requirements are anticipated, Biosecurity Queensland provides information about the changes via targeted communication channels and ensures affected stakeholders understand the new requirements and transitional arrangements.</p>	<p data-bbox="1141 311 1485 517">Biosecurity Queensland meets with the Queensland Police Service and other state and territory regulators to ensure consistency and accountability across ministerial portfolios and jurisdictional boundaries, ensuring certainty of regulatory requirements to stakeholders.</p>

Case study 1: – An area of success

Australian Industrial Hemp Regulator's Network (AIHRN)

Biosecurity Queensland played an integral role in the establishment of the Australian Industrial Hemp Regulator's Network (AIHRN). This was demonstrated by taking an early lead role in chairing the committee for 18 months and by now providing two members who continue to represent Queensland on the committee.

The primary aim of the AIHRN is to develop a regulatory network across Australian government jurisdictions to facilitate the mutual sharing of knowledge, ideas, and innovation relating to the regulation and development of the industrial cannabis industry in Australia. This is achieved by providing a mechanism for state and territory governments to coordinate their regulatory efforts and responsibilities, ensuring the safe and smooth operation of an industrial cannabis industry across jurisdictions, and to facilitate the ongoing development of an industrial cannabis industry in Australia.

The value of the AIHRN was recently emphasised when international and national changes to the scheduling of cannabis extracts occurred, impacting on the delineation between industrial and medicinal cannabis regulation in Australia. The AIHRN and other national committees were central in addressing the changes and ensuring clarity for cannabis licensees across all state and territory jurisdictions.

Case study 2: – An area for improvement [being worked on]

Review of the industrial cannabis legislation

Biosecurity Queensland (BQ) is continually looking at opportunities to improve the regulatory framework for the industrial cannabis industry in Queensland. Following a recent review of the industrial cannabis legislation and a targeted industry/stakeholder consultation process via a regulatory impact statement, BQ is currently looking at implementing some of the key legislative and policy changes in the next 12-18 months.

An example of the changes BQ are considering is amending the legislation to broaden the scope for agronomic analysis available for licensed industrial cannabis growers in Queensland. Through the consultation process, stakeholders were given the opportunity to provide feedback on the types of analysis sought and what requirements might be appropriate for each type of analyst. Such changes are anticipated to make the commercial industrial cannabis industry more sustainable and allow BQ to manage risks associated with a policy change of this nature.

REGULATOR PERFORMANCE FRAMEWORK REPORT

AGRICULTURAL CHEMICALS AND VETERINARY MEDICINES

Nature of regulation

Agricultural chemicals and veterinary medicines (agvet chemicals) include all chemical products registered by the Australian Pesticides and Veterinary Medicines Authority (APVMA).

The use of agvet chemicals is regulated to minimise risks to agriculture, health, the environment, and trade. agvet chemical products must be used responsibly and safely. In general, only registered agvet chemical products are to be used and instructions on the APVMA approved product label must be followed. Appropriately choosing and using agvet chemicals protects against loss of markets due to chemical residues in produce, health and safety impacts, resistance in target pests and environmental impacts.

The *Chemical Usage (Agricultural and Veterinary) Control Act 1988* facilitates this by controlling the use of certain chemicals and the use of substances in or on which there is a chemical residue. Among other things, this Act requires all users of agricultural and veterinary chemicals to use chemicals as prescribed and as per the instructions on the approved label to ensure unsafe use is minimised.

The *Agricultural Chemicals Distribution Control Act 1966* controls the distribution of agricultural chemicals from aircraft and ground equipment. This Act ensures that agvet chemicals are distributed responsibly by trained and licensed individuals so that unsafe use is minimised.

Entities regulated

- All users of agvet chemicals and licensed operators of equipment used to distribute agvet chemicals
- Businesses of all sizes and the community in general

Legislation

- *Chemical Usage (Agricultural and Veterinary) Control Act 1988*
- *Agricultural Chemicals Distribution Control Act 1966*

Table 4 Assessment of the regulator performance for agvet chemicals

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
<p>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</p> <p>★★★★</p>	<p>Biosecurity Queensland ensures its regulatory approach to agvet chemicals both minimises the burden on regulated entities and is commensurate to risk.</p>	<p>Risk-based decision-making principles are supported by legislation and incorporated into policies and operating procedures. Regulatory response is proportionate, based on type and level of risk and antecedent incidents.</p>	<p>Compliance and enforcement strategies are being reviewed to better align with contemporary risk management principles and in light of changes to regulatory activities as a result of the Covid-19 pandemic. Legislative reform is being progressed to reduce unnecessary impost on regulated entities.</p>
<p>2. Consult and engage meaningfully with stakeholders</p> <p>★★★★★</p>	<p>Biosecurity Queensland regularly undertakes consultation with stakeholders to ensure legislative and policy decision-making best reflects the needs and expectations of regulated entities. Formal consultation mechanisms are undertaken for legislative matters (i.e. creation or amendment), in addition to informal processes. Biosecurity Queensland leads or provides membership to several national agvet chemical working groups whose charter is to improve and harmonise national policy and management issues.</p>	<p>Biosecurity Queensland conducts consultation with key stakeholders on a regular basis, including other regulators within Queensland, regulators in other jurisdictions, peak bodies and agvet chemical users. Biosecurity Queensland is an active member of the national Harmonised Agvet Chemical Control of Use Task Group (HACCUT) and through this committee is playing a key role in the national harmonisation agenda.</p>	<p>Biosecurity Queensland is leveraging cooperative and collaborative relationships with other regulators to improve the efficiency and effectiveness of the regulatory framework by ensuring alignment of requirements across multiple ministerial portfolios. Biosecurity Queensland has led the response to successive reports regarding the independent review of the national agvet chemical regulatory system and will continue to do so until finalisation of the review. In this capacity, Biosecurity Queensland has engaged directly with other Queensland Government agencies</p>

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
			and inter-jurisdictional counterparts, national agencies and committees, and peak industry bodies to provide comprehensive knowledge and insights about the implications of proposed reforms. Biosecurity Queensland has prepared appropriate responses to review reports to influence policy outcomes in line with stakeholder feedback.
<p data-bbox="108 490 357 562">3. Provide appropriate information and support to assist compliance</p> 	<p data-bbox="395 490 746 730">Biosecurity Queensland provides significant documentation on the department's website to clarify the rules, requirements and obligations for all agvet chemical users in Queensland. Comprehensive information to address common stakeholder questions is available through the department's Customer Support Centre.</p> <p data-bbox="395 741 746 920">Agvet chemical and contaminant subject matter experts are available to contribute to compliance activities, including providing technical information to stakeholders about chemicals and contaminants to assist compliance by regulated entities.</p> <p data-bbox="395 931 746 1010">Website content and Customer Support Centre material is reviewed and updated regularly.</p>	<p data-bbox="775 490 1126 640">Biosecurity Queensland consistently ensures timely decision-making and notification of decisions made within statutory time frames for permits, licences and other applications made by regulated entities.</p> <p data-bbox="775 651 1126 864">Biosecurity Queensland actively engages with other Queensland regulators regarding agvet chemical related matters to ensure the provision of consistent advice. Regulatory approaches are tailored, where possible, so that stakeholders are not unnecessarily burdened.</p>	<p data-bbox="1155 490 1487 752">Biosecurity Queensland continues to increase the number of Facebook followers through digital targeting on a range of biosecurity matters including the responsible use of agvet chemicals. Targeted social media campaigns are undertaken to provide updates to relevant stakeholders when regulatory requirements change.</p> <p data-bbox="1155 763 1487 987">Biosecurity Queensland regularly works with the Department of Environment and Science (DES), Queensland Health (QH), and Workplace Health and Safety Queensland to develop joint messaging of requirements where the respective legislative portfolios have complex interactions.</p>
<p data-bbox="108 1016 357 1088">4. Commit to continuous improvement</p> 	<p data-bbox="395 1016 746 1196">Biosecurity Queensland is continually improving the way it regulates and leads or provides membership to several national agvet chemical working groups whose charter is to improve and harmonise national policy and management issues.</p> <p data-bbox="395 1207 746 1592">Biosecurity Queensland is an active and leading participant in the review and development of policy to underpin agvet chemical legislation at the national level. Its ongoing contribution to the Harmonised Agvet Chemicals Control of Use Task Group (established to oversee the implementation of the national agvet chemical reform agenda) and leading role in identifying and resolving issues with national review reform proposals highlights commitment to progressive and appropriately risk-based continuous improvement of regulatory activities.</p>	<p data-bbox="775 1016 1126 1167">Biosecurity Queensland is committed to implementing all nationally agreed reforms for agvet chemical regulation within agreed time frames and has made significant progress in this regard.</p> <p data-bbox="775 1178 1126 1469">Further reform is also being progressed through consolidation of the agvet chemical legislation in Queensland. Biosecurity Queensland delayed the progression of this work to allow consideration of recommendations of the independent review of the national agvet chemical regulatory system, ensuring that the legislative reform is developed using the best approach to achieving desired policy outcomes.</p> <p data-bbox="775 1480 1126 1682">Biosecurity Queensland has reviewed and updated high-level foundational training materials covering biosecurity legislation to provide greater clarity for authorised officers, particularly for new recruits. Biosecurity Queensland is considering the need for additional training resources.</p>	<p data-bbox="1155 1016 1487 1424">Biosecurity Queensland continues to implement nationally agreed reforms, having significantly progressed a sunset review of the <i>Agricultural Chemicals Distribution Control Regulation 1998</i>. A review of the approach to regulatory activities and collaboration with stakeholders was undertaken to ensure any replacement regulation is appropriately risk-based, leverages technological innovation, and remains the best approach to achieving policy. A replacement regulation is expected to commence in 2021-22.</p> <p data-bbox="1155 1435 1487 1570">Consideration is being given to developing a targeted training package to upskill authorised officers who work in agvet chemical compliance.</p>
<p data-bbox="108 1688 357 1760">5. Be transparent and accountable in actions</p> 	<p data-bbox="395 1688 746 1816">Indicators of regulatory performance for agvet chemical legislation administered by Biosecurity Queensland are communicated on an annual basis to the public.</p> <p data-bbox="395 1827 746 1962">Information regarding regulatory decision-making processes and timeframes are published on the department's website and identified on approved forms.</p> <p data-bbox="395 1973 746 2096">Regulatory decisions are made and the decisions and reasons for them are communicated to stakeholders, in a clear and concise manner, in line with statutory timeframes.</p>	<p data-bbox="775 1688 1126 1850">Biosecurity Queensland consistently ensures regulatory decisions regarding agvet chemical matters are made and notified within statutory timeframes and that the underlying reasons for decisions made are clearly articulated.</p> <p data-bbox="775 1861 1126 2134">Biosecurity Queensland regularly reviews the information on the department's website to ensure it continues to clarify the rules, requirements and obligations for all agvet chemical users in Queensland. Where changes to regulatory requirements are anticipated, Biosecurity Queensland provides information about the changes via targeted communication channels and</p>	<p data-bbox="1155 1688 1487 2134">Biosecurity Queensland has made major changes to systems which support the processing of licenses under the <i>Agricultural Chemicals Distribution Control Act 1966</i>. These changes allow stakeholders to receive decisions about licence applications in a timelier manner, usually within 24 hours rather than up to 14 days as was previously the case. These changes also allow for applications, supporting information and decisions to be linked and recorded more efficiently, and for decisions to be communicated to stakeholders without delay, ensuring transparency and accountability is maximised both</p>

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
		ensures affected stakeholders understand the new requirements and transitional arrangements.	at the time a decision is made and for maintaining records of decisions.

Case study 1: – An area of success

Responding to the *Independent review of the agvet chemicals regulatory framework*

Biosecurity Queensland leveraged cooperative and collaborative relationships with other Queensland Government regulators, and regulators in other State, Territory and Commonwealth jurisdictions, to develop comprehensive responses to an issues paper and draft report for the *Independent review of the agvet chemicals regulatory framework*.

The responses identified a number of issues with proposed reforms which have the potential to fragment the existing alignment of requirements across multiple ministerial portfolios and multiple jurisdictions. Alternative suggestions to improve the efficiency and effectiveness of the regulatory framework by maintaining and further aligning requirements were well received by other regulators, peak industry bodies and other stakeholders who are likely to be affected by any changes to the regulatory system as a result of the review.

In the same vein, Biosecurity Queensland continues to lead the development and coordination of an appropriate response to the final report of the review. In this capacity, Biosecurity Queensland has engaged directly with other Queensland Government agencies and our inter-jurisdictional counterparts, national agencies and committees, and peak industry bodies to provide comprehensive knowledge and insights about the implications of proposed reforms. In doing so, Biosecurity Queensland is able to influence policy outcomes to ensure alignment with regulator model practices such as minimising unnecessary burden on regulated entities, not placing disproportionate burden on particular stakeholders, improving the efficiency and effectiveness of the regulatory framework, and focusing effort toward risk.

Case study 2: – An area for improvement [being worked on]

Consolidation of agricultural and veterinary chemical legislation in Queensland

While the department is making excellent progress on making amendments to give effect to the nationally agreed harmonised record-keeping and training requirements, a holistic review of Queensland agvet legislation is expected to provide great benefit for both the regulator and regulated alike.

The department is considering the consolidation of Queensland agvet chemical legislation, namely the *Chemical Usage (Agricultural and Veterinary) Control Act 1988* and the *Agricultural Chemicals Distribution Control Act 1966*, into a single piece of legislation.

It is anticipated that approaching the review and update of Queensland agvet legislation holistically, rather than piecemeal as separate pieces of legislation, will provide the greatest opportunity to maximise regulator model practices and supporting principles

ANIMAL WELFARE AND MANAGEMENT

ANIMAL WELFARE

Animal Care and Protection Act 2001

Nature of regulation

Animal welfare is an important issue for the community both locally and internationally.

Queensland Government is committed to ensuring the welfare of all animals in Queensland and the reputation of Queensland's animal industries

Queensland's animal welfare laws include the *Animal Care and Protection Act 2001* (ACPA) and the Animal Care and Protection Regulation 2012. Biosecurity Queensland is the lead agency for the administration of the ACPA and Regulation and works in partnership with RSPCA Queensland Inc. to provide animal welfare services.

Entities regulated

In Queensland, all persons and organisations that own, care for and use animals for a variety of purposes (including food, fibre, work, education, recreation, companionship, entertainment and scientific purposes) are subject to the provisions of this legislation.

Legislation

The ACPA provides the regulatory framework to ensure the welfare of animals in Queensland. The purpose of the ACPA is to:

- promote the responsible care and use of animals
- provide standards for the care and use of animals that
 - achieve a reasonable balance between the welfare of animals and the interests of persons whose livelihood is dependent upon animals
 - allow for the effect of advancements in scientific knowledge about animal biology and changes in community expectations about practices involving animals
- protect animals from unjustifiable, unnecessary or unreasonable pain
- ensure the use of animals for scientific purposes is accountable, open and responsible.

The ACPA imposes a duty of care obligation on persons in charge of animals, prohibits and regulates certain conduct, regulates certain surgical procedures and provides for the registration of certain users of animals for scientific purposes and compliance with the scientific use code.

The *Animal Care and Protection Regulation 2012* details the standards for the care and use of different animal species in Queensland. These are based on state and nationally accepted animal welfare codes of practice and standards and guidelines.

Table 5 Assessment of the regulator performance for the *Animal Care and Protection Act 2001*

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
<p>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</p> <p>★★★★★</p> <p>-</p>	<p>Biosecurity Queensland proactively monitors and reviews its animal welfare regulatory activities to ensure that they are proportionate and reasonable and address the level of risk associated with the care and use of animals in Queensland.</p> <p>The ACPA minimises the unnecessary burden on regulated parties by not affecting the application of certain other Acts including the <i>Nature Conservation Act 1992</i>, the <i>Fisheries</i></p>	<p>The Animal Welfare Advisory Board was established to provide informed advice on animal welfare matters, balancing scientific intelligence and community expectations in decision-making on regulatory matters.</p> <p>Biosecurity Queensland continues to support the ongoing process of converting existing animal welfare codes of practice into regulatory-ready animal welfare standards and guidelines. Following adoption by the agricultural ministers, the</p>	<p>Biosecurity Queensland commenced a review of the ACPA in 2020 to ensure that it remains fit for purpose after 20 years in force.</p> <p>Several Australian Animal Welfare Standards and Guidelines have been adopted into regulation and are being enforced by animal welfare inspectors appointed under the ACPA</p> <ul style="list-style-type: none"> - Land Transport of Livestock (2014) - Cattle (2021)

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
	<p><i>Act 1994, the Racing Act 2002 and the Racing Integrity Act 2016. The ACPA also aims to align with nationally endorsed standards in animal welfare through adoption of nationally agreed Australian Animal Welfare Standards and Guidelines for livestock species.</i></p>	<p>standards are implemented into Queensland legislation. Codes of practice for cattle, sheep, depots & saleyards came into effect in 2021 and implements the corresponding Australian Animal Welfare Standards.</p> <p>Biosecurity Queensland developed its own compliance and enforcement guidelines. The document outlines its strategic objectives, guiding principles, roles and responsibilities and considerations for achieving compliance.</p> <p>The Animal welfare investigations operational procedures and guidelines manual provides appointed inspectors and authorised persons with specific guidance around their powers under the ACPA.</p> <p>The Code of practice for breeding of dogs came into effect in 2018 and provides mandatory standards that a person must meet when breeding and rearing dogs.</p>	<ul style="list-style-type: none"> - Sheep (2021) - Depots and Saleyards (2021) <p>Biosecurity Queensland is chairing the Animal Welfare Task Group and is also leading two AWTG projects:</p> <ul style="list-style-type: none"> - developing new AAWS&G for slaughter establishments - reviewing land transport AAWS&G in relation to horse welfare <p>Biosecurity Queensland is a member of the Standards Writing Group and the Stakeholder Advisory Group for the development of the Australian Animal Welfare Standards and Guidelines for Poultry. Biosecurity Queensland's animal welfare investigations manual is undergoing review in 2020-21.</p>
<p>2. Consult and engage meaningfully with stakeholders</p> 	<p>Biosecurity Queensland undertakes both formal and informal consultation and engagement processes with animal industries and their advocacy groups, animal welfare groups and the general community on animal welfare issues. Animal welfare attracts a significant amount of ministerial correspondence annually.</p> <p>With nationally agreed animal welfare standards, Biosecurity Queensland recognises the importance of playing an active role in engaging with other state and territory governments and the federal Department of Agriculture to ensure the harmonisation of animal welfare outcomes nationally. It also holds regular meetings with its regulatory partner, RSPCA Queensland Inc., to discuss animal welfare policy and enforcement issues and holds ongoing training workshops for inspectors.</p>	<p>Biosecurity Queensland communicates with stakeholders and the general community through a number of methods including social media, web content, face-to-face workshops, teleconferences/meetings, written format and one-on-one meetings. It utilises existing government platforms for conducting public consultation processes. It also makes amendments to the ACPA and Regulation to ensure the legislation remains contemporary and agile to meet community and industry expectations.</p> <p>Biosecurity Queensland has established reference groups for the review of the ACPA, and the implementation of recommendations of the Independent Inquiry into Animal Cruelty in the Management of Retired Thoroughbred and Standardbred Racehorses. These groups are a means of both communicating progress on major projects to stakeholders and obtaining their expert advice to inform the projects.</p>	<p>Biosecurity Queensland is represented on a range of animal welfare-related groups, for example:</p> <ul style="list-style-type: none"> • Animal Welfare Task Group (Chair) • Animal Welfare Research, Development and Extension Group • poultry animal welfare standards and guidelines writing and stakeholder groups • National Health and Medical Research Council's Ban on Cosmetic Testing on Animals Committee • Livestock Export Animal Welfare Advisory Group • State and Territory Live Animal Exports and Animal Welfare Regulator group • Australian and New Zealand Council for the Care of Animals in Research and Teaching. <p>Biosecurity Queensland is progressing the development of Queensland standards for animals used in rodeos in consultation with key stakeholders and community groups in response to community concerns regarding certain events (calf roping and chute dogging) and animal welfare considerations generally in rodeos.</p> <p>In 2021, Biosecurity Queensland conducted a comprehensive stakeholder and public consultation process to inform the review of the ACPA, which included a survey and invitation to comment on a discussion paper. Over 2000 responses were received, including from 80 organisations representing the range of perspectives on animal welfare. Metropolitan and rural/regional stakeholders were equally represented in the response.</p> <p>In 2021, Biosecurity Queensland led a targeted stakeholder consultation process to inform the developments of amendments to the Australian Animal Welfare Standards and</p>

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
			Guidelines for the transport of livestock (in relation to horse welfare). This involved almost 250 organisations nationally.
<p data-bbox="108 331 357 409">3. Provide appropriate information and support to assist compliance</p> 	<p data-bbox="379 331 732 745">Biosecurity Queensland helps stakeholders to comply with the ACPA by providing appropriate information such as policy positions and other relevant documentation including forms, templates and fact sheets on its various websites. Stakeholders can also contact relevant officers via the department's Customer Service Centre by email or telephone and through various extension activities to make enquiries. Social media and targeted educational campaigns are used to communicate messages to ensure compliance with specific aspects of the ACPA.</p>	<p data-bbox="754 331 1128 510">Biosecurity Queensland regularly reviews existing information to ensure its currency, determines whether additional information is required, assesses the accessibility of this information and explores other avenues of communication such as social media and apps.</p>	<p data-bbox="1150 331 1485 589">Biosecurity Queensland provides novel extension activities (such as webinars) to disseminate information to key stakeholders about significant changes to the legislation. Web-based information is provided on key compliance requirements and targeted and informative social media posts are regularly posted on topical subjects.</p> <p data-bbox="1150 600 1485 835">During 2021, a range of promotional products containing simple messages about caring for animals have been developed to raise awareness particularly among school-aged children, the general public and indigenous communities about ensuring animals experience good welfare.</p>
<p data-bbox="108 842 357 898">4. Commit to continuous improvement</p> 	<p data-bbox="379 842 732 947">Biosecurity Queensland commenced a review of the ACPA in 2020 to ensure that it remains fit for purpose after 20 years in force.</p> <p data-bbox="379 958 732 1193">Biosecurity Queensland is committed to continually improving the way it regulates animal welfare in Queensland. It holds regular meetings with its regulatory partner, RSPCA Queensland Inc., to discuss animal welfare policy and enforcement issues and holds ongoing training workshops for inspectors.</p>	<p data-bbox="754 842 1128 1182">Under the <i>Agriculture and Other Legislation Amendment Act 2020</i> amendments were made to provide additional powers to inspectors to help abandoned animals. This provision will empower animal welfare inspectors to enter premises without a warrant, where an animal has been abandoned, irrespective of its condition. Before entering, the inspector must first make a reasonable attempt to locate and contact the owner of the animal or the occupier of the premises prior to entry.</p> <p data-bbox="754 1193 1128 1395">The ongoing development and implementation of the Biosecurity Online Resources and Information System and supporting policies and procedures has enabled Biosecurity Queensland to effectively and efficiently track and report on its animal welfare-related responsibilities under the ACPA.</p>	<p data-bbox="1150 842 1485 1021">Biosecurity Queensland has recruited a learning and development officer to redevelop the training package for animal welfare inspectors to ensure contemporary training and regulatory practices for inspectors appointed under the ACPA.</p> <p data-bbox="1150 1032 1485 1111">Inspector L&D includes training in 'modern regulator' best practice and administrative decision-making.</p>
<p data-bbox="108 1402 357 1458">5. Be transparent and accountable in actions</p> 	<p data-bbox="379 1402 732 1693">Biosecurity Queensland is transparent and accountable in its actions by reporting regularly to the public on a range of issues, both specific and general. To ensure regulatory decisions are made in a timely manner, the ACPA provides for legislated timelines in which a decision must be made. Decisions made under the ACPA are subject to both internal and external review.</p> <p data-bbox="379 1704 732 1939">Resources such as standard operating procedures, templates and training have been developed for use by the delegated decision-makers in Biosecurity Queensland. These include examples of the type and level of information that decision-makers should provide in their decisions and the requirements for a review.</p> <p data-bbox="379 1951 732 2096">Indicators of regulatory performance in relation to animal welfare are published in the department's annual report. Actions taken to improve regulatory activities and practices to reflect model practices.</p>	<p data-bbox="754 1402 1128 1615">Biosecurity Queensland and RSPCA Queensland Inc. have a 3-year activity agreement in place. The agreement sets out the financial support provided to RSPCA Queensland Inc. for its inspectorate as well as conditions under which both parties operate, including the requirement for an annual report.</p> <p data-bbox="754 1626 1128 1883">In 2017, Biosecurity Queensland established a memorandum of understanding (MOU) with RSPCA Queensland Inc. and the Queensland Racing Integrity Commission to ensure the appropriate sharing of information relating to animal welfare incidents and the referral of animal welfare matters that lie within their jurisdiction. The MOU was updated in 2020.</p>	<p data-bbox="1150 1402 1485 1581">All internal reviews were completed within the required time frames. Information notices (where required) were provided, outlining the decision-making process, matters taken into consideration and findings of fact.</p>

REGULATOR PERFORMANCE FRAMEWORK REPORT

Animal Management (Cats and Dogs) Act 2008

Nature of regulation

Animal welfare and management is an important issue for the community both locally and internationally.

Queensland Government is committed to ensuring the management of cats and dogs meets public safety and community expectations.

Queensland's current cat and dog management laws include the *Animal Management (Cats and Dogs) Act 2008* (AMCDA) and the *Animal Management (Cats and Dogs) Regulation 2019*. Biosecurity Queensland is the lead agency for the administration of these regulations. However, the majority of the AMCDA is enforced by local governments within their local areas.

Entities regulated

In Queensland, all persons and organisations who own or are responsible for a cat or dog, provide microchip registry services, implant a microchip in a cat or dog, spay a cat or dog, or supply a cat or dog to another person, are subject to the provisions of this legislation.

Legislation

The AMCDA provides the regulatory framework for cats and dogs in Queensland to be managed to ensure public safety and to meet community expectations.

The purpose of the AMCDA is to:

- provide for the identification of cats and dogs
- provide for the registration of dogs
- provide for the effective management of regulated dogs
- promote the responsible ownership of cats and dogs
- promote the responsible breeding of dogs.

Table 6 Assessment of the regulator performance for the *Animal Management (Cats and Dogs) Act 2008*

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
<p>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</p> <p>★★★★</p>	<p>The Queensland community expects that animals are managed in a way that ensures the safety of the public through effective control of domestic dogs.</p> <p>The AMCDA minimises the unnecessary burden on regulated parties by allowing organisations that accredit dog breeders to apply to become approved entities and, if approved, exempting their members from the statewide dog breeder registration.</p> <p>The AMCDA does not prescribe dog and cat registration fees or the number of cats or dogs that may be kept at a particular location. These are set by local governments under their local laws.</p>	<p>Biosecurity Queensland supports local governments to introduce local laws that are consistent with the AMCDA ensuring a co-regulatory approach to animal management where government sets the policy and local government provide the enforcement appropriate to their regulatory model and the needs of their community.</p> <p>It has developed regulatory policies outlining the areas of responsibility for local governments and Queensland Government under the AMCDA. It has also developed its own compliance and enforcement guidelines. The document outlines its strategic objectives, guiding principles, roles and responsibilities and considerations for achieving compliance.</p>	
<p>2. Consult and engage meaningfully with stakeholders</p> <p>★★★★</p>	<p>Biosecurity Queensland works closely with the Local Government Association of Queensland and with local governments to set binding policies that meet local government and community expectations that ensure cat and dog management regulatory activities are proportionate and reasonable and address the level of risk associated with</p>		<p>Biosecurity Queensland continues to consult extensively with Local Governments on matters important to local government in enforcement of the AMCDA.</p> <p>Biosecurity Queensland is currently progressing a regulatory amendment that will provide for all declared dogs to wear distinctive collars that will</p>

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
	<p>the care and use of these animals in Queensland. It undertakes both formal and informal consultation and engagement processes with local governments, cat and dog enthusiast groups, animal welfare groups and the general community about cat and dog management issues. Cat and dog management attracts a significant amount of ministerial correspondence annually.</p> <p>Biosecurity Queensland recognises the importance of local governments in cat and dog management. It plays an active role in engaging local governments to build networks and ensure the AMCDCA continues to meet the needs of the Queensland community. Biosecurity Queensland also attends regular meetings with local governments to discuss animal management policy and enforcement issues.</p>		<p>uniformly identify a dog as dangerous across all areas of local government.</p> <p>Biosecurity Queensland is also consulting on additional Penalty Infringement Notices (PINS) for dangerous dogs.</p> <p>Representatives from Biosecurity Queensland sit on a range of animal management-related groups, including the:</p> <ul style="list-style-type: none"> • South East Queensland Regional Animal Management Group • Dog Breeder Governance Group • Animal Registries Working Group. <p>Biosecurity Queensland regularly consults with key stakeholders to identify and prioritise amendments to the AMCDCA and associated Regulations.</p>
<p><i>3. Provide appropriate information and support to assist compliance</i></p> 	<p>Biosecurity Queensland assists stakeholders with compliance with the AMCDCA by providing information, including policy positions and other relevant documentation (such as forms, templates and fact sheets) on its website. Biosecurity Queensland regularly reviews and updates its information available to local governments on its website.</p> <p>Local government officers and other stakeholders can also contact relevant officers via the department's Customer Service Centre by email or telephone and through various extension activities to make enquiries.</p> <p>Social media and targeted educational campaigns are used to communicate specific messages to ensure compliance with specific aspects of the AMCDCA.</p>	<p>Biosecurity Queensland regularly reviews existing information to ensure its currency, determines whether additional information is required, assesses the accessibility of this information and explores other avenues of communication such as social media and apps.</p>	<p>Web-based information is provided on key compliance requirements. Targeted and informative social media posts are regularly posted on varied and topical subjects.</p> <p>Biosecurity Queensland also provides local government officers and prescribed permanent identification device (PPID) (microchip) registries with the opportunity for one-on-one discussions to help address specific issues that arise during enforcement of the AMCDCA and in achieving compliance with the AMCDCA and Regulation.</p>
<p><i>4. Commit to continuous improvement</i></p> 	<p>Biosecurity Queensland is committed to continually improving cat and dog management in Queensland.</p> <p>Biosecurity Queensland holds regular meetings with local governments and other key stakeholders to discuss cat and dog management issues. It also attends local government forums and encourages local governments to provide written submissions for legislative amendments that aim to achieve greater efficiencies for cat and dog management in Queensland.</p>	<p>Biosecurity Queensland undertook a review of the Queensland Dog Breeder Register, its functionality, whether it was meeting its objectives and to identify areas of improvement. The review was discussed with the Dog Breeder Governance Group, allowing members to have their say as to the usefulness of the Register.</p> <p>Biosecurity Queensland continues to make improvements to the Queensland Dog Breeder Register portal to facilitate dog breeders to register and renew their registration online. Those breeders unable to access the online portal continue to be contacted by mail and provided a manual registration and renewal process.</p>	<p>The Queensland Dog Breeder Register portal allows dog breeders to register and manage their registration details online. It has been extremely successful, with over 90% of dog breeders doing so through the portal, without the department's direct involvement. Biosecurity Queensland is committed to continually improving the Register.</p> <p>Currently there are 22,566 registered dog breeders in Queensland. The portal also allows the community to lodge an animal management or an animal welfare concern on the Register. These concerns are directed to the relevant local government, RSPCA or Biosecurity Queensland agency for action. Since May 2017, 268 animal welfare concerns have been lodged and actioned and 3,352 animal management concerns have been lodged and actioned.</p>
<p><i>5. Be transparent and accountable in actions</i></p> 	<p>Biosecurity Queensland is transparent and accountable in its actions. It reports regularly to the public on a range of issues, both specific and general.</p> <p>To ensure timely decisions, the AMCDCA provides legislated timelines in which a</p>	<p>Biosecurity Queensland ensures transparency and accountability in all actions through standard operating procedures and policies for compliance.</p> <p>It ensures local governments receive concerns about dog breeders entered in</p>	

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
	<p>decision must be made. Decisions are subject to both internal and external review.</p> <p>Biosecurity Queensland has assisted local governments in their responsibilities by providing resources such as standard operating procedures and templates and has provided input into training packages for local governments.</p>	<p>the Queensland Dog Breeder Register through direct referral to enhance efficiencies in regulatory action.</p> <p>Biosecurity Queensland assists local governments in being responsible for ensuring transparency and accountability in all their actions under the AMCDA and associated Regulation, by providing assistance in interpretation of them.</p>	

Case study 1: – An area of success

Queensland Dog Breeder Register

Biosecurity Queensland was recently approached by Monmouthshire County Council in Wales, United Kingdom, to discuss the Department of Agriculture and Fisheries policies and implementation of the Queensland Government dog breeder laws.

Monmouthshire County Council were initiating a model of its own to control puppy breeding. An internet search by the Council had identified Queensland's dog breeder laws as a fit-for-purpose model for regulating dog breeders through mandatory identification of breeders and the application of mandatory animal welfare standards.

Senior departmental officers met remotely with Monmouthshire County Council Trading Standards officers and provided information about the implementation of the Queensland Dog Breeder Registration model.

The Queensland Dog Breeder Register is a great example of the Government's policies being recognised on the international stage and Queensland leading the way in improving the regulation of dog breeders and ensuring the welfare of breeding dogs and their progeny.

Case study 2: – An area for improvement [being worked on]

Responding to animal welfare complaints

In February 2020, an independent inquiry into animal cruelty in the management of retired racehorses (the Martin Inquiry) made several findings on Biosecurity Queensland's handling of animal welfare complaints.

The findings highlighted opportunities to improve Biosecurity Queensland's alignment with the model practice of ensuring regulatory activity is proportionate to risk, noting that a primarily educational approach to enforcement of animal welfare laws may not meet community expectations.

Biosecurity Queensland has developed, and is in the process of implementing, a learning and development program for Biosecurity Queensland and RSPCA inspectors to enhance their knowledge and skills to effectively respond to animal welfare incidents using the full range of available education, compliance and enforcement options. Biosecurity Queensland has also aligned with the model practice of being transparent and accountable, by providing direct feedback to animal welfare complainants. In 2021, Biosecurity Queensland commenced publication of investigation outcomes online.

Biosecurity Queensland is working with industry stakeholders towards developing more mature regulatory partnerships that are more aware of community expectations and of the benefits of ethical and transparent behaviour. An animal welfare stakeholder reference group has also been established to enhance Biosecurity Queensland's ability to meaningfully consult and engage with stakeholders, including key industry stakeholders, regulatory partners and the community.

Review of the dog breeding and supply provisions of the *Animal Management (Cats and Dogs) Act 2008*

Through the review of the Queensland Dog Breeder Register, Biosecurity Queensland has identified a number of areas for improvement. Focus will be given to raising awareness within the community and with local government to improve understanding of the Register's intent and objective through a targeted and comprehensive communication campaign.

Additional refinements to the Register will be made to ensure it meets the needs of dog breeders to meet their obligations under the AMCDA and remains a fit-for-purpose tool to enable action to be taken to reduce cruel puppy breeders in Queensland.

REGULATOR PERFORMANCE FRAMEWORK REPORT

Exhibited Animals Act 2015

Nature of regulation

Exhibition of animals in Queensland has a range of economic, social and other benefits; however, there are also animal welfare, biosecurity and safety risks associated with exhibiting animals.

Queensland's laws for exhibiting animals include the *Exhibited Animals Act 2015* (EAA) and the *Exhibited Animals Regulation 2016*. Biosecurity Queensland is the lead agency for the administration of these laws and provides licencing and regulatory services to ensure those entities exhibiting animals abide by accepted practices and community expectations.

Entities regulated

In Queensland, all persons and organisations who exhibit animals are subject to the provisions of the legislation. The industry is made up of large family owned and commercial businesses operating as zoos and aquaria, smaller zoos and wildlife parks and mobile exhibitors. Additionally, licenced interstate mobile exhibitors are able to apply for and be permitted to conduct mobile exhibition in Queensland in accordance with their primary state/jurisdiction's licencing arrangements.

Legislation

The EAA provides the regulatory framework for native and non-indigenous animals that are exhibited in Queensland to be managed to ensure their welfare, there are no adverse biosecurity risks to the environment and adequate safety arrangements are in place for both animal handlers and the viewing public.

The purpose of the EAA is to:

- provide for exhibiting and dealing with exhibited animals, and
- ensure the relevant risks and relevant adverse effects associated with exhibiting and dealing with exhibited animals are prevented or minimised.

Table 7 Assessment of the regulator performance for the *Animal Management (Cats and Dogs) Act 2008*

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
<p>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</p> <p>★★★★</p>	<p>The Queensland community expects that exhibited animals are managed to a standard that safeguards their welfare, the safety of the public and that minimises any risk of escape and biosecurity threats to the environment.</p> <p>The EAA imposes a general obligation on exhibitors of animals to minimise risks to animal welfare, biosecurity and public safety.</p> <p>The general obligation applies to all exhibitors of exotic animals and native animals regardless of whether they require a licence under the legislation. Many aspects of the general obligation are clarified in standards and licence conditions.</p>	<p>Under the EAA, licence holders must submit a management plan for each species they want to exhibit. This practice provides flexibility for the applicant to determine how they wish to exhibit, identifying the relevant risks and adverse effects specific to their business model.</p> <p>A management plan must state how the licence holder proposes to exhibit and deal with the animal. This includes addressing significant risks to animal welfare, biosecurity and public safety and the adverse effects to the welfare of an animal, the health, safety or wellbeing of a person, social amenity, the economy and the environment.</p> <p>Biosecurity Queensland has developed guidelines and example management plans for various species to assist applicants and licence holders in developing their own management plans.</p> <p>The applicant is able to choose how they submit a management plan and in what format best suits their needs. The information provided must be sufficient to enable their application</p>	<p>The EAA ensures the risks of keeping exhibiting animals are identified and managed to an acceptable standard. This is especially important when non-government entities are holding, dealing with and exhibiting exotic (non-indigenous) species that can be highly dangerous, can cause unwanted impacts on Queensland's unique fauna and flora and have unique and diverse welfare needs.</p>

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
		to be assessed against the criteria required under the EAA.	
<p><i>2. Consult and engage meaningfully with stakeholders</i></p> 	<p>Biosecurity Queensland works closely with key stakeholders on regulatory measures impacting on the industry to ensure they are proportionate and meets the government priorities while addressing community expectations.</p> <p>During the initial COVID-19 pandemic restrictions, Biosecurity Queensland formed the Exhibited Animals Liaison Working Group consisting of the key stakeholder bodies – Zoo and Aquarium Association Australasia (ZAA) and the Wildlife Education Network (WEN) – and individual industry operators.</p> <p>The working group engaged in discussion on the impact of the restrictions on the industry and furthered suggested policies to reduce serious effects of the restrictions on the welfare of exhibited animals</p> <p>Through both formal and informal engagement processes, Biosecurity Queensland developed the Emergency Animal Welfare – COVID-19 Exhibited Animal Assistance Program to support positive animal welfare outcomes during the pandemic.</p>	<p>Biosecurity Queensland has recently completed a formal consultation process with the industry, broader animal welfare stakeholders and the community on the introduction of fees for licencing services under the EAA.</p> <p>Fees are required to improve regulatory activities and compliance services to ensure licencing conditions are being met to provide the community with confidence that relevant risks to animal welfare, biosecurity and safety are being addressed.</p> <p>During the COVID-19 pandemic regular industry broadcasts were provided to all authority holders on the latest Queensland Government restrictions, support packages and available information to better inform the industry of methods to ameliorate impacts of the pandemic.</p>	<p>Biosecurity Queensland will continue to consult extensively with the broader industry and interested stakeholders in providing licencing services and enforcement activities.</p> <p>Biosecurity Queensland is currently progressing policies and regulatory amendment principles to adopt national Australian Animal Welfare Standards and Guidelines for Exhibited Animals endorsed in April 2019 by the Agriculture Ministers (AGMIN).</p> <p>Biosecurity Queensland is committed to consult with industry on the draft regulatory amendment prior to its passage through government</p>
<p><i>3. Provide appropriate information and support to assist compliance</i></p> 	<p>Biosecurity Queensland assists stakeholders with compliance with the EAA by providing information, including policy positions and other relevant documentation (such as forms, templates and fact sheets) on its website.</p> <p>Biosecurity Queensland regularly reviews and updates information available to licenced authorities on its website.</p> <p>A dedicated team of Biosecurity Queensland staff provide support and technical advice on standards and licencing process to assist licence applicants with their application for authorities or for amendment to their authorities.</p> <p>New applicants, existing authority holders and the general public are able to contact relevant officers via the department's Customer Service Centre by email or telephone and through a dedicated email to make enquiries.</p>	<p>Biosecurity Queensland regularly reviews existing information to ensure its currency, determines whether additional information is required, assesses the accessibility of this information and explores other avenues of communication such as social media and apps.</p>	<p>Web-based information is provided on key compliance requirements. These are reviewed and updated regularly.</p> <p>Policies are developed and provided when issues are raised to assist authority holders in meeting their compliance obligations.</p>
<p><i>4. Commit to continuous improvement</i></p> 	<p>Biosecurity Queensland is committed to continually improving exhibited animal legislation in Queensland.</p> <p>Biosecurity Queensland regularly assesses the way it provides service to the industry and improves business processes to ensure the best possible customer experience.</p>	<p>Through customer feedback and continual improvement assessment processes, Biosecurity Queensland adjusts its activities to ensure it is as efficient and effective as possible.</p> <p>The Pest and Exhibited Animals Register database has been developed as a fit for purpose recording platform for all exhibited animal authority holders.</p>	<p>Enhancements to the Pest and Exhibited Animals Register database are ongoing as part of continuous improvement.</p> <p>Biosecurity Queensland is currently undertaking a review of all forms, notices and policies and assessing organisational needs to improve the administration of the EAA.</p>
<p><i>5. Be transparent and accountable in actions</i></p> 	<p>Biosecurity Queensland is transparent and accountable in its actions. It reports regularly to the public on a range of issues, both specific and general.</p> <p>To ensure timely decisions, the EAA provides legislated timeframes in which a decision on an application must be made. Decisions are subject to review.</p> <p>The EAA provides for review processes for persons affected by original decisions. Applicants displeased with a decision can apply for a review, firstly through an internal review process and secondly through a QCAT process.</p>	<p>Biosecurity Queensland ensures transparency and accountability in all actions through standard operating procedures and policies.</p> <p>New forms and templates are being developed that will enhance application and administrative processes.</p> <p>Policies are developed that address specific areas of animal exhibition and these are made available to authority holders.</p>	<p>All applications are completed within legislated timeframes. Applicants required to provide additional information to support an application are followed up to ensure timeframes can be met.</p> <p>Internal reviews are completed within required time frames.</p> <p>Information notices (where required) are provided, outlining the decision-making process, matters taken into consideration and findings of fact.</p>

Case study 1: – An area of success**Emergency Animal Welfare – COVID-19 Exhibited Animals Assistance Program**

The Emergency Animal Welfare COVID-19 Exhibited Animal Assistance Program (Assistance Program) provided funding to support licensed exhibitors with eligible expenses for the continued care and management of authorised animals as a result of the COVID-19 pandemic. The one-off administrative grant helped to minimise the risk of immediate animal welfare issues associated with exhibitors' financial distress.

A total of thirty-four applications were received and \$234,300 was distributed to eligible applicants.

Biosecurity Queensland's in-depth knowledge of the industry, the development of clear guidelines and ongoing consistent, simple messaging and advice provided to the industry ensured that the Assistance Program met the expectation of government and the community in minimising the impact of the novel coronavirus (COVID-19) on businesses affected by mandated closures and movement limitations set by Government.

Case study 2: – An area for improvement [being worked on]**National Animal Welfare Standards and Guidelines for Exhibited Animals**

Biosecurity Queensland has commenced legislative drafting of the Australian Animal Welfare Standards and Guidelines – Exhibited Animals (Standards and Guidelines). All state and territories have provided jurisdictional support for adoption of the Standards into relevant jurisdictional legislation and policy.

The Standards and guidelines are comprised of one general standard and five taxon specific standards for crocodilians, koalas, macropods, ratites and wombats. These were developed to ensure a nationally consistent minimum standard of care for these species across Australia. The guidelines complement the standards by providing best practice recommendations to achieve desirable animal welfare outcomes.

The Department will consult with the exhibition industry on the Standards during the legislative drafting process to ensure the standards are accurately reflected in Regulation. Implementation of the Regulation will occur as soon as possible, following consultation.

It is intended that the Regulation will apply to all exhibitors in Queensland.

REGULATOR PERFORMANCE FRAMEWORK REPORT***Brands Act 1915*****Nature of regulation**

Biosecurity Queensland administers the *Brands Act 1915*, which provides the statutory basis for livestock owners to permanently identify their livestock as their property.

Entities regulated

Livestock owners are responsible for registering brands and earmarks and obtaining branding irons and earmarking pliers. Owners must ensure that branding irons are made to the exact shape shown on the certificate of registration and that only approved paints or pastes are used (for pigs, sheep and goats). Brands and earmarks are registered to an entity. Earmarks are registered for use only within a particular district and registration is not automatically transferred with a change of property ownership.

Legislation

The *Brands Act 1915* makes branding compulsory for cattle and pigs when they are offered for sale in Queensland. Exemptions apply for approved stud cattle sales and calves under 100 kg live weight. Cattle bred, raised, fattened and slaughtered and 'sold over the hook' within one ownership are exempt from branding.

There is also exemption for cattle taken directly to slaughter from another state or territory if they have been purchased 'over the scales' at a feedlot in Queensland and are kept at a registered feedlot in Queensland until slaughter. Interstate cattle sold in Queensland must still be branded.

The *Brands Regulation 2012* prescribes the types of brands that can be registered and the fees payable for registration of these brands.

Currently there is a Minister's exemption from branding of cattle for sale in Queensland during the Covid 19 emergency period.

Table 8 Assessment of the regulator performance for the *Brands Act 1915*

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
<p>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</p> 	<p>The legislation provides a statutory basis for livestock owners to permanently identify their livestock as their property. However, the legislation takes a proportionate approach by only mandating owners to brand cattle over 100 kg and pigs over 30 kg and only if they are offered for sale. The branding of horses, sheep, goats, llamas, alpacas and camels is also voluntary. It also provides a basis for owners to protect their livestock from theft, rather than impose unnecessary restrictions or burden on them.</p>		
<p>2. Consult and engage meaningfully with stakeholders</p> 	<p>Biosecurity Queensland has consulted with the key stakeholders on the efficacy and efficiency of the legislation, which has been in place since 1915. Industry has advised that the legislation continues to provide owners with a meaningful way to identify their stock and reduce theft. Industry has also indicated that the brands they currently have sometimes date back over 100 years and provide family legacies as well as a trademark for the family products.</p> <p>Biosecurity Queensland has also consulted with the Queensland Police Service to clarify that it refers to brands as a method for building a case for stock theft.</p>	<p>Biosecurity Queensland recently provided further assistance to Queensland cattle producers during the current COVID-19 situation concerning branding requirements.</p> <p>The COVID-19 situation required the agriculture sector to consider the way labour was managed. Aspects of agriculture require work to occur in close proximity and consideration needed to be made for social distancing requirements as part of the COVID-19 response.</p>	<p>Recently the need to brand cattle of a live weight excess of 100kg has been removed. This exemption will apply until the end of the COVID-19 emergency under of the <i>Public Health Act 2005</i>, as extended and further extended under section 323 of that Act.</p>
<p>3. Provide appropriate information and support to assist compliance</p> 	<p>The department's website provides clear information about who needs a brand, how to apply, the position on the animals where branding should be applied, how to insert earmarks and the penalties associated with noncompliance. In recognition that purchased cattle are often cross-branded incorrectly, leaving the purchaser open to prosecution or having no legal claim to the purchased stock, the website explains how to cross-brand correctly. Consistent advice is provided to manufacturers and suppliers of branding irons and earmarking pliers to ensure they produce the relevant tools to correct specifications.</p>		
<p>4. Commit to continuous improvement</p> 	<p>An experienced and dedicated team in Biosecurity Queensland receives and processes up to 1,800 brands applications annually. This includes brands for cattle, horse, sheep and pig earmarks, and also applications where clients can transfer the ownership of a brand to another person.</p> <p>Performance of the application processing team is monitored and, where necessary, improved business processes are implemented to provide the best possible service to the client.</p>	<p>A person wishing to register a brand can search the iBrands database to determine whether the brand they want to register is already registered. The iBrands database has been enhanced to make it more user friendly for customers.</p> <p>Improvements have been made to the Animal Identification System database to make it more compatible with Windows 10 (the department's new operating system).</p> <p>Further enhancements have been made in the Business portal to improve and simplify clients' access to information.</p>	<p>Further adjustments will be made to the iBrands database to improve data transfer between the Animal Identification System and iBrands.</p> <p>Ongoing updating of forms and information is occurring to modernise and upgrade client forms.</p>
<p>5. Be transparent and accountable in actions</p> 	<p>The iBrands database allows clients to access current brands before deciding on the brand they want to register. The department's website shows the time currently taken to process a brands application. Staff work closely with applicants to ensure they are fully informed about the brands they want to register, including feasibility of registration.</p>	<p>The previous processing time for a brand application was up to 100 working days, which was unacceptable. Through concentrated efforts and new processes, there was a significant reduction in the backlog and a decrease in the processing time to less than 50 days.</p> <p>Amendments to the search capability of the database were made to ensure privacy of client information was maintained whilst still meeting the requirements of the <i>Brands Act 1915</i> to publish a register of registered brands.</p>	<p>The department will continue to monitor the application processing time and ensure it is maintained at acceptable levels.</p>

REGULATOR PERFORMANCE FRAMEWORK REPORT

FISHERIES

*Fisheries Act 1994***Nature of regulation**

The department administers the *Fisheries Act 1994*, which governs the use of Queensland's fisheries resources and protection of fisheries habitats and sets out the department's responsibilities for the ecologically sustainable development of the state's fisheries.

Fisheries Queensland leads the development of the policy framework that supports the operation of the Act to protect and conserve fisheries resources, while maintaining profitable commercial and enjoyable recreational fishing sectors.

Entities regulated

The Act specifically provides for the:

- management of commercial, charter, recreational and Indigenous fishing
- management of aquaculture
- management and protection of fish habitats
- management of a shark control program.

Queensland's compliance is implemented and enforced by Queensland Boating and Fisheries Patrol (QBFP), an organisational unit within Fisheries Queensland.

Legislation

Fisheries Act 1994

Fisheries (General) Regulation 2019

Fisheries (Commercial) Regulation 2019

Fisheries Declaration 2019

Fisheries Quota Declaration 2019.

Table 9 Assessment of the regulator performance for *Fisheries Act 1994*

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
<p>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</p> <p>★★★★★</p>	<p>Fisheries Queensland plans compliance activities to ensure resources are used effectively and efficiently. Resources are allocated to strategies that focus on addressing the highest compliance risks. QBFP ensures a high level of compliance with Queensland's fishing rules and regulations.</p> <p>QBFP adopts a number of strategies for detecting and monitoring non-compliance:</p> <ul style="list-style-type: none"> • intelligence and information gathering through audit and field surveillance • patrols and inspections • partnering with agencies such as the Great Barrier Reef Marine Park Authority to enforce Queensland fisheries legislation and marine park legislation. <p>Fisheries Queensland ensures that the degree and type of compliance action taken to address an alleged offence is commensurate with the nature and severity of the non-compliance and represents value for money.</p>	<p>The <i>Queensland Sustainable Fisheries Strategy 2017–2027</i> included a range of actions to strengthen the department's fisheries compliance efforts.</p> <p>The Act was amended to deliver stronger compliance powers and penalties for serious offences such as seafood black-marketing and failing to comply with vessel-tracking requirements. These amendments bring Queensland in line with other fisheries jurisdictions and the <i>Australian fisheries national compliance strategy 2016–2020</i>. The amendments do not provide powers beyond those granted to inspectors under other Queensland legislation.</p> <p>Fisheries Queensland fosters cross-jurisdictional partnerships with other agencies (e.g. the Queensland Police Service, Maritime Safety Queensland and federal and state marine parks</p>	<p>Combating the illegal trade of seafood in Queensland is supported by changes to penalties that can be imposed under the Act.</p> <p>The changes provide sentencing options rather than just fines to deter repeat offenders, including making an order for anything reasonably necessary to prevent a person committing further offences against the Act. The Act amendments have provided powers that allow fisheries inspectors to enter commercial premises and vehicles without a warrant to investigate serious offences. This has led to the detection of black-marketing activities that would not have been possible without the new powers.</p> <p>Continued focus on ensuring compliance with amended provisions of the subordinate legislation as they have been implemented progressively through</p>

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
<p data-bbox="108 280 311 358">2. Consult and engage meaningfully with stakeholders</p> 	<p data-bbox="352 219 767 271">An educational approach is adopted in the first instance (Point 3 below).</p> <p data-bbox="352 280 759 488">Improved stakeholder engagement is a key reform area for the strategy. Amendments to the Act in 2019 now specifically provide that the main purpose of the Act is to be achieved, so far as is practicable, in consultation with all fishing sectors and the community using a transparent and responsive approach for the management of access to fisheries resources.</p> <p data-bbox="352 497 759 678">As part of the 1 September 2019 fisheries reforms, a number of structural changes to fisheries legislation were made to support more modern, effective and efficient regulation to our fisheries. A key area of improvement is more responsive decision making through harvest strategies.</p> <p data-bbox="352 687 759 790">Thirteen harvest strategies were approved in mid-2021. New catch limits for the 2021-2022 fishing seasons have been set for some fisheries based on the new harvest strategies.</p>	<p data-bbox="790 219 1145 271">services) to facilitate a strong and cost-effective approach to compliance.</p> <p data-bbox="790 280 1145 566">A new engagement process has been established to oversee the implementation of the strategy. This process included the establishment of a Sustainable Fisheries Expert Panel to provide independent advice to the Minister and Fisheries Queensland on best practice fisheries management, and the establishment of fishery working groups to develop harvest strategies.</p> <p data-bbox="790 575 1145 757">In 2021, 14 fishery working groups were established or re-established to provide advice on the management of fisheries and support ongoing implementation of the fishery reforms, harvest strategies and the remaining actions under the Sustainable Fisheries Strategy.</p> <p data-bbox="790 766 1145 1104">A vessel tracking working group, comprising commercial fishers and government agencies, was also established to provide advice on the implementation and administration of vessel tracking, including a post implementation review. A vessel tracking engagement hub webpage was established to provide visibility and a single point of truth throughout the review process, as well as enable stakeholders to submit comments and enquiries relating to the review.</p> <p data-bbox="790 1113 1145 1368">Public consultation on the Harvest Strategy Policy, 13 new fishery harvest strategies and a protected species management strategy was conducted between September 2020 and January 2021. These have been approved to commence on 1 September 2021 and form a critical part of the framework to guide the ongoing management of our fisheries.</p> <p data-bbox="790 1377 1145 1480">A Fisheries Queensland Engagement Strategy has been drafted and will be developed further during 2021-22 for implementation.</p>	<p data-bbox="1173 219 1544 271">commencement of the amendment regulations in 2020 and 2021.</p> <p data-bbox="1173 280 1544 461">Consultation undertaken in recent years has consistently identified the need for ongoing and transparent stakeholder engagement not only with the fishing sectors but also with the general community. This remains an area of focus and continuous improvement.</p> <p data-bbox="1173 470 1544 835">Summaries of consultation outcomes relating to fisheries reforms under the strategy, fishing rules and regulatory changes are routinely made available on the department's website. Significant efforts have been made to improve engagement approaches, with the use of the department's eHub engagement site for consultation and feedback, as well as continuation of <i>Commercial fishing updates</i>, <i>Charter fishing updates</i> and <i>Aquaculture Updates</i> e-newsletters to deliver targeted information to commercial fishing businesses.</p>
<p data-bbox="108 1491 311 1594">3. Provide appropriate information and support to assist compliance</p> 	<p data-bbox="352 1491 767 1646">Fisheries Queensland provides a range of information and educational materials to inform fishers on rules relating to size and possession limits, apparatus restrictions, closed waters and other requirements and obligations under the Act.</p> <p data-bbox="352 1655 767 1706">These materials are provided through a suite of delivery channels including:</p> <ul data-bbox="352 1715 767 2042" style="list-style-type: none"> • direct advice to clients • formal and informal presentations to community and industry groups and fisheries-related retail businesses • written communications such as media releases and responses, fishing forums and industry publications • the department's website • social media channels of Fisheries Queensland, industry and partner agencies • the Queensland Recreational Fishing App • the department's Customer Service Centre. 	<p data-bbox="790 1491 1145 1624">Fisheries Queensland's social media channels provide an opportunity to educate the community about fishing rules and engage on fisheries management issues.</p> <p data-bbox="790 1632 1145 2116">In 2020–21, Fisheries Queensland's social media channels (including Facebook, Instagram, Twitter, LinkedIn, YouTube and subscribers to Catch News) increased the digital footprint by almost 10,000 new subscribers from the previous year. The increase was driven by a targeted social media advertising campaign attracting new followers from key interest groups with the largest increase to Fisheries Queensland Instagram account now at 9,010 followers (up from 7,000 this time last year) and Catch News with 25,394 subscribers (up from 21,428 this time last year). Fisheries Queensland's Facebook page remains the largest government run social media account for a fishery agency in Australia.</p>	<p data-bbox="1173 1491 1544 1776">Fisheries Queensland operates the 24-hour, toll-free Fishwatch hotline (1800 017 116). This allows the community to assist in identifying suspected illegal fishing activity. The hotline was hugely successful in 2020–21 with over 1,900 calls received related to suspected illegal fishing. Also, a Fishwatch online form is available on the Fisheries Queensland Facebook page for the community to report suspected illegal fishing.</p>

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
		<p>Information on size and possession limits and fishing rules, are published on the department's website, and hard copies are made available through QBFP, Maritime Safety Queensland, bait and tackle stores and other organisations. As particular fishing rules change, e.g. closure of Black Jewfish on the East Coast once the catch limit is reached, additional education materials for commercial fishers have been introduced including email notification, social media posts, flyers and signage to promote voluntary compliance.</p>	
<p>4. Commit to continuous improvement</p> 	<p>Under the Strategy, Fisheries Queensland commits to systematic management improvement that delivers on ecological, social and economic objectives.</p>	<p>Fisheries Queensland publishes annual performance reports on its website that details policy commitments, goals, objectives and responsibilities.</p> <p>Developments in technology over recent years have seen industry and fisheries management use innovative ways of doing business and undertaking compliance activities.</p> <p>Amendments to the Act in 2019 commenced the process of modernisation to allow processes to be implemented in line with technological development. Including provisions for providing notices through electronic communication and allowing fisheries inspectors to seize electronic documents and to use body-worn cameras to record images and sounds while performing their duties.</p> <p>The bulk of the east coast reforms from the Sustainable Fisheries Strategy will be implemented by 1 September 2021, including allocating individual quotas, setting commercial catch limits, ensuring better management of bycatch and protected species interactions, and implementing the harvest strategies for an additional 13 fisheries. Without harvest strategies and limits on the catch of our major species, commercial fishers would have no certainty for business planning, and would experience significant competition and conflict on the water.</p> <p>Several achievements have occurred over the last 12 months. The second round of reforms to fisheries regulations were announced on 30 September 2020 to ensure the sustainability of Queensland's commercial fishing industry. These include:</p> <ul style="list-style-type: none"> • several red tape reduction and streamlining measures, designed to support the economic recovery of the commercial fishing industry following COVID-19 • changes necessary to protect and maintain export approvals, which commence on 1 September 2021 – this giving commercial fishing businesses time to recover and transition following the impacts of COVID-19 • minor administrative amendments to provide consistency across all fishing 	<p>Work continues to align service delivery, regulation and technology to improve fisheries management in Queensland. Further work is underway to broaden the range of things that can be completed through electronic communication and documentation.</p> <p>The current compliance system within QBFP is outdated and is currently being upgraded to enable QBFP officers to do their jobs more efficiently and effectively, with a delivery date expected of end of-2021.</p> <p>A new recreational fishing app (QLD Fishing 2.0) was released in late 2020 to provide simpler and easier access to fishing rules.</p> <p>Enhancement work to improve on the recreational fishing app is ongoing. Work is continuing on delivering a new commercial fishing app to allow fishers to submit data electronically to the department.</p>

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
		sectors were made to recreational and charter sector regulations.	
<p>5. Be transparent and accountable in actions</p> 	<p>Fisheries Queensland ensures that decisions made under the Act (including reasons for the decisions) are communicated to the affected persons within the time frames prescribed in the Act. Fisheries Queensland publishes a number of resources to promote transparency and accountability in its regulation of fisheries resources, including:</p> <ul style="list-style-type: none"> • quarterly compliance report to track its monitoring and enforcement activities • annual reporting of catch and effort across all Queensland fisheries • science-based stock assessments and ecological risk assessments for key species that inform management of the resource. 	<p>Amendments to the Act in 2019 included provisions relating to review and appeal of decisions consistent with other contemporary Queensland legislation. Information on how to request an internal review under the Act is now publicly available online. Decisions made under the Act now provide include information about internal review options.</p> <p>Progress reports on implementation of the Strategy are published on the department's website. The Year 3 progress report and recent announcement of reforms show that good progress is continuing in implementing the Strategy. Almost half of all the actions were delivered in the first two years.</p> <p>Communiques from working group meetings are released publicly on the department's webpage in a timely manner. Approved harvest strategies are available on the website.</p> <p>Stock assessments are available on the department's website. These assessments inform the setting of sustainable catch limits for each species, support harvest strategy implementation and the general sustainable management of fisheries.</p>	<p>The Act previously did not provide any internal review processes for decisions made under the Act. The only review option available to a person affected by a decision was through an external review by the Queensland Civil and Administrative Tribunal (QCAT).</p> <p>The Act now requires that any decision review process must start with an internal review undertaken by the chief executive. The scope of decisions that were reviewable by QCAT has also been clarified. The amendments also clarified the decision-making process for the management of Queensland's fisheries between the Minister and the chief executive.</p> <p>As part of the 1 September 2019 change to fishing rules, information to stakeholders included an explanation of why the change was important for the future sustainability of Queensland's fisheries. Explaining the need for adaptive fisheries management to avoid more drastic changes with more significant impacts remains a focus area.</p>

Case study 1: – An area of success

Harvest strategies

Harvest Strategies for 13 fisheries were released for consultation and approved in Queensland in 2021 with a commencement date of 1 September 2021.

Consultation undertaken on fisheries issues in recent years often highlighted the need for more engagement with stakeholders on how fisheries are managed and for more responsive decision making.

Amendments to the *Fisheries Act 1994* in 2019 set out the process for making a harvest strategy in Queensland. All harvest strategies require a period of public consultation and approval from the Minister responsible for fisheries before they can be implemented.

Harvest strategies are a pre-agreed set of targets and decisions rules for a species or fishery to achieve agreed ecological, economic and social objectives. By being clear about what management action will be taken under certain fishery conditions, harvest strategies help remove much of the uncertainty around how a fishery will be managed. This approach to fisheries management is utilised by all Australian jurisdictions to varying degrees and is considered best practice.

Managing fisheries with harvest strategies will align Queensland with more modern and responsive fisheries management. They also provide a framework for improved stakeholder participation in the management of these fisheries through an annual fishery working group meeting to assess the performance of each fishery, discuss issues and determine whether any management changes are required.

Management of fisheries into the future will be driven by harvest strategies which include the of ecological, economic and social objectives.

New catch limits for the 2021-2022 fishing seasons have been set for some fisheries based on the new harvest strategies and implemented by the Chief Executive.

Case study 2: – An area for improvement

QBFP compliance system

Modernising the systems in Fisheries Queensland provides better data capture and data integration and make it easier for stakeholders to find and use fisheries data.

The current QBFP compliance system is outdated and is being upgraded to enable officers to do their jobs more efficiently and effectively. The new solution will provide officers real time access to licencing and fishing activity information while in the field. It will also enable the electronic issuing of on-the-spot fisheries infringement notices.

The new system is expected to be delivered by end-2021.

Commercial fishing app

A new recreational fishing app (QLD Fishing 2.0) was released in late 2020 to provide simpler and easier access to fishing rules. Enhancement work to improve on the recreational fishing app is ongoing.

Work on a commercial fishing app continues and is expected to be released with the commencement of the legislative changes on 1 September 2021. The app will also allow fishers to submit data electronically to the department that was previously only available through paper forms.

FORESTRY

Forestry Act 1959

Nature of regulation

The department manages, under the *Forestry Act 1959*, the commercial sale of state-owned native forest products and quarry material from state forests, timber reserves, leasehold lands, reserves, public roads and certain freehold lands where the state owns the forest products or quarry material.

Entities regulated

The department authorises the removal and sale of state-owned native timber to timber processors under a combination of long and short-term sales permits. Under the department's supervision, permit holders organise the harvest and extraction of log timber using their own appropriately skilled and accredited employees or contractors.

The department sells State-owned quarry resources (e.g. rocks, sand and gravel) to a range of parties including commercial quarry operators, Local Governments and mining companies. This material is predominantly used for infrastructure development and maintenance purposes, such as for road and rail, to support mining-related activities, disaster recovery works and other infrastructure investment.

The department administers the 99-year plantation licence to HQPlantations Pty Ltd, which authorises plantation forestry operations in the designated licence area. The department also administers apiary permits to allow beekeeping on State forests.

Legislation

The *Forestry Act 1959* provides a framework to manage native forest timber production and quarry material sales in state forests, timber reserves, leasehold lands, reserves, public roads and certain freehold lands where material ownership interests have been reserved to the state.

The Queensland Parks and Wildlife Service and Partnerships within the Department of Environment and Science (DES) are responsible for the custodial management of state forests under the Act.

Apiary permits are administered under the Act, with fees aligned similar permits administered by DES under the *Nature Conservation Act 1992*.

Table 10 Assessment of the regulator performance for *Forestry Act 1994*

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
<p>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</p> <p>★★★★</p>	<p>The department ensures its regulatory activity is proportionate to risk and minimises unnecessary burden through a regular monitoring, auditing and evaluation process. This routinely enables the department to review internal operations and permit-holder activities against established sound practice indicators. Risks identified through this process inform engagement, compliance and regulatory enforcement actions proportionate to risk level.</p> <p>The Act empowers the department to sell state-owned forest products located on a range of land tenures over which multiple interests may exist. To reduce unnecessary burden, the Act exempts certain classes of regulated entities from the requirement to obtain a sales permit to deal with forest products, where authority is provided under another Act,</p>	<p>In 2020-21, the department commenced two small-scale trials of alternative operational management approaches for native hardwood harvesting. As these trials progress, the department will assess the outcome of these trials for both permit holders and its own operations.</p>	

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
	such as the <i>Mineral Resources Act 1989</i> and the <i>Water Act 2000</i> .		
<p data-bbox="108 282 309 353">2. Consult and engage meaningfully with stakeholders</p> 	<p data-bbox="375 282 746 434">The department regularly consults with prospective and existing permit holders in accordance with known standard procedures to make decisions that are timely, reasonable, ethical, lawful and in accordance with natural justice.</p> <p data-bbox="375 443 746 649">The department and DES have established interagency forest management and operations oversight groups, as well as a fire integration group. These groups meet regularly to promote effective joint management of state forests and consider and develop operational policy for management of forestry-related activities.</p> <p data-bbox="375 658 746 891">The department and the plantation licensee have established regular compliance and operational group meetings to promote open discussion about the plantation licence. This assists the department to clearly understand plantation operations and work collaboratively to oversee the plantation licence.</p>	<p data-bbox="774 282 1129 667">During 2021-21, the department has continued to work with DES and a project-specific oversight and consultation committee with other non-government parties to collaborate on the transition of several former plantation forests to protected area estate. This collaborative approach has enabled the department to authorise harvesting of specified areas to provide suitable timber to industry, supported DES to achieve conservation outcomes, and kept the community informed of expected project outcomes, time frames and any changes to local access.</p>	<p data-bbox="1150 282 1487 510">The department has had regular communication with commercial quarry operators to overcome perceived barriers to access, including compliance with other legislative requirements. The department continues to liaise with relevant government agencies to address these barriers.</p> <p data-bbox="1150 519 1487 806">An external audit of the department's forest management system to the <i>Australian standard: sustainable forest management (AS4708:2013)</i> recognised a high level of engagement with stakeholders to support forest management outcomes but identified opportunities to improve administrative arrangements for stakeholder management.</p> <p data-bbox="1150 815 1487 1043">The department has established a Native Timber Advisory Panel, which held its first meeting on 11 June 2021. The panel guides and informs implementation of the Government's Native Timber Action Plan, and includes stakeholders representing a mix of industry, conservation, and community interests.</p>
<p data-bbox="108 1059 331 1131">3. Provide appropriate information and support to assist compliance</p> 	<p data-bbox="375 1059 746 1339">The department provides clear guidance to stakeholders and the general community through its website, and through contributions to Queensland Government's Business Queensland website. The information provided includes advice on how timber and quarry products are managed, requirements for accessing and selling products, and answers to a range of frequently asked questions.</p> <p data-bbox="375 1348 746 1532">The department provides regular and timely feedback to permit holders relating to findings from monitoring, auditing and evaluation processes. Issues or concerns are assigned a standard time frame for resolution and are tracked for timely resolution.</p> <p data-bbox="375 1541 746 1747">Opportunities to purchase state-owned timber and quarry materials are published on the department's website from time to time. Parties who wish to access state-owned timber or quarry materials are directed to local officers, who are best situated to advise and meet the specific needs of that person.</p>	<p data-bbox="774 1059 1129 1243">In 2020-21, the department provided additional information and guidance to the plantation licensee in relation to Forestry Act amendments introduced in 2019-20 and their implications for its exercise of delegated powers under the Act.</p>	<p data-bbox="1150 1059 1487 1339">The department participated in a series of meetings with cypress permittees and held a field day with around 30 industry participants to improve understanding of regulatory requirements for forestry operations. The department plans to work with the industry body (Timber Queensland) to support industry capacity to meet regulatory and contractual obligations.</p>
<p data-bbox="108 1760 331 1809">4. Commit to continuous improvement</p> 	<p data-bbox="375 1760 746 2040">The department's forest management system has been implemented to ensure state-owned forests are managed to a high standard. The forest management system is independently audited and certified as compliant with the requirements of the <i>Australian standard: sustainable forest management (AS4708:2013)</i>, which is internationally recognised through the Program for the Endorsement of Forest Certification.</p> <p data-bbox="375 2049 746 2121">Certification includes significant stakeholder consultation and ensures that our regulatory practices promote the</p>	<p data-bbox="774 1760 1129 1809">As a result of recent audits of its forest management system, the department:</p> <ul data-bbox="774 1818 1129 2121" style="list-style-type: none"> • has made progress on addressing resourcing requirements to implement that forest management system • is reviewing its approach to ensuring compliance of timber harvesting operations with various ecological requirements • has continued to improve its internal review processes to maintain the effectiveness of its forest management system 	<p data-bbox="1150 1760 1487 1809">Recent audits identified a number of positive strengths, including:</p> <ul data-bbox="1150 1818 1487 2040" style="list-style-type: none"> • the department's strategic planning framework is supporting identification of Forestry's internal business objectives. • forest operations consistently comply with the code of practice. • new resource assessment process will support decisions about future timber yields <p data-bbox="1150 2049 1487 2121">Key opportunities for improvement included working more closely with DES to monitor and evaluate their</p>

Regulator model practices and supporting principles	Evidence to support alignment with regulator model practices	Actions taken to improve regulatory activities and practices to reflect model practices	Examples to highlight alignment, or indicate where business practices could be improved
	<p>sustainability of state forests. Independent audits also identify potential risks and enable the department to improve practices while considering stakeholder and community priorities. Certification enables timber processing customers to maintain chain-of-custody certification if they wish to do so. This provides a clear benefit to customers by enabling them to label and promote the environmental integrity of their timber products.</p> <p>Departmental employees are supported to perform duties effectively in accordance with comprehensive guidance materials.</p>		<p>custodial activities as they relate to certification, and to improve processes for identifying and protecting indigenous peoples' values during forestry operations.</p>
<p>5. Be transparent and accountable in actions</p> 	<p>The department publishes a number of resources to promote transparency and accountability in its regulation of state-owned resources, including:</p> <ul style="list-style-type: none"> • a code of conduct for staff managing the sale of state-owned forest products and quarry material • advice about the decision-making process for all timber and quarry material sales • annual reporting about the department's commercial performance • annual reporting about the quantities of native forest timber products and quarry materials removed under the Act. <p>The department implements an open-market tender process to transparently allocate state-owned resources in circumstances where there is a demonstrated high demand for the resource. The department administers sales permits in line with consistent procedures to ensure state-owned resources are allocated in a transparent and timely manner. However, it makes a range of decisions that attract commercial confidentiality and cannot be released to the general public, such as the negotiated value payable and other contractual terms and conditions.</p> <p>The plantation licence is publicly available through the Queensland Titles Registry. Through an annual reporting process, the department also ensures plantation licensees makes publicly available a range of operational and regulatory information as required by the licence.</p>	<p>The department's forest management policy statement commits to systematic management that delivers on environmental, social and economic objectives.</p> <p>The department has published a summary forest management plan on its website detailing its policy commitments, goals, objectives and responsibilities.</p>	<p>The department's forest management system requires publication of summaries of independent audit reports against AS 4708.</p>

Case study 1: – An area of success

Building staff capability to protect human rights

The *Human Rights Act 2019 (Qld)* commenced on 1 January 2020. The main objects of the Act are to protect and promote human rights, to help build a culture in the Queensland public sector that respects and promotes human rights and to help promote a dialogue about the nature, meaning and scope of human rights.

In 2020, the department developed a series of Forestry-specific guidance materials to assist officers to understand and meet their obligations under the Human Rights Act. Staff from across the business unit contributed to a series of scenarios that provide meaningful examples relating to day-to-day operations and step through when and how to consider human rights and why we do so. Since then, additional guidance and scenario content has been developed as staff apply human rights thinking to a wider range of situations and decisions and become more familiar with our obligations at an operational level.

The department also continues to build staff capability by investing in training and skill development. In early 2021, a mix of management and operational staff attended a full-day Human Rights Act training session customised for the specific needs of Fisheries and Forestry. The training focused on specific issues and rights that have arisen or are likely to arise in considering the Human Rights Act within Fisheries and Forestry respective operations and worked through actual scenarios routinely faced by officers.

Case study 2: – An area for improvement [being worked on]

Management of safety during forest harvesting operations

Forest harvesting is an inherently dangerous activity, with forestry and logging workers almost two and a half times more likely to have a fatal injury at work than truck drivers and 17 times more likely than construction workers.

A review of the arrangements for managing safety on harvesting sites has highlighted that many permittees and contractors operating in state forests may not have WHS systems in place and rely too heavily on departmental processes and staff to manage safety.

A project is underway to establish a framework for implementing a due diligence process to ensure all permittees authorised to harvest timber from state forests have safety management systems in place, and an assurance process to ensure that the system is being implemented to manage safety.

The project involves extensive consultation with Queensland industry and aims to align with a national harvesting safety standard being developed by the Australian Forest Contractors Association.

Implementation of elements of the framework will commence in 2021-22, with the full framework scheduled for implementation in 2022-23.