



EXPORT ADVISORY NOTICE – 2013 - 02		1 July 2013
Title:	Review of decisions made by the Secretary in relation to the export of livestock	
Species:	All species	
Relevant to:	<ul style="list-style-type: none">[1] DAFF Regional Managers[2] DAFF Live Animal Exports Officers[3] Livestock Exporters[4] LiveCorp[5] Accredited Veterinarians – Livestock[6] Registered premises operators	

Purpose

To advise the livestock export industry of the process for seeking a review of a decision made by the Secretary (or their delegate) of the Department of Agriculture, Fisheries and Forestry (DAFF) in relation to the export of livestock.

Background

DAFF is charged with regulating the export of livestock from Australia and the Secretary (or their delegate) is required to make decisions in relation to the following under the regulatory framework:

- Licences to export livestock (including the addition of conditions)
- The registration of premises for holding and assembling livestock for export
- Applications to export livestock by sea and air
- Accreditation of veterinarians for livestock export

The *Australian Meat and Livestock Industry Act 1997* (AMLI Act) provides for the licensing of individual and body corporate to export livestock and includes the application of directions or conditions to such licences.

The *Export Control (Animals) Order 2004* (ECA Order) provides for the registration of premises for holding and assembling livestock for export, the export of livestock by air and sea and the accreditation of veterinarians for livestock export.

Instructions

Exporters, registered premises operators and accredited veterinarians have the following avenues to seek a review a decision made by DAFF:

Internal review

In the first instance, a party should seek an internal review of the decision by contacting the Secretary (or delegate) who made the decision.

Should the Secretary (or delegate) not be available the party should send a written request for an internal review to:

Assistant Secretary

Animal Export Operations

Department of Agriculture, Fisheries and Forestry

GPO 858

Canberra ACT 2601

Fax: (02) 6272 5423 e-mail: livestockexp@daff.gov.au

External review

A party may apply for external review of a decision made by the Secretary (or delegate) under the AMLI Act or the ECA Order to the Administrative Appeals Tribunal.

Judicial review

A party may apply for judicial review of a decision made by the Secretary (or delegate) under the AMLI Act or the ECA Order to the Federal Court.

A party should also seek independent legal advice as to their review options.

Further information about the Legislative Appeal Mechanisms is available to stakeholders on the DAFF website: <http://www.daff.gov.au/aqis/export/live-animals/appeal>



Laura Timmins

Assistant Secretary (A/g)

Animal Export Operations Branch

Contact officer: Tim Naylor

Ph: (02) 6272 4581

Fax: (02) 6272 5423

Email: Tim.Naylor@daff.gov.au