



BIOSECURITY ACT 2015

FREQUENTLY ASKED QUESTIONS

WHAT IS BIOSECURITY?

Biosecurity is the protection of our economy, environment and community from the negative impacts of pests, diseases, weeds and contaminants.

Biosecurity protects our \$12 billion primary industries and underpins the health and wellbeing of our community and environment. It keeps our waterways, state forests, parks and infrastructure free from serious pests and weeds, and, it keeps our animals free of serious disease.

WHY DO WE NEED A NEW ACT?

Biosecurity is currently managed under 14 separate pieces of legislation. By streamlining these into a single Act, we will reduce red tape, simplify existing procedures and provide greater flexibility in managing biosecurity risks.

WHEN WILL THE *BIOSECURITY ACT 2015* COMMENCE?

The Biosecurity Act cannot commence until supporting subordinate legislation and policies and procedures are developed. This is a big task and will require engagement and participation of many stakeholders.

It is anticipated that the Biosecurity Act will be ready to commence in 2017 but this will depend on issues raised during consultation and implementation.

WHICH ACTS WILL BE AFFECTED BY THE *BIOSECURITY ACT 2015*?

The following Acts will be wholly repealed when the Biosecurity Act commences:

- » *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991*
- » *Apiaries Act 1985*
- » *Deer Act 2006*
- » *Fertilisers Act 1985*

- » *Non-Indigenous Animals Act 1987*
- » *Noxious Weeds Act 1993*
- » *Plant Diseases Act 1924*
- » *Stock (Chemical Residues) Act 1975*
- » *Stock Diseases Act 1923*
- » *Stock Foods Act 1940*

Parts of the following Acts will be repealed when the Biosecurity Act commences:

- » *Fisheries Management Act 1994*
- » *Local Land Services Act 2013*
- » *Stock Medicines Act 1989*
- » *Wild Dog Destruction Act 1921*

WILL NLIS BE MAINTAINED UNDER THE *BIOSECURITY ACT 2015*?

Yes – the National Livestock Identification System (NLIS) is an important national livestock traceability tool and the necessary legislative underpinning for the NLIS will be included in the regulations made under the Biosecurity Act.

These regulations will also provide for the continuation of Property Identification Codes (PICs) as these are an integral part of the NLIS.

HOW WILL INDUSTRY SELF-CERTIFICATION AND AUDITING WORK UNDER THE BIOSECURITY ACT 2015?

Over the past decade a range of industry schemes have been established which enable primary producers to certify their own produce to satisfy market access requirements. Examples include Interstate Certification Assurance (ICA) scheme and the Certification Assurance (CA) scheme.

The Biosecurity Act provides powers and offences that enable these schemes to be legally recognised and enforced. The provisions are also broad enough to recognise other industry certification schemes in the future, including animal biosecurity certification.

Auditing can be included as a condition of accreditation and registration under the Biosecurity Act to help ensure the integrity and recognition of self-certification schemes and compliance with conditions of registration.

Government certification and auditing will still be available as an alternative.

HOW WILL THE NEW LEGISLATION MANAGE A BIOSECURITY EMERGENCY INCIDENT?

NSW's response to a biosecurity emergency will still be guided by national emergency response agreements and deeds, but the Biosecurity Act includes more flexible powers to ensure we can quickly respond to any significant biosecurity risk to our economy, environment, or community.

WHAT DOES 'SHARED RESPONSIBILITY' MEAN?

Shared responsibility is about optimising protection for the State by appropriately sharing the responsibility for managing biosecurity risks between government, industry and the community.

The values of shared responsibility will help to increase everyone's awareness of what they should and can do to manage biosecurity risks.

The Biosecurity Act promotes the value of shared responsibility through the General Biosecurity Duty (GBD) and recognises that everyone has a role to play in protecting our State. Further information, including an overview of the GBD can be accessed at www.dpi.nsw.gov.au/biosecurityact.

WILL I NEED TO HAVE A BIOSECURITY PLAN FOR MY FARM?

A biosecurity plan is not required but is strongly recommended. Farm biosecurity is designed to protect farm properties from the entry and spread of pests, diseases and weeds and to provide guidance about what to do if there is a risk imminent or present.

It has been estimated that Australia's current biosecurity arrangements add a profit of up to \$17,500 per broadacre farm. This is a conservative average, and could be much higher for some farms.

A farm biosecurity plan can help you identify the risks on your farm and prioritise the biosecurity practices relevant to those risks. Quick and simple measures built into everyday practice will help protect your farm and your future.

Information on how to develop a farm management plan can be accessed at www.farmbiosecurity.com.au.

DO PUBLIC LAND MANAGERS AND PRIVATE LAND MANAGERS HAVE THE SAME OBLIGATIONS UNDER THE BIOSECURITY ACT 2015?

Yes – under the Biosecurity Act obligations on owners and occupiers of public land will be the same as the obligations on owners and occupiers of private land. This is an improvement on current arrangements under the *Noxious Weeds Act 1993* where private landholders and local control authorities have more onerous weed control obligations than other public land managers.

A fundamental principle of the Biosecurity Act is that biosecurity is everyone's responsibility. The tenure neutral approach adopted in the Biosecurity Act is consistent with this important principle.

WHAT IS HAPPENING WITH THE MANAGEMENT OF WEEDS IN NSW?

The NSW Government is working with the Natural Resources Commission to identify ways to reduce the negative impact of weeds on agricultural productivity and the environment.

A State Weeds Committee is being established to oversee implementation of the NSW Government's response to the Weeds Review.

Local Land Services are establishing 11 Regional Weeds Committees to facilitate community input into weed planning. These Committees will promote a landscape scale approach to managing weeds through various means including tenure neutrality and the General Biosecurity Duty.

A key role for these Committees will be to develop effective Regional Weed Strategies endorsed by a range of stakeholders. These plans will provide a mechanism for articulating community expectations for managing weeds and will form the basis for an enforceable General Biosecurity Duty.

Existing local control authorities will continue to have functions in relation to weeds.

HOW WILL THE BIOSECURITY ACT 2015 HELP TO PROTECT THE ENVIRONMENT AND COMMUNITY?

The Biosecurity Act provides the framework to protect our community from the adverse affects from animal and plant pests, diseases and weeds to maintain market access. The Biosecurity Act will also help protect our environment from invasive pests and diseases allowing the continued enjoyment of our lifestyle.

The community has an important role to play in managing biosecurity, particularly as a source of information – they are the eyes and ears at the grass roots level. Interstate and international travellers also have a role to play in protecting our borders.

WILL THE BIOSECURITY ACT 2015 PROTECT FARMERS FROM TRESPASSERS?

The Biosecurity Act deals with anyone who creates biosecurity risks. Trespass issues are dealt with under separate legislation in NSW.

WHERE DO I GET MORE INFORMATION ABOUT MY INDUSTRY?

We are engaging with industry and other partners to ensure we develop regulations, policies and procedures that are relevant to you and your business.

We encourage you to visit our website where there are videos, information sheets and discussion papers. We also encourage you to 'Join Our Discussion' and provide comments on issues that are important to you at www.dpi.nsw.gov.au/biosecurityact.