



The Hon Jaala Pulford MP

Minister for Agriculture
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Mr Richard Bolt
Secretary
Department of Economic Development, Jobs, Transport and Resources
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Dear Mr Bolt

Richard

STATEMENT OF EXPECTATIONS FOR BIOSECURITY, ANIMAL HEALTH AND WELFARE

I am pleased to provide you with this Statement of Expectations (SOE) for Agriculture Victoria's regulation of biosecurity, animal health and welfare, and domestic animal matters within the Department of Economic Development, Jobs, Transport and Resources (DEDJTR). This SOE applies for the period 1 January 2018 to 30 June 2019, or until otherwise amended.

Improving the administration and enforcement of regulation

This SOE sets out my expectations of Agriculture Victoria's contribution to the Government's program to reduce red tape affecting businesses, not-for-profit organisations, government service providers and households, by promoting greater efficiency and effectiveness in the administration and enforcement of regulation. It also outlines my expectations of broader improvements for Agriculture Victoria's performance.

As Minister for Agriculture, I am responsible for administering the following legislation and associated regulations that affect businesses and the broader Victorian community:

- *Agriculture and Veterinary Chemicals (Control of Use) Act 1992;*
- *Domestic Animals Act 1994;*
- *Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Act 2014;*
- *Impounding of Livestock Act 1994;*
- *Livestock Disease Control Act 1994;*
- *Livestock Management Act 2010;*

- *Plant Biosecurity Act 2010*;
- *Prevention of Cruelty to Animals Act 1986*; and
- *Stock (Seller Liability and Declarations) Act 1993*.

I am also responsible for elements of the following legislation:

- *Catchment and Land Protection Act 1994*;
- *Drugs, Poisons and Controlled Substances Act 1981 (Part IV)*; and
- *Food Act 1984*.

This SOE should be read within the context of the objectives, obligations and functions outlined in these Acts as amended.

This SOE outlines key governance and performance objectives and targets aimed at improving the administration and enforcement of regulation and thus reducing its cost impact on business and the community.

This replaces the SOE for the regulation of biosecurity, animal health and welfare, and forest protest management matters that was issued on 30 June 2017.

Improvements and targets

Based on consultation with DEDJTR, I have identified key elements of governance and operational performance where there are opportunities for Agriculture Victoria to make improvements that would reduce cost impacts on business. Agriculture Victoria is expected to identify activities it will undertake to achieve the following performance improvements and targets:

Timeliness

The Victorian Government is committed to reducing regulatory burden by 25 per cent. In order to achieve this target it is essential that all regulators identify areas which may cause unnecessary regulatory burden on regulated parties and take steps to reduce this burden where appropriate.

It is important that you communicate the timeframe within which most applicants can expect a decision on permit, licence, certification and registration applications (after they have provided required information). I expect you to make most decisions within those timeframes and to provide reasons where you do not.

I am pleased to note that Agriculture Victoria is providing advice to regulated parties on expected decision timeframes for an increasing number of licence, permit, certification and registration administrative processes. For example, I note that Agriculture Victoria has recently published advice and decision timeframes about pest animal permits (under the *Catchment and Land Protection Act 1994*).

I expect that you will increase the number of online services such as permits, licences, approvals, certification and registration forms for approval to at least 25 per cent of application processes, prioritising those that are high volume to generate the greatest time savings for regulated parties. All new services should be available online.

Risk-based strategies

I acknowledge the department's risk-based approach to regulation, including assessment of regulated businesses, and its strategies for targeted enforcement and compliance activities that are proportionate to risk. Further improvement could be achieved by establishing a regular review cycle for biosecurity compliance strategies.

On 21 June 2017 responsibilities for marine pest biosecurity in Victoria transferred from the Department of Environment, Land, Water and Planning (DELWP) to DEDJTR (Agriculture Victoria), bringing marine pest biosecurity in line with other biosecurity functions and accountabilities. As part of these new responsibilities I expect you to develop policy and identify legislative gaps relating to the management of state-wide marine pests. I also expect you to identify where additional data is required to inform risk-based strategies.

Compliance related assistance and advice

I expect you to improve the clarity and currency of guidance to regulated parties to ensure it is comprehensive and easy to understand.

Role clarity

Clear roles and responsibilities are important for effective regulation and emergency responses. I expect Agriculture Victoria to develop coordination agreements for the regulation of new industries, to support the clarification of the roles and responsibilities between departments and any agencies, including authorisation requirements. In addition, roles, responsibilities and accountabilities should be clarified for primary production-related food safety incident management, and documented and clarified for animal welfare as part of the animal welfare reform project.

I expect you to continue to use the Biosecurity Evidence Framework to demonstrate the effectiveness, efficiency, impact, and continuous improvement of regulatory performance. I expect that information will be made publicly available to ensure that the public and industry are aware of the work undertaken by DEDJTR, in order to build trust with our stakeholders and ensure transparency and role clarity in DEDJTR operations.

Cooperation among regulators

Biosecurity emergencies are managed within complex legal agreements between state and national governments, industry and other stakeholders. I expect you to plan and conduct at least one emergency simulation exercise each year to test incursion and emergency response plans, processes and systems. This is to ensure they are fit for purpose and operate as intended, and that stakeholders understand their roles and

responsibilities. All exercises should be evaluated and I expect you to provide responses to any recommendations developed for consideration.

The trade of high risk invasive animals poses a risk to Victoria if those animals escape. I expect Agriculture Victoria to work collaboratively with other regulators, establishing clear actions, to manage this risk with the aim of increasing community reporting.

Stakeholder consultation and engagement

It is important that you consult and engage stakeholders in a coordinated, effective, and clear manner.

I expect that you will request stakeholder feedback on all regulatory reviews. I also expect you to identify areas where you can strengthen current approaches to stakeholder engagement to assist in future consultation programs.

Animal welfare is a priority for the Victorian Government and I expect you to engage with stakeholders about reforms.

Clear and consistent regulatory activities

Regulations provide Agriculture Victoria with emergency response powers to enable swift and effective action when required.

It is important that Agriculture Victoria interacts with the public and regulated parties in a consistent way, being:

- helpful;
- respectful;
- impartial;
- proportionate;
- predictable; and
- transparent.

I expect you to identify options for a new case management system for Animal Health and Welfare to centralise compliance systems, processes, and data management. I also expect you to be responsive to lessons learned through emergency responses and exercises, by implementing changes to improve the effectiveness of future responses.

In developing actions to achieve these improvements and targets, Agriculture Victoria is expected to consult with the Red Tape Commissioner, business and the broader community, as appropriate.

Reporting

Reporting on your progress to achieve these SOE performance targets should be undertaken in the context of annual financial reporting to avoid dual reporting streams. As part of annual reporting, regulators are expected to report on:


- current baseline levels for performance targets set in this SOE; and
- activities to be undertaken to reach the performance targets and improvements set out in this SOE.

I also expect that these SOE performance targets will be incorporated into DEDJTR's Corporate Plan, and that this SOE will be published on Agriculture Victoria's website upon receipt.

I expect that within two months of receipt of this letter, Agriculture Victoria will respond to this SOE, outlining how it intends to achieve the performance improvements and targets set in this SOE. This response should include details of the specific activities that will be undertaken by Agriculture Victoria.

I look forward to seeing Agriculture Victoria continue to work towards achieving best practice in the administration and enforcement of regulation.

Yours sincerely



Hon Jaala Pulford MP
Minister for Agriculture

06 / 01 / 2018