



Australia

Animal Protection Index 2014 ranking: C

Animal Protection Index Indicators

Goal 1: Recognition of animal sentience and the importance of animal protection as a societal value

1. Animal sentience is formally recognised in legislation and/or policy

Ranking: C

Part 1: Verification
<p>There is legislation with partial application</p> <p>At a national level, policy recognises animal sentience. The Australian Animal Welfare Strategy and National Implementation Plan 2010-14 specifically applies to all sentient animals in Australia and has been used as a basis for legislative development by state and territory governments. While Australia's legislation does not expressly recognise animal sentience, it does recognise some of the components of sentience, as most of the relevant provisions are aimed at preventing the infliction of pain. Examples of such legislation are found in each of Australia's eight state and territory jurisdictions, such as the Queensland Animal Care and Protection Act 2001 (which defines pain as including distress and mental or physical suffering), South Australia's Animal Welfare Act 1985 (which defines harm as any form of damage, pain, suffering or distress), Western Australia's Animal Welfare Act 2002 (which refers to pain and distress evidenced by severe, abnormal physiological or behavioural reactions) and the New South Wales Prevention of Cruelty to Animals Act 1979 (which defines pain as suffering and distress). In most states these cover all vertebrates. Fish are excluded in Western Australia and South Australia, and are only included in the Northern Territory when in captivity. In some states these provisions also cover cephalopods (Australian Capital Territory) and crustaceans (Australian Capital Territory and New South Wales - for human consumption; Victoria - adult decapods).</p> <p>However, there is no recognition of positive feelings and levels of awareness or consciousness introduced in legislation, nor does current knowledge of the science of animal sentience seem to</p>

inform legislation in a way that intrinsic value of animals could be part of the catalogue of protection or the rationale for protection.

In Tasmania, a recent review of the current Animal Welfare Act 1993 included the suggestion that animals be formally recognised as sentient in the legislation, but this was rejected by the Tasmanian Animal Welfare Advisory Committee¹ and will not be included in the amendments which are currently in the process of being produced.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Across state and territory legislation there is broad acknowledgement that animals are capable of having some feelings, predominantly pain, and also stress and other mental or physical disturbances. While not all elements are individually acknowledged, state and territory governments have taken steps to introduce the concept of sentience into legislation.

The government demonstrated impressive strategic thinking in terms of the recognition of animal sentience within the Australian Animal Welfare Strategy. The development of a framework was led by the Australian government in consultation with state and territory governments, industry, research organisations, community animal welfare organisations and professional associations. The Australian Animal Welfare Strategy and National Implementation Plan 2010-14 specifically applies to all sentient animals in Australia and has been used as a basis for legislative development by state and territory governments.

However, following the general election in September 2013, as part of a commitment to reduce red tape, streamline government processes and make budget savings the new government handed responsibility for the ongoing delivery of the Strategy to the states and territories, withdrew national funding and stepped back from leading domestic animal welfare issues.² Australia has a national intergovernmental task group for animal welfare, the Animal Welfare Task Group, consisting of representatives from the Department of Agriculture and from each state and territory government department responsible for the administration of animal welfare policy and law. The Task Group leads the development of nationally consistent animal welfare standards and guidelines, revisions from the existing Model Codes of Practice for the Welfare of Animals.

Are there economic and societal barriers to improving this aspect of animal welfare?

There is allocation of responsibility to authorities throughout the states and territories. The government had previously contributed funding of approximately AUD\$1 million per annum to the implementation of the Animal Welfare Strategy,³ which included the objective of achieving nationally consistent animal welfare standards and guidelines for adoption in individual state and territory legislation. However this funding was withdrawn by the government in late 2013 in an effort to achieve savings across government, which suggests that this is no longer a priority area for work and spending.⁴ The Agriculture Minister has said that the activities under the Strategy will continue to be

¹ <http://dpiw.tas.gov.au/Documents/AWAReview-Report-and-Recommendations.pdf> (at page 75)

² <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>; http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF

³ 2010-11, 2011-12, 2012-13, 2013-14 Portfolio Budget Statements

⁴ <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>

undertaken by the Department of Agriculture⁵ and by state and territory governments.⁶ The Department highlights domestic animal welfare as the responsibility of state and territory governments.⁷

Are enforcement mechanisms in place in policy and legislation?

The legislation has enforcement mechanisms across all state and territory jurisdictions. The laws are enforced by the RSPCA or by state or territory government officers. Enforcement officers are empowered to investigate cruelty, issue statutory notices requiring animal owners to care for their animal in a particular way; to seize animals; to issue infringement notices; and to commence prosecution proceedings for serious offences.

2. The government has pledged in principle support for the Universal Declaration on Animal Welfare

Ranking: G

Part 1: Verification

There is no government support

The government was involved in the initial meetings around development of the Universal Declaration on Animal Welfare, but has not yet pledged in principle support.
 Note: The Universal Declaration on Animal Welfare is a proposed formal international acknowledgment of a set of principles giving animal welfare due recognition among governments and the international community. An expression of support for the UDAW demonstrates a government’s commitment to working with the international community to improve animal welfare.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Despite early involvement and some interest in the development of the UDAW, the government has not pledged its support in principle. The government has advised that it intends to work constructively in relation to the UDAW and that it is concerned to ensure the eventual text cannot be misconstrued to restrict trade in live animals and animal products. The government is encouraged to give full formal support in principle to the UDAW. Support for the UDAW would be a useful step into integrating animal protection considerations into different discussion tables, becoming a soft law source for decision makers interested in improving animal protection in the country.

Are there economic and societal barriers to improving this aspect of animal welfare?

The government has not yet pledged formally in principle support for the UDAW, however the government has expressed the wish to be kept informed of and engaged with the project which might lead to potential support for the initiative in the future.

⁵ <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>

⁶ http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF

⁷ <http://www.agriculture.gov.au/animal-plant-health/welfare>

Are enforcement mechanisms in place in policy and legislation?
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There are no enforcement mechanisms relevant to this indicator.

3. There are animal protection laws that prohibit causing animal suffering either by a deliberate act of cruelty or by a failure to act

Ranking: B

Part 1: Verification

There is legislation

There is limited relevant legislation at the national level. It is restricted to imports and exports of animals and animal products. Most regulation for animal welfare is at the state and territory level. The Australian Animal Welfare Strategy developed a framework for each state and territory government to develop a single model of regulation based on 23 key elements. This was achieved for the development of regulations for the Australian Animal Welfare Standards for the Land Transport of Livestock, which have been implemented in all states other than Western Australia,⁸ and this continues to be progressed through the development of animal welfare standards and guidelines for cattle, sheep, livestock at saleyards and depots, exhibited animals and poultry.⁹ The Strategy directly acknowledges the need to develop independent and focused efforts in improving animal welfare in Australia.

However, following the announcement by the government to move responsibility for the implementation of the Strategy in late 2013,¹⁰ state and territory governments were encouraged to continue to set the direction for domestic animal welfare policies and improvements. At national level, the Advisory Committee related to the Strategy has been disbanded and the responsibility for delivering the Strategy has been handed over to the states and territories. The government has said that this is because the states and territories have legislative responsibility for domestic animal welfare and are best placed to implement the Strategy.¹¹ As part of this change, national funding of animal welfare issues has been withdrawn.

For each state and territory, there is animal welfare legislation prohibiting acts of cruelty. Legislation includes provisions for negligence and a duty of care, however there are some differences between individual state and territory legislation.

In the Australian Capital Territory, section 7 of the Animal Welfare Act 1992 prohibits acts of cruelty, whether or not intentional. Section 8 prohibits causing pain intentionally or through failure to act. This protection extends to all vertebrates and cephalopods, and to crustaceans which are intended for human consumption.

In New South Wales, section 5 of the Prevention of Cruelty to Animals Act 1979 prohibits acts of cruelty to animals and places a duty on a person in charge of an animal to exercise reasonable

⁸ <http://www.animalwelfarestandards.net.au/landtransport/>

⁹ <http://www.animalhealthaustralia.com.au/programs/adsp/nahis/ahia.cfm>

¹⁰ <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>

¹¹ http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF

care, control or supervision to prevent the commission of an act of cruelty. This protection extends to all vertebrates and to crustaceans which are in restaurants.

In the Northern Territory, the Animal Welfare Act 2000 prohibits causing unnecessary suffering including by acts of cruelty and by failure to act, and creates a duty of care (sections 7 to 9).

In Western Australia, section 19 of the Animal Welfare Act 2002 prohibits acts of cruelty and causing unnecessary harm to animals, including by abandonment. This applies to vertebrates other than fish.

In Queensland, section 18 of the Animal Care and Protection Act 2001 prohibits acts of cruelty and section 17 creates a duty of care. This applies to vertebrates including in the last half of gestation and to any prescribed cephalopods and malacostraca.

In South Australia, section 13 of the Animal Welfare Act 1985 prohibits intentionally, unreasonably or recklessly causing an animal unnecessary harm, and creates a duty for an owner to take reasonable steps to mitigate harm suffered by an animal. Harm is defined as any damage, pain, suffering or distress. This applies to vertebrates except fish.

In Victoria, section 9 of the Prevention of Cruelty to Animals Act 1986 creates a cruelty offence for causing unreasonable pain or suffering or for acts likely to cause such pain or suffering, including by failure to act. This applies to all vertebrates (including reptiles, birds and mammals after the mid-point of gestation) and to all adult decapod crustaceans. There is an exemption however for anything done in accordance with a legislated Code of Practice (section 6) or a livestock management standard.

In Tasmania, section 8 of the Animal Welfare Act 1993 prohibits doing or failing to do any act which causes or is likely to cause unreasonable and unjustifiable pain or suffering to an animal. This applies to vertebrates. Section 7 also requires that a person who has the care or charge of an animal or group of animals must not use a method of management which is reasonably likely to result in unreasonable and unjustifiable pain or suffering to the animal or an animal in the group. This applies to vertebrates and any other prescribed creatures.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Each state and territory government is responsible for implementing and enforcing domestic animal welfare legislation. These laws are enforced by the RSPCA or by state and territory government officers. The strategic thinking of the government in relation to animal welfare shows that similar levels of protection are sought throughout the country. The state and territory legislation does follow high standards of international animal protection as it includes references to the Five Freedoms directly or indirectly, establishes duties of care and in general, features animal welfare prominently in the scale of legislative priorities for animal protection. It would be beneficial for all state and territory legislation to refer to animal suffering in legislation.

Are there economic and societal barriers to improving this aspect of animal welfare?

The country does have resources to develop measures on animal protection. Furthermore, the World Governance Indicators for Australia, in particular the indicator on Rule of Law, suggest a very high level of compliance with legislation in general. There are no significant traditional practices that could act as an obstacle for improvement of policy and legislation.

Are enforcement mechanisms in place in policy and legislation?

Each state animal protection law contains powers (including emergency powers) for inspection and enforcement by authorised officers, as well as a series of procedures for prosecution. There are also powers for confiscation of animals and seizure of evidence.

4. a. There are laws that apply to animals used in farming including rearing, transport and slaughter

Ranking: C

Part 1: Verification

There is legislation with partial application

There is very limited relevant legislation at national level. At the end of 2012 the government introduced measures to address the welfare of exported livestock, the Exporter Supply Chain Assurance Scheme. Export permits for slaughter will only be granted where the exporter can show that they have control over the movement of animals within their supply chain and that the animals will be handled in accordance with OIE standards through to the point of slaughter.¹² In terms of policy at national level, the government developed a series of National Model Codes of Practice for the Welfare of Livestock, currently under a process of review to replace these with standards and guidelines that can then be legislated or adopted in each state and territory.¹³ Once adopted, the standards will form legally binding requirements and the guidelines will be advisory. For example, the Australian Animal Welfare Standards and Guidelines for the Land Transport of Livestock have been completed and the Australian Animal Welfare Standards and Guidelines for: Exhibited Animals, Cattle, Sheep, Poultry and Livestock at Saleyards and Depots are in progress. The Model Codes form a series of policy documents in which guidance on various farming activities (from rearing to slaughtering and transport) are addressed, and which cover a variety of different species (including pigs, sheep, cows, poultry and goats). These contain welfare-positive provisions. Although these do not themselves have legal status, state and territory jurisdictions have incorporated most of these into legislation as codes of practice under their animal welfare legislation and in some states they are compulsory. For example, in Victoria the Meat Industry Act 1993 issues a licence requiring compliance with the Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption and requires a compliance agreement that references the national Model Code of Practice for Livestock at Slaughtering Establishments, and in New South Wales codes relating to laying hens and mutilations are incorporated by the Prevention of Cruelty to Animals Regulation 2012. At regional level, the general anti-cruelty and duty of care provisions in state and territory animal welfare legislation also apply, with exemptions for acts done in accordance with a prescribed Code of Practice. In the Australian Capital Territory, sections 9A and 9B of the Animal Welfare Act 1992 prohibit

¹² http://www.liveexports.gov.au/government_action#new

¹³ <http://www.agriculture.gov.au/animal-plant-health/welfare/standards-guidelines>

keeping commercial laying hens and pigs in accommodation that is not appropriate, which is defined by reference to legislation. Section 9C prohibits beak trimming. Part 3 provides for codes of practice, which may be mandatory, to be made on various issues including transport, slaughter and welfare in intensive farming, and codes have been made on areas including saleyards and the welfare of specified species of livestock .

In New South Wales, section 34A of the Prevention of Cruelty to Animals Act 1979 provides for regulations, guidelines or codes to be made relating to the welfare of species of farm animals, and codes have been made relating to certain species.

While the Northern Territory Animal Welfare Act does not specifically address the welfare of livestock, as well as referring to the national codes of practice, the regulations the Department of Primary Industry and Fisheries enforce are under the Northern Territory Livestock Act 2009, and mandatory welfare requirements regarding livestock transport are provided through a link to the Land Transport Standards.

In Western Australia, the government has produced codes of practice relating to specific species, transport and slaughter, which have guidance status under the Animal Welfare (General) Regulations 2003, and compliance with the codes can be relied upon as a defence to prosecution under the Animal Welfare Act 2002.

In Queensland, section 13 of the Animal Care and Protection Act 2001 allows for codes of practice to be made, and under section 15, compliance with these can be compulsory. For this category of animals, there are compulsory codes on transport and partly compulsory codes on pigs and poultry (contained in the Animal Care and Protection Regulation 2012), with voluntary codes on other species and on slaughter.

In South Australia, there are mandatory codes of practice or standards on specified species, transport, saleyards and slaughter, incorporated under the Animal Welfare Regulations 2012. The Regulations also make rules about transport and about keeping poultry and pigs.

In Victoria, there are regulated standards or mandatory codes giving husbandry conditions for keeping domestic fowl; pigs, livestock slaughter and for livestock transport. There are voluntary codes for most commonly farmed species of animal. Compliance with codes of practice provides an exemption from the provisions of the Prevention of Cruelty to Animals Act 1986 (section 6); codes provide guidance on the expected minimum conduct or practice.

In Tasmania, there are Standards and Guidelines under the Animal Welfare Act 1993, on the welfare of different species of animals including during transport and slaughter. Standards are legally enforceable.

The government is encouraged to ensure that legislation nationally is in accordance with at least the minimum standards contained in the OIE's standards.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Whilst farm animal welfare is an issue of national concern that appears to be informed by international guiding principles, the government has yet to act to phase out extreme confinement systems such as the battery cage and the dry sow stall. The phasing out of extreme confinement systems such as the battery cage, dry sow stall and veal crate has been achieved in other countries

internationally and is a development that derives naturally from widely recognised concepts such as the Five Freedoms, which have a direct relationship with animal welfare. Most of the necessary principles to underpin these improvements can be found already in policy documents such as the Animal Welfare Strategy and National Implementation Plan 2010-14 and the government has reported that the development of nationally consistent standards and guidelines for animal welfare continues.¹⁴ It is noted that some individual jurisdictions have taken steps towards this; in Tasmania extreme confinement systems are both being phased out under the Animal Welfare (Domestic Poultry) Regulations 2013 and Animal Welfare (Pigs) Regulations 2013 and in the Australian Capital Territory, this is prohibited under section 9a-b of the Animal Welfare Act. Most states have enacted legislation to prohibit dry sow stalls by April 2017 other than for six weeks of gestation. It is noted that the government has recently committed to reviewing the existing National Model Codes of Practice to make them Standards and Guidelines. It would be positive for all of the National Model Codes of Practice to be incorporated by reference into legislation at national or state and territory level, with related enforcement mechanisms.

Are there economic and societal barriers to improving this aspect of animal welfare?

Although some positive work has been done in this area, since the government stepped back from coordinating the Australian Animal Welfare Strategy and the Ministerial Council responsible for endorsing new Standards has been discontinued,¹⁵ there is no clear path for the adoption and implementation of new nationally consistent standards for the welfare of farm animals.

Some state government have put into place policies aimed at reducing 'red tape'¹⁶, which may place further financial constraints on improvement in this area.

There have been significant problems with the export of live animals from Australia intended for slaughter in other countries, as although both legislation and guidelines provide some protection for farmed animals in the country, there is evidence that these animals fall out of protection on leaving Australia and often suffer poor welfare during transport and slaughter. Therefore the live animal export trade may present a barrier to improving animal welfare in the country. The government has taken some steps to address this, in the form of clear statements and policy production on the live animal export trade, including allocation of budget for special training in animal welfare in association with the OIE in export destination countries, and through the introduction of the Exporter Supply Chain Assurance Scheme which codifies OIE requirements in relation to live export.¹⁷ These measures show that the government is aware of this problem and is working towards improving it; however reliance on this trade remains an obstacle, as the Department of Agriculture has noted that "While Australia has developed a significant trade in meat products, the lack of refrigeration and cold chain facilities, as well as strong cultural preferences for freshly slaughtered meat precludes Australia from servicing all of its export markets with processed meat products"¹⁸.

Are enforcement mechanisms in place in policy and legislation?

¹⁴ http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF

¹⁵ <https://www.coag.gov.au/node/516>

¹⁶ <http://www.cuttingredtape.gov.au/>; <http://www.dif.vic.gov.au/Victorias-Economy/Economic-policy-and-guidelines/Reducing-the-regulatory-burden>; <http://www.treasury.qld.gov.au/office/services/regulatory-reform/reducing-the-regulatory-burden.shtml>; <http://change.sa.gov.au/projects/simplify-the-governments-red-tape-reduction-initiative/>

¹⁷ http://www.liveexports.gov.au/government_action#new

¹⁸ <http://www.daff.gov.au/animal-plant-health/welfare/export-trade>

The Department of Agriculture regulates the export of livestock under the Export Control Act 1982, the Australian Meat and Live-stock Industry Act 1997 and associated orders, regulations and standards. This includes the Australian Standards for the Export of Livestock and the Exporter Supply Chain Assurance System. The government advises that the core elements of the department's compliance strategy are to assist stakeholders to understand their rights and obligations; to make it as easy as possible for exporters to meet their regulatory obligations; to support stakeholders who want to do the right thing, to actively pursue those who opportunistically or deliberately contravene Australian legislation that governs the export of live animals.

Each state or territory animal protection act contains measures for inspection and enforcement by authorised officers, as well as a series of procedures and powers (including emergency powers) for prosecution.

The Australian Model Codes of Practice for the Welfare of Animals do not include enforcement measures but are referenced in state and territory legislation and should also assist the public in understanding and applying animal welfare measures at different stages of production and across different species. Queensland, South Australia and Victoria have mandatory codes of practice. In Victoria, failure to comply with the licence conditions that include animal welfare standards can result in a licence to operate an abattoir being revoked (Meat Industry Act 1993), and the Livestock Management Act 2010 implements management standards through compliance agreements. Tasmania has mandatory standards that are enforceable under the Animal Welfare Act 1993 and in New South Wales, animal welfare provisions are applied as a condition of licence on red meat abattoirs.¹⁹ Poultry processors in New South Wales are also required to have animal welfare procedures in place.²⁰

4. b. There are laws that apply to animals in captivity

Ranking: C

Part 1: Verification

There is legislation with partial application

There is very limited relevant legislation at national level. Part 13A of the Environment Protection and Biodiversity Conservation Act 1999, under international movement of wildlife specimens Div 1303BA(e) "to promote the humane treatment of wildlife" applies to the import and export of captive wildlife and is interpreted under the Environment Protection and Biodiversity Conservation Regulations to require facilities to meet certain standards in order for permit requirements to be met. Each state and territory government is responsible for implementing and enforcing domestic animal welfare legislation, including for animals in captivity. These laws are enforced by the RSPCA or by state and territory government officers. The development of Australian Standards and Guidelines for the Welfare of Exhibited Animals is close to completion and is expected to be considered by

¹⁹ <http://www.foodauthority.nsw.gov.au/industry/industry-sector-requirements/meat/red-meat-abattoirs>

²⁰ <http://www.foodauthority.nsw.gov.au/industry/industry-sector-requirements/meat/poultry-and-non-red-meat-abattoirs#.VGXnnWdF3cs>

Agricultural Ministers in early 2015. Following completion, it will be up to state and territory governments to incorporate this into legislation.

The Zoo and Aquarium Association also has an accreditation program that includes auditing. At regional level, the general anti-cruelty and duty of care provisions in state and territory animal welfare legislation apply.

There is also legislation in some states and territories covering specific aspects of keeping animals in captivity, mostly in the form of prohibitions or restrictions on activities in relation to the use of animals that are confined or captive. Some jurisdictions such as New South Wales and Queensland have legislation and policy addressing the exhibition of certain species (such as primates, koalas, kangaroos and wallabies), while others have a more general approach.

In the Australian Capital Territory, Part 5 of the Animal Welfare Act 1992 permits travelling zoos and circuses to take place under licence (with some restrictions on species that may be exhibited, and requirements for facilities to be adequate). Part 3 provides for codes of practice, which may be mandatory, to be made on various issues including the keeping of zoo animals. Codes have been made on topics including keeping amphibians in captivity.

In New South Wales, section 9 of the Prevention of Cruelty to Animals Act 1979 requires that confined animals are exercised, and the Exhibited Animals Protection Act 1986 sets standards for the care of animals in zoos, circuses, and aquaria. The state also has a code of practice on animals in rodeo events and on using animals in film and theatrical performances.

In Western Australia, there are codes of practice relating to circuses and zoos, and compliance with these can be relied upon as a defence to prosecution under the Animal Welfare Act 2002.

In Queensland, there are codes of practice relating to circuses and zoos.

In South Australia, there are mandatory codes of practice on the husbandry of captive birds and circuses, incorporated under the Animal Welfare Regulations 2012.

In Victoria, there is a voluntary code of practice for the public display or exhibition of animals, compliance with which provides an exemption from the provisions of the Prevention of Cruelty to Animals Act 1986 (section 6). Keeping of exotic species or wildlife are subject to licence provisions under the Catchment and Land Protection Act 1994 and the Wildlife Act 1975 respectively that incorporate standards for keeping or require compliance with the code of practice i.e. making the code mandatory. The Zoological Parks and Gardens Act 1995 establishes management and regulation of government funded zoos and these require compliance with the code.

In Tasmania, although there are various codes of practice which have evidential value under the Animal Welfare Act 1993, none of these apply specifically to animals kept in a captive setting such as a zoo. Regulation 35 of the Wildlife Regulations 1999, made under the National Parks and Wildlife Act 1970, requires that a wildlife exhibition licence must be obtained in order to exhibit wildlife to the public, including in circuses and zoos.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The development of Australian Standards and Guidelines for the Welfare of Exhibited Animals is close to completion and is expected to be considered by Agricultural Ministers in early 2015. Existing state or territory legislation recognises that captive animals require protection, and through

the delivery of the Australian Animal Welfare Strategy national policy positions were identified for promoting the welfare of such animals. However an important part of existing provisions restrict activities that may generate poor welfare (in some cases by addressing potential threats to life and integrity) but do not necessarily elaborate on elements commonly found in other international systems that use commonly accepted standards (such as the Five Freedoms) to produce legislation and policy relating to captive animals. In addition, even for specific areas such as the regulation of animals kept in zoos or in captivity for exhibition purposes, there are substantial differences in the approach taken by different jurisdictions, making it more difficult to mainstream the concept of animal welfare for animals in captivity. The development of nationally consistent standards and guidelines on this subject, for adoption by individual state and territory governments, is aimed at increasing consistency. Existing policy plays a very important role in unifying and promoting a conscious debate on the matter, helping to raise standards in different parts of the country, and the introduction of the proposed new guidelines could further improve this position.

Are there economic and societal barriers to improving this aspect of animal welfare?

Where legislation exists and addresses the issue of captive animals or regulates activities in relation to this category of animals, there are structures in place to help with implementation of the law in the form of responsible authorities with independent budgets. The new proposed national guidelines should provide uniformity to this issue across the individual jurisdictions. It is not considered that there are any significant barriers to further progress being made in this way. However it is noted that, as there is no longer a Ministerial Council responsible for endorsing such guidelines, uptake will rely on commitment by individual state and territory jurisdictions, and policies aimed at reducing 'red tape' in several states could present budgetary constraints here.²¹

Are enforcement mechanisms in place in policy and legislation?

Each state and territory government is responsible for implementing and enforcing domestic animal welfare legislation, including for animals in captivity. These laws are enforced by the RSPCA or by state and territory government officers. All zoos and wildlife parks in Australia are licensed and are required to meet certain criteria to operate. The Zoo and Aquarium Association also has an accreditation program that includes auditing.

4. c. There are laws that apply to companion animals

Ranking: B

Part 1: Verification

There is legislation

There is no legislation applicable to companion animal welfare at a national level. Each state and territory has animal welfare legislation that covers companion animals, including the

²¹ <http://www.cuttingredtape.gov.au/>; <http://www.dtf.vic.gov.au/Victorias-Economy/Economic-policy-and-guidelines/Reducing-the-regulatory-burden>; <http://www.treasury.qld.gov.au/office/services/regulatory-reform/reducing-the-regulatory-burden.shtml>; <http://change.sa.gov.au/projects/simplify-the-governments-red-tape-reduction-initiative/>

general anti-cruelty and duty of care provisions in state and territory animal welfare legislation. In the Australian Capital Territory, section 12 of the Animal Welfare Act 1992 provides that laying poison for the purpose of killing animals including domestic animals is illegal. Section 19A prohibits tail docking and ear cropping in dogs. Part 3 provides for codes of practice, which may be mandatory, to be made on various issues, and several such codes have been made, including on animal boarding, sale of animals, pounds and shelters, grooming, and the welfare of birds, cats and dogs. The Domestic Animals Act 2000 provides for the identification and registration of cats and dogs and promotes responsible ownership.

In New South Wales, the Prevention of Cruelty to Animals 1979 prohibits poisons to be administered to domestic animals (section 15) and requires people to report injuries of domestic animals (section 14). A number of specific mutilations are also banned (section 12) including operating upon a dog for the purpose of preventing the dog from being able to bark or removing one or more of the claws of a cat. There are exceptions if the procedure is undertaken by a veterinary practitioner and performed in the prescribed circumstances and in accordance with any conditions specified in the regulations; section 22 of the subsidiary Prevention of Cruelty to Animals Regulation 2012 permits cats to be 'declawed' if certain conditions are met including that all reasonable steps have been taken to find an alternative and the cat has caused repeated and unacceptable damage, and section 21 of the Companion Animals Act 1998 (which generally provides for the identification and registration of cats and dogs and promotes responsible ownership) creates a procedure for a court order to be made requiring a dog which will not stop nuisance barking to be subjected to a 'debarking' operation. There are also codes of practice on grooming and boarding establishments, pet shops and breeding.

In the Northern Territory some of the prohibited acts of cruelty in section 7 of the Animal Welfare Act 2000 relate particularly to companion animals, such as abandonment.

In Western Australia, Regulation 14 of the Animal Welfare (General) Regulations 2003 prohibits docking dogs' tails for cosmetic purposes.

In Queensland, sections 23 to 26 of the Animal Care and Protection Act 2001 prohibit dog ear cropping, dog tail docking, dog 'debarking' and cat 'declawing' unless in the welfare interests of the animal. The Animal Management (Cats and Dogs) Act 2008 provides for the identification and registration of cats and dogs and promotes responsible ownership.

In South Australia, the Dog and Cat Management Act 1995 provides for the identification and registration of cats and dogs and promotes responsible ownership. The Animal Welfare Regulations prohibit tail docking of dogs and cats, ear cropping, use of electric collars, and 'debarking'.

In Victoria, the Prevention of Cruelty to Animals Regulations 2008 regulate the use of certain types of training collars on dogs debarking and the use of animals from pounds in scientific procedures.

There are codes for private ownership of many species kept as pets including for reptiles, amphibians, caged birds, dogs, cats and horses. There is prohibition of certain procedures on pets such as tail docking of dogs and horses, 'declawing' of cats, 'debarking' of dogs and ear cropping of dogs. The Domestic Animals Act 1994 provides for the identification and registration of cats and dogs and promotes responsible ownership. There are also various mandatory codes of practice for businesses involving breeding and boarding establishments for cats and dogs, standards for pounds and shelters, greyhound establishments, pet shops and dog training establishments. Levies on cat and

dog registrations are used to fund research, administration of standards and education on responsible pet ownership and safety around pets in schools, kindergartens and the community.²² In Tasmania, the anti-cruelty provision in section 8 of the Animal Welfare Act 1993 includes a prohibition on abandonment. The Dog Control Act 2000 provides for the registration and licensing of dogs and the Cat Management Act 2009 concerns the control and management of cats. There are also Guidelines for dog breeding which have evidential value under the Animal Welfare Act 1993.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The need to protect companion animals in legislation is recognised in the country as an independent issue and each state and territory government has produced legislation relating to responsible ownership of animals and includes elements of monitoring and evaluation in the form of some requirements for registration of cats and dogs. Most of the responsible ownership provisions are based on concepts such as the Five Freedoms, which are universally accepted as an international reference to promote good animal welfare.

However, there are welfare issues associated with companion animals in the country. There are high rates of companion animal abandonment and euthanasia,²³ and animal welfare NGOs in the country are seeking stronger regulation of the pet industry and dog breeding.²⁴

Are there economic and societal barriers to improving this aspect of animal welfare?

There is responsibility for the promotion of welfare of companion animals in the hands of animal welfare and animal management authorities, and some of the state or territory legislation contains specific provisions addressing the allocation of financial resources for implementation. An example of this can be found in the Companion Animals Act 1998 for New South Wales (Section 84 establishes the Companion Animals Fund). Other Acts, such as the Tasmanian Cat Management Act 2009, refer to the general animal welfare legislation where provisions for financial resources can be found. There do not appear to be significant barriers to improvement in this area.

Are enforcement mechanisms in place in policy and legislation?

Each of the relevant state and territory Acts has provisions on enforcement and implementation including punitive measures such as seizures and fines.

4. d. There are laws that apply to animals used for draught or recreational purposes

Ranking: B

²² <http://www.depi.vic.gov.au/pets/registration-legislation-and-permits>

²³ [http://katrinahodgkinson.com/nsw-government-acts-to-cut-pet-euthanasia-rates/;](http://katrinahodgkinson.com/nsw-government-acts-to-cut-pet-euthanasia-rates/)

<http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/Companion%20Animals%20Taskforce%20Discussion%20Paper%20May%202012.pdf>

²⁴ http://www.animalsaustralia.org/issues/companion_animals.php

Part 1: Verification**There is legislation**

There is no legislation applicable to the welfare of this category of animals at a national level. Each state and territory has animal welfare legislation that covers animals used for draught or recreational purposes, including the general anti-cruelty and duty of care provisions in state and territory animal welfare legislation.

In the Australian Capital Territory, section 17(1) of the Animal Welfare Act 1992 prohibits releasing a captive animal for hunting and section 17(2) prohibits owning or using premises for animal fighting or baiting. Section 18 prohibits conducting or taking part in rodeos. Part 5 of the Animal Welfare Act 1992 permits travelling zoos and circuses to take place under licence (with some restrictions on species that may be exhibited, and requirements for facilities to be adequate). In relation to working animals, section 16 prohibits working, riding or driving an animal that is unfit. Part 3 of the Act provides for codes of practice to be made; codes have been made on topics including animals on film sets, greyhound welfare and recreational and sport fishing.

In New South Wales, the Prevention of Cruelty to Animals Act 1979 prohibits a number of actions against animals used for draught or recreation purposes. These include section 13 prohibiting a person to work, ride or drive an animal that is unfit. Section 18 prohibits bull fighting, defined as an exhibition, spectacle or display where a person commits an act of cruelty upon a bull, teases a bull, or does any other thing in relation to a bull, in a manner that is likely to cause the bull to fight or to suffer pain or injury. Section 19 prohibits trap shooting (game parks), section 21 prohibits coursing and section 21C prohibits steeplechasing and hurdle racing. The Exhibited Animals Protection Act 1986 provides for the licencing of display animals including dolphins and elephants, and there are subsidiary prescribed standards relating to certain categories and species of animals. There is a code of practice for the welfare of animals in films and theatrical performances, compliance with which is required by the Prevention of Cruelty to Animals (General) Regulation 2006.

In the Northern Territory some of the prohibited acts of cruelty in section 7 of the Animal Welfare Act 2000 relate particularly to this category of animals, such as use of animals for inappropriate work and in organised fights.

In Western Australia, there is a code of practice for circuses. Although this does contain some welfare considerations such as space, social contact and training methods, the basis of the code is that animals including lions and elephants may be trained to perform. There is also a code of practice for racing. Compliance with the codes can be relied on as a defence to prosecution under the Animal Welfare Act 2002.

In Queensland, section 20 of the Animal Care and Protection Act 2001 prohibits animal fights (including bullfights). There is a compulsory code of practice for the welfare of animals in circuses, and a voluntary code of practice for the welfare of animals in film and television.

In South Australia, section 14 of the Animal Welfare Act 1985 prohibits organising and promoting animal fighting, and section 34 provides that rodeos may only be held with permits. Rodeos are regulated under the Animal Welfare Regulations.

In Victoria, section 16 of the Prevention of Cruelty to Animals Act 1986 requires that rodeos may only be held with permits. There is a voluntary code of practice for the public display or exhibition of animals and a code for the welfare of film animals, compliance with which provides an exemption

from the provisions of the Prevention of Cruelty to Animals Act 1986 (section 6). Standards for conduct of rodeos are regulated and a permit or licence is required to operate a rodeo. Where carriage horses are used in the city boundaries local government issues a licence that requires compliance with a code of welfare practice.

In Tasmania, all provisions of the Animal Welfare Act 1993 cover draught and recreational animals. In addition, section 10 prohibits activities associated with animal fighting. Section 8 specifies that a person is guilty of an offence if that person drives, conveys, carries or packs an animal in a manner or position or in circumstances that subjects or subject it to unreasonable and unjustifiable pain or suffering; or works, rides, drives or uses an animal when it is unfit for the purpose. It is also prohibited, in the course of or training for any sport or public performance, to use an electronic device or sharpened spur on an animal. Section 11A requires that rodeos are conducted in accordance with the relevant code of practice. Regulation 35 of the Wildlife Regulations 1999, made under the National Parks and Wildlife Act 1970, requires that a wildlife exhibition licence must be obtained in order to exhibit wildlife to the public, including in circuses.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

This issue is acknowledged by Australian legislation, and there are provisions regulating aspects of the use of animals for recreation or entertainment. However there is some disparity between the state and territory legal protection systems specifically relating to animals in captivity, and the enforcement mechanisms in existence lack uniformity.

Under the Australian Animal Welfare Strategy a working group was established to address issues relating to the use of animals in this category, the Animals used for Work, Recreation, Entertainment and Display Working Group. However, following the announcement by the government in late 2013 to reduce red tape, streamline government processes and make budget savings, responsibility for the Strategy was handed to the states and territories and this working group was disbanded.²⁵

The Agriculture Minister has said that the activities under the strategy will continue to be undertaken by the states and territories²⁶ and by the Department of Agriculture.²⁷ The Department highlights domestic animal welfare as the responsibility of state and territory governments.²⁸

Are there economic and societal barriers to improving this aspect of animal welfare?

Some positive steps have been taken in the past but the withdrawal of funding and government resources demonstrates that this is no longer a priority for the government. Existing regulations at state and territory level suggest that some improvement should be possible on a regional basis, and representatives from state and territory governments are encouraged to continue with the work previously undertaken by the Animals used for Work, Recreation, Entertainment and Display Working Group.

Are enforcement mechanisms in place in policy and legislation?

There are enforcement mechanisms for the general anti-cruelty and duty of care provisions in each

²⁵ <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>

²⁶ http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF

²⁷ <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>

²⁸ <http://www.agriculture.gov.au/animal-plant-health/welfare>

jurisdiction.

4. e. There are laws that apply to animals used for scientific research

Ranking: A

Part 1: Verification

There is legislation

The National Health and Medical Research Council,²⁹ which is a non-corporate government entity responsible for promoting and developing public and individual health standards, is required to develop evidence-based guidelines on issues that affect general health policy in Australia. The Australian code for the care and use of animals for scientific purposes 8th edition 2013 (the Code) is to promote the ethical, humane and responsible care and use of animals used for scientific purposes. The ethical framework and governing principles set out in the Code provide guidance for investigators, teachers, institutions, animal ethics committees and all people involved in the care and use of animals for scientific purposes.

The Code applies to the care and use of all live non-human vertebrates and cephalopods. It applies throughout the animal's involvement in activities and projects, including acquisition, transport, breeding, housing, husbandry, the use of the animal in a project, and the provisions for the animal at the completion of their use. Compliance with the Code is required in order to obtain licensing and government funding for research projects.

The Code has been incorporated under each state and territory's animal welfare legislation, making compliance with the Code mandatory in each jurisdiction. This ensures that as reviewed versions are published, legislation is automatically updated in line with the latest trends on protection of animals used in scientific research.

In the Australian Capital Territory, Part 4 of the Animal Welfare Act 1992 deals with animal research, teaching and breeding. A person must have a licence granted by the Animal Welfare Authority in order to use or breed animals for research or teaching. Part 3 of the Act provides for codes of practice, which may be mandatory, to be made on various issues including the care and use of animals for scientific purposes; the latest version of this code was produced in July 2014.

In New South Wales, Part 2A of the Animal Research Act 1985 requires those carrying out animal research or supplying animals for research to be authorised in accordance with the Act and accredited as research establishments, and certain procedures are prohibited under the Act.

In the Northern Territory, section 42 of the Animal Welfare Act 2000 provides that in order to conduct animal research, the applicant must obtain a licence, which may be subject to conditions.

In Western Australia, Part 2 of the Animal Welfare Act 2002 sets limits on the use of animals for scientific purposes, and the Animal Welfare (Scientific Purposes) Regulations 2003 require that the use of animals for scientific purposes complies with the national Code.

In Queensland, section 91 of the Animal Care and Protection Act 2001 provides that the use of animals for scientific purposes must comply with the national Code.

²⁹ <https://www.nhmrc.gov.au/guidelines/publications/ea28>

In South Australia, Part 4 of the Animal Welfare Act 1985 requires licensing in order to use an animal for research or experimentation.

In Victoria, Part 3 of the Prevention of Cruelty to Animals Act 1986 provides that the use of animals for scientific purposes must comply with the national code that is referenced under the Prevention of Cruelty Regulations 2008. Research and teaching that uses animals must occur under a licence and only after an Animal Ethics Committee approval.

In Tasmania, Part 4 of the Animal Welfare Act 1993 provides that in order to carry out animal research, an institution must be licensed by the Minister, and a condition of each licence is that institutions must comply with the national Code.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The existence and importance of the Code for the care and use of animals for scientific purposes demonstrates that the welfare of animals in research is regarded as an independent issue subject to regulation and protection. The Code introduces governing principles that fall in line with international standards of protection, including concepts such as the Three Rs. The Code also makes reference to the best possible practice specific to the species and biology of animals involved in the research. Although there is no specific list of animals on which experimentation is not permitted, there are restrictions (in the form of additional justification requirements) on the use of non-human primates.

Are there economic and societal barriers to improving this aspect of animal welfare?

The National Health and Medical Research Council is responsible for policy revision and production. Section 2 of the Code for the care and use of animals for scientific purposes specifies the responsibilities of those involved in the use of animals in research and provides for the conformation of a committee in charge of ethical reviews on the subject matter. The Code itself, and the general policies contained in it, are subject to review after five years and NHMRC may recommend to the organisation's Chief Executive Officer that a review is necessary. After 10 years, irrespective of whether the Code was reviewed at five years or not, guidelines are either reviewed and the evidence updated, or revoked. The development and review of the Code is undertaken by nominated representatives of experts in the matter, which includes animal welfare organisations, the Australian government, state and territory governments, specialists in evaluating evidence, professional technical and scientific writers and a public consultation process. There do not appear to be significant barriers to improvement in this area. The government is encouraged to develop a national strategy for the implementation of the principles of the Three Rs and to fund the development of alternatives to animal use in research.

Are enforcement mechanisms in place in policy and legislation?

Section 5 of the Code for the care and use of animals for scientific purposes includes provisions for failure to comply with the code for the responsible conduct of research. This includes disciplinary action and other measures. The Code prescribes the establishment of Animal Ethics Committees at each institution that uses animals for scientific research. The committees have the responsibility of reviewing the ethical parameters of proposed research and may not approve an application if it fails to meet certain ethical principles. Institutions are required to be licensed and must provide annual statistics and reports to state and territory governments.

There are enforcement mechanisms in state and territory legislation for failure to comply.
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4. f. There are laws that apply to wild animals

Ranking: C

Part 1: Verification
There is legislation with partial application
<p>Legislation for the protection of wild animals in Australia is mostly focused on conservation but in some areas it does also address some issues related to the welfare of the individual animal. The government regulates the import and export of wildlife through the Environment Protection and Biodiversity Conservation Act 1999, which provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places, defined in the Act as matters of national environmental significance. The Act contains exemptions from various prohibitions for actions that are taken in a humane manner to relieve or prevent suffering for a member of a listed threatened species, migratory species, cetacean or animal (sections 197, 212, 231 and 255).</p> <p>The government has developed Model codes of practice and standard operating procedures for the humane capture, handling or destruction of feral animals in Australia. These have been produced following consultation with stakeholders including government and non-government organisations, animal welfare groups and technical specialists, and include considerations that methods should be humane and target-specific. A model for assessing the relative humaneness of pest animal control methods has also been developed.³⁰ Codes of practice for each of the key pest animal species provide general information on best practice management, control strategies, species biology and impact, and the humaneness of current control methods. Standard operating procedures include a discussion of animal welfare impacts for target and non-target species.</p> <p>The government has also developed National codes of practice (commercial and non-commercial) for the humane shooting of kangaroos and wallabies, compliance with which is made mandatory by licensing provisions. Compliance with the commercial code is a requirement of Wildlife Trade Management Plans for the commercial use (and export) of kangaroos and wallabies, approved under the Environment Protection and Biodiversity Conservation Act 1999.</p> <p>State and territory general anti-cruelty legislation applies to wild animals.</p> <p>Specific legislation in state and territory jurisdictions to protect wildlife predominantly refers to their conservation rather than welfare. There are provisions concerned with problems associated with feral animals (including feral livestock), and native species of animals when they are considered a threat to crops or to pose a risk to humans, which allow for the destruction of these animals (and in the case of some feral animals may even require that this be done), and permitted destruction methods often deviate from good animal welfare principles. For example, the use of 1080 poison is allowed in several Australian jurisdictions.</p>

³⁰ <http://www.agriculture.gov.au/animal-plant-health/welfare/aaws/humaneness-of-pest-animal-control-methods>

In the Australian Capital Territory, the Nature Conservation Act 1980 makes provisions relating to conservation and protection of certain species. Part 3 of the Animal Welfare Act 1992 provides for codes of practice, which may be mandatory, to be made on various issues including fishing, culling of native animals, control of feral animals, trapping and snaring, and commercial pest control. Codes have been made on fox control and on the humane shooting of kangaroos and wallabies. Section 60 prohibits the use of specified traps.

In New South Wales, section 23 of the Prevention of Cruelty to Animals Act 1979 prohibits the setting of steel-jawed traps and being in the possession of a steel-jawed trap with the intention of using it to trap an animal. Section 4 of the Wild Dog Destruction Act 1921 requires owners and occupiers to destroy all wild dogs found upon their land within the Western Division of the state, with no provision as to humane methods of destruction. The Game and Feral Animal Control Act 2002 provides for the effective management of introduced species of game animals, and promotes hunting of those game animals on public and private land and of certain pest animals on public land, but does not contain welfare considerations.

In the Northern Territory, section 49 of the Territory Parks and Wildlife Conservation Act 2006 allows for the destruction of feral animals.

In Western Australia there is a code of practice for the capture and marketing of feral animals, which provides some restrictions on population management. However, although the code states that poisoning using unregistered poisons or trapping without prompt removal or destruction are unacceptable on welfare grounds, and that poisoning should not be used where alternatives are available, it does allow (and recommend) other potentially low welfare methods to be used such as chasing with dogs and roping animals. Compliance with the code can be relied upon as a defence to prosecution under the Animal Welfare Act 2002.

In Queensland, there is a voluntary code of practice on the management of feral livestock, and the Land Protection (Pest and Stock Route Management) Act 2002 provides a framework and powers for management of pest species, although this does not contain welfare related considerations.

In South Australia, there are mandatory codes of practice for the humane destruction of various species of wildlife, under the National Parks and Wildlife Act 1972.

In Victoria, the Wildlife Act 1975 and the Prevention of Cruelty to Animals Act 1986 provide for protection of wild animals. There is a voluntary code of practice for the welfare of animals in hunting, release of game birds for hunting and for rehabilitation of wildlife. In the case of hunting compliance with the code is a condition of licence. There are Emergency Management Act requirements for protection of the welfare of animals that reference plans for response, including Oiled Sea birds response, Victorian Emergency Animal Welfare Plan and Cetacean stranding response plan, compliance with which provides an exemption from the provisions of the Prevention of Cruelty to Animals Act 1986 (section 6).

In Tasmania, all provisions of the Animal Welfare Act 1993 cover wild animals. In addition, section 12 of the Act prohibits the use of leghold traps, glueboard traps and snares, unless an exemption has been granted. There are also approved Welfare Guidelines under the legislation for hunting wallabies and shearwaters. Regulation 28 of the Wildlife Regulations 1999, made under the National Parks and Wildlife Act 1970, puts some limits on hunting methods.

Part 2: Assessment

<p>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</p>
<p>The general anti-cruelty laws at state and territory level apply to wild animals, and it is positive the government has developed Model codes of practice and standard operating procedures for the humane capture, handling or destruction of feral animals. However there are a number of issues that have been addressed in legislation in a way that does not promote the good welfare of individual animals. Some inhumane methods of culling of animals are still in use in the country, including the use of poison baits and some forms of traps. These issues appear in law and promote a negative approach to animal welfare, removing many animals from much of the protection of animal welfare legislation through their designation as ‘vermin’ or ‘pests’.</p> <p>The country continues to face challenges in relation to wild animal welfare, for both native animals (for example, shark culling) and dealing with the conservation threat that some introduced species pose to native wildlife. Killing methods that are permitted in many cases involve poor welfare. Further legislative and policy work could be undertaken to promote different solutions to problems relevant to this indicator.</p>
<p>Are there economic and societal barriers to improving this aspect of animal welfare?</p>
<p>There are systems in place for improving animal welfare for this particular category of animals, but not all the provisions could be said to fulfil the objective of promoting or improving animal welfare. The main obstacle then comes from the definition of issues to be covered by legislation and mechanisms by which this legislation addresses problematic issues in the country. There are significant barriers in the form of concerns about threats (environmental, agricultural and social) from introduced species, as well as from native wild animals (for example, threats to crops). There may also be challenges to the effective enforcement of wild animal legislation due to the remote nature of the land on which hunting can take place.</p>
<p>Are enforcement mechanisms in place in policy and legislation?</p>
<p>There are enforcement mechanisms relating to the Environment Protection and Biodiversity Conservation Act 1999 and relevant provisions in state and territory legislation.</p>

Goal 2: Presence of effective governance structures and systems

5. The government has assigned responsibility and accountability for improving animal protection at a high government level and has provided resources

Ranking: B

<p>Part 1: Verification</p>
<p>There is legislation</p>
<p>In terms of national policy, the Animal Welfare Strategy 2010-14 established a national intergovernmental committee, the Australian Animal Welfare Advisory Committee, made up of</p>

representatives from state and territory government responsible for animal welfare and responsible for the delivery of the Strategy. This replaced the National Consultative Committee on Animal Welfare which had been in existence since 1989, and which contained representatives from all jurisdictions as well as NGO representatives.³¹

However, following the announcement by the government in late 2013 to hand over the coordination and program management for the ongoing delivery of the Strategy to the states and territories, the Australian government stepped back from leading any domestic animal welfare issues.³² The Agriculture Minister has said that the activities under the strategy will continue to be undertaken by the Department of Agriculture³³ and by state and territory governments.³⁴ The Department highlights domestic animal welfare as the responsibility of state and territory governments.³⁵

At the state and territory level, each jurisdiction has relevant legislation and responsibility for the administration of animal welfare law is vested in state departments. The legislation also establishes specific animal welfare bodies within government.

In the Australian Capital Territory, section 5 of the Animal Welfare Act 1992 provides for the establishment of an Animal Welfare Authority and section 109 establishes an animal welfare advisory committee responsible for drafting codes of practice.

In New South Wales, part 2A of the Prevention of Cruelty to Animals Act 1979 provides for the establishment of officers who can monitor compliance of the Act and also provides for the establishment of inspectors who have to power to inspect suspected breaches of the Act. The Department of Primary Industries has also set up a non-statutory Animal Welfare Advisory Council.³⁶

In the Northern Territory, Part 4 of the Animal Welfare Act 2000 provides for the establishment of an Animal Welfare Authority.

In Western Australia, Part 4 of the Animal Welfare Act 2002 provides for the use of inspectors who have powers to inspect suspected breaches of the Act.

In Queensland, Chapter 5 of the Animal Care and Protection Act 2001 provides for the establishment of officers who can monitor compliance of the Act and also provides for the establishment of inspectors who have to power to inspect suspected breaches of the Act. Section 211 gives power to the relevant Minister to establish an animal welfare advisory committee, which was done in 2004.

In South Australia, section 6 of the Animal Welfare Act 1985 provides for the creation of an Animal Welfare Advisory Committee, to consist of relevant stakeholders including from government, industry and animal welfare organisations, although recent policy on statutory committees resulted in this Committee being disbanded in 2014.³⁷

In Victoria, section 18, 18A and 35 of the Prevention of Cruelty to Animals Act 1986 provides for the use of inspectors who have powers to inspect suspected breaches of the Act, and section 7

³¹ <http://www.australiananimalwelfare.com.au/content/the-origins-of-the-aaws>

³² <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>; http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF

³³ <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>

³⁴ http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF

³⁵ <http://www.agriculture.gov.au/animal-plant-health/welfare>

³⁶ <http://www.dpi.nsw.gov.au/agriculture/livestock/animal-welfare/awac>

³⁷ <http://indaily.com.au/wp-content/uploads/2014/09/Boards-and-Committees-Reform-Interim-Report-for-release.pdf>

provides for making codes of practice, including a code for use of animals in scientific procedures to establish animal ethics committees. The Minister for Agriculture and Food Security has established a non-statutory Animal Welfare Advisory Committee (including members of industry and NGOs).³⁸ In Tasmania, the Animal Welfare Act 1993 establishes an Animal Welfare Advisory Committee (section 39; to include members of industry and NGOs) which is responsible for reviewing legislation and making recommendations to the Minister, and an Animal Experimentation Ethics Committee (section 30).

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Under the Australian Animal Welfare Strategy 2010-2014 the Animal Welfare Committee was responsible for considering animal welfare matters of national significance, often relating to livestock production issues, and for referring matters to an intergovernmental ministerial council, made up of state ministers of agriculture.³⁹ Responsibility for this role now lies with a national intergovernmental task group for animal welfare, the Animal Welfare Task Group, consisting of representatives from the Department of Agriculture and each state and territory government department responsible for the administration of animal welfare policy and law. The Task Group focuses on animal welfare issues that support improved long-term and sustainable economic, social and environmental outcomes that are evidence based and informed by community expectations and are of national interest or concern. The Task Group leads the development of nationally consistent animal welfare standards and guidelines, revisions from the existing Model Codes of Practice for the Welfare of Animals. In 2013, the government finalised a review of the development process for animal welfare standards and guidelines, involving consultation of a range of stakeholders across agricultural industries, government and animal welfare organisations. The review made 20 recommendations to improve the current development process including more clearly defined roles and responsibilities, improved mechanisms to resolve conflict, better use of the regulatory impact analysis process and targeted research to support the regulation impact statement.⁴⁰ The Animal Welfare Task Group, a national intergovernmental task group for animal welfare, accepted all 20 recommendations from the review and is working to adopt the recommendations into future standards and guidelines development processes. The aim is for the standards and guidelines, with binding and advisory status respectively, to be adopted at state and territory level.

At state and territory level, responsibility is allocated to specific authorities and has provided powers and mechanisms to improve animal welfare in the country. This shows some recognition of animal welfare as an independent subject and helps issues to be discussed in areas where decisions on policies affecting animal welfare will have national implications.

Are there economic and societal barriers to improving this aspect of animal welfare?

There are no significant resource barriers to improvement. The country scores highly on World Governance Indicators, particularly on rule of law and government effectiveness, giving a solid

³⁸ <http://www.depi.vic.gov.au/agriculture-and-food/animal-health-and-welfare/animal-welfare/committees>

³⁹ www.australiananimalwelfare.com.au

⁴⁰ <http://www.agriculture.gov.au/animal-plant-health/welfare/standards-guidelines/review-animal-welfare-standards-and-guidelines-development-process>

background to the implementation of norms allocating resource, both financial and human to activities on management of animal welfare. However, in late 2013 the government announced it would hand over the responsibility for coordination and program management and ongoing delivery for the Australian Animal Welfare Strategy, having previously contributed funding of approximately AUD\$1 million per annum to its implementation,⁴¹ to the state and territory government, and dissolved the Australian Animal Welfare Strategy Advisory Committee, without any central budget allowance for coordination.⁴² This indicates that there are priority issues creating a barrier to improvement at a national level. A 2012 court decision may also have had an effect on this as the High Court found that Commonwealth executive power did not extend to the ability for it to spend money and enter into contracts without the backing of legislative authority, which has potential implications on the ability of the government to provide funds directly to and to enter into arrangements directly with the Australian Animal Welfare Strategy Advisory Committee.⁴³ It is also noted that the 2013 Review of the Animal Welfare Standards and Guidelines Development Process commissioned by the Department of Agriculture identified that “most stakeholders consulted were not confident that the states and territories could implement the standards consistently”, and that there are resource differences between jurisdictions.⁴⁴

Are enforcement mechanisms in place in policy and legislation?

The allocation of responsibility to relevant government bodies is recorded in legislation, and governance and regulatory responsibilities of the relevant departments are therefore subject to public sector accountability mechanisms.

Goal 3: Implementation of animal protection standards

6. The government is actively engaged with the OIE to improve animal welfare internationally, regionally and nationally

Ranking: D

Part 1: Verification

There is policy

The Australia Animal Welfare Strategy 2010-2014 supported the development and implementation of the OIE Regional Animal Welfare Strategy (RAWS) for Asia, the Far East and Oceania. RAWS was endorsed by the OIE as a global model for other regions. The government funded RAWS

⁴¹ 2010-11, 2011-12, 2012-13, 2013-14 Portfolio Budget Statements

⁴² <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>

⁴³ Ronald Williams v the Commonwealth of Australia and others [2012] HCA 23

⁴⁴ http://www.agriculture.gov.au/Style%20Library/Images/DAFF/___data/assets/pdffile/0009/2344968/review-animal-welfare-standards-guidelines-development-process.pdf (at pages 5-6)

development, implementation and Coordination Group activities since 2008, and has advised that this funding will cease in March 2015. The government has confirmed that the Australian Animal Welfare Focal Point will continue to engage in all OIE animal welfare focal point activities. The government has also contributed a significant amount of funding from the Official Development Assistance Program and the Improved Animal Welfare Program, managed by the Department of Agriculture, to eligible countries that import livestock for slaughter from Australia in order to improve animal welfare outcomes. Activities that were funded include the development and delivery of training on OIE animal welfare standards and capacity building activities such as practical training on animal handling, transport and slaughter to improve animal welfare outcomes.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The government has had extensive engagement with the OIE, including chairing the RAWs committee, with a scope that could reach both national and regional levels. The government has advised that the Australian Animal Welfare Focal Point will continue to engage in all OIE animal welfare focal point activities and that the government will continue its work to improve welfare standards in eligible countries that import livestock for slaughter from Australia.

Are there economic and societal barriers to improving this aspect of animal welfare?

It is assumed that there are no significant resource barriers to increasing interaction with the OIE and in helping to promote the OIE's activities in the region to improve the situation for animals locally, nationally and internationally. However it is noted that the funding for the Animal Welfare Strategy 2010-14 was recently withdrawn and there is no longer a dedicated animal welfare body within the Department of Agriculture, which has potential to present a barrier to improvement in terms of future engagement with the OIE. The government has advised that it will continue to work with the OIE on animal welfare issues through Australia's Chief Veterinary Officer and Animal Welfare Focal Point, and that within Australia, OIE issues relating to animal welfare will be raised in the forum of the Animal Welfare Task Group, in which the government will participate.

Are enforcement mechanisms in place in policy and legislation?

There are no enforcement mechanisms relevant to this indicator.

7. The government has incorporated the OIE's guiding principles for animal welfare and its animal welfare standards into policy and legislation

Ranking: B

Part 1: Verification

There is legislation with partial application

At national level, the Australian Standards for the Export of Livestock, which apply in relation to exported animals for slaughter and for breeding, during their transport within Australia and onboard livestock vessels (and aircraft) departing Australia, incorporate some, although not all, relevant OIE

standards. Since the end of 2012 Australia has also required compliance with the OIE's standards in importing countries as a condition of issuing a licence for the live export of animals for slaughter, under the Exporter Supply Chain Assurance System.

At an individual state and territory level, in most jurisdictions the OIE's animal welfare standards are broadly covered in legislation or policy. Standards on population control and animals in research are more prominent. Governments from all states and territories have produced legislation and guidelines for most of the issues covered in the standards in relation to farmed animals. The central government is encouraged to work on uniformity throughout the country to introduce standards in all states and territories.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Inclusion of the OIE's standards for animal welfare in legislation and policy is very important to create awareness of animal welfare and animal protection as independent issues which need to be normalised throughout the country. The content of many of the OIE's standards appears in legislation and policy documents and forms part of the strategy of the country towards improving animal welfare. The recent export controls indicate that the government views the standards as a useful benchmark for measurement and assessment of the way in which animals are dealt with in importing countries.

Are there economic and societal barriers to improving this aspect of animal welfare?

There are no relevant barriers that may create an obstacle for the adoption, transposition and implementation of the OIE's animal welfare standards. There is quite a prominent reliance on issues relating to farm animals and therefore standards in this area have been developed much more profusely than in others. It is important that the government reinforces efforts into introducing animal welfare standards in legislation and policy for all categories of animals across all jurisdictions.

Are enforcement mechanisms in place in policy and legislation?

The government has worked on integrating the OIE's animal welfare standards into legislation in a way that allows most standards to be enforced with legal mechanisms.

The government also requires compliance with the OIE's standards in importing countries as a condition of issuing a licence for the live export of animals for slaughter (although not for breeding), which is enforced through reporting and auditing arrangements.

In addition the government, through the Australian Industry-Government Working Group, has produced a series of guidelines to facilitate livestock industries to comply fully with the OIE's standards.

8. The government publishes reports on progress towards goals set to monitor and improve standards of animal welfare

Ranking: C

Part 1: Verification**There is policy**

The Australian Animal Welfare Strategy and National Implementation Plan 2010-14 contained a series of monitoring parameters to measure the extent to which the strategy was implemented and whether it was obtaining the desired results. The reports were made publicly available and they cover all matters related to the general strategy, including production of policy and legislation itself. The Australian Animal Welfare Advisory Committee was disbanded following a change in government and an announcement by the government to hand over responsibility for delivery of the Strategy to the states and territories. The Agriculture Minister has said that the activities under the strategy will continue to be undertaken by the Department of Agriculture⁴⁵ and by state and territory governments,⁴⁶ but has since said that animal welfare matters are the responsibility of state and territory governments.

In 2013, the government finalised a review of the development process for animal welfare standards and guidelines. The review sought to identify the strengths and weaknesses of the current development process, and to recommend improvements. A range of stakeholders across agricultural industries, government and animal welfare organisations were consulted. The review made 20 recommendations to improve the current development process including more clearly defined roles and responsibilities, improved mechanisms to resolve conflict, better use of the regulatory impact analysis process and targeted research to support the regulation impact statement, and the report was made publicly available.⁴⁷ The Animal Welfare Task Group is working to adopt the recommendations into future standards and guidelines development processes.

Existing reporting requirements under the Strategy will continue to be carried out but there appears to be no legislation requiring the production of future public reports on animal welfare progress.

Part 2: Assessment**Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?**

In order to assess the true impact of efforts made under the government's plans and strategies to improve animal welfare in the country, the production of reports provides a unique comprehensive view according to which objectives, resources and achievements can be easily viewed and understood. The scope of the reports which were produced under the Australian Animal Welfare Strategy exceeded good international standards and demonstrated that the central government was concerned not only about accountability and the responsible sourcing of animal welfare matters, but also with developing further action in the future. However it is concerning that there is no longer a national strategy for reporting on animal welfare and that this responsibility now appears to rest solely with state and territory governments.

Are there economic and societal barriers to improving this aspect of animal welfare?

The reports under the Australian Animal Welfare Strategy were produced and evaluated by the relevant authorities and are publicly available for access from the government's website dedicated

⁴⁵ <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>

⁴⁶ http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF

⁴⁷ <http://www.agriculture.gov.au/animal-plant-health/welfare/standards-guidelines/review-animal-welfare-standards-and-guidelines-development-process>

to the strategy. This recognised the need for a uniform approach and provided the tools for unification of codes and systems, therefore providing a comprehensive and joint approximation to this issue nationally. Although there are no logistical barriers to improvement, it is concerning that there is no longer a national strategy for addressing this.

Are enforcement mechanisms in place in policy and legislation?

The system relied on the production of policy which in essence cannot be enforced. Nevertheless, the strategy created series or revision mechanisms and because it involved the participation of several actors of the Australian animal sector (mainly government, industry and welfare organisations), there was some degree of enforcement through self-imposed provisions. The strategy itself was tied to report production, therefore providing a natural form of self-assessment and a sense that completion and revision of its objectives could only be achieved if the reporting took place.

Goal 4: Provision of humane education

9. Animal care and protection are included in the national education system

Ranking: E

Part 1: Verification

Policy is being discussed or developed

There is scope for animal care and protection to be covered in schools (especially in secondary school), in particular within the remit of Agricultural Studies and Primary Industries. However, there is at present no nationally compulsory subject for all Australian children to learn about animal care and protection in schools.

At a state and territory level, some jurisdictions have included animal welfare education as a matter of policy and animal welfare organisations participate in this process (for example, the Australian RSPCA has programmes in Queensland, Victoria, Western Australia, New South Wales and the Capital Territory). In Victoria, levies on cat and dog registrations are used to fund research, administration of standards and education on responsible pet ownership and safety around pets in schools, kindergartens and the community. There are funded and curriculum based responsible pet ownership programs provided to kindergartens and schools and a community education program to the community.

Under the Australian Animal Welfare Strategy an expert working group, the Education & Training Working Group, was established with representation from government, industry and sector specialist organisations, as well as animal welfare organisations, to build on existing arrangements across Australia and to discuss matters of animals in these sectors. In 2009, the Working Group developed a Framework for Animal Welfare Education in Australia⁴⁸. Stage 1 of this project sought to gather

⁴⁸ <http://www.australiananimalwelfare.com.au/app/webroot/files/upload/files/stage1-animal-education.pdf>

information from primary school teachers to gain an appreciation of current levels of animal welfare education and the limitations or difficulties in introducing animal welfare education into classrooms. The Strategy has now come to an end and it is unknown whether the Framework is still valid and whether this work is being progressed. The members of the working group are encouraged to continue with this work.

The Australian Veterinary Association's Pets and People Education Program is an education program that teaches infant and primary school students, along with community groups, about the responsibilities associated with owning pets and safe behaviour around animals, healthy living (pets and people), welfare of animals and animals in the community.⁴⁹

Veterinary courses, such as that taught at the University of Sydney, include elements of animal behaviour and welfare. There is a project underway to develop nationally shared curriculum resources for veterinary undergraduate learning in animal welfare and ethics.⁵⁰

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Education on animal welfare is extremely useful to improve animal welfare in any given country or system. In the case of the government of Australia, there does not appear to be a mandatory, uniform path by which education can be officially introduced into educational programmes in all state and territory jurisdictions. There is interaction in some states and territories with animal welfare organisations, and certainly the Australian Animal Welfare Strategy has introduced some policy to work on this issue, but there is no evidence of animal welfare issues being included in the national curriculum. The government is encouraged to continue its work in this area.

Are there economic and societal barriers to improving this aspect of animal welfare?

Efforts to introduce policy commitments and work to improving animal welfare through education can be seen in some jurisdictions. However, lack of uniformity in teaching programmes across jurisdictions presents a barrier to the improvement of education programmes on animal welfare and animal protection, and despite this area being mentioned in the Australian Animal Welfare Strategy, this does not appear to be a current priority for action.

Are enforcement mechanisms in place in policy and legislation?

There are no enforcement mechanisms relevant to this indicator.

Goal 5: Communication and awareness

10. The government works with others to improve animal protection by consulting and engaging relevant stakeholders, including NGOs

⁴⁹ <http://petpep.ava.com.au/>

⁵⁰ http://www-public.jcu.edu.au/news/JCU_136559

Ranking: B

Part 1: Verification
There is legislation
<p>The Australian Animal Welfare Strategy and National Implementation Plan 2010-14 was the result of collaboration and consultation between the government, state and territory governments, industry, research organisations, community animal welfare organisations and professional associations. However the strategy is no longer funded nationally, and there are no national advisory committees for animal welfare other than in the area of animal research. There are no individuals or bodies within the Department of Agriculture with specific responsibility for animal welfare and no mechanisms for regular consultation with NGOs.</p> <p>Each state and territory government has clearly allocated responsibility to improve and develop matters in relation to animal protection and animal welfare, and this includes committees, working groups and interaction with experts on the matter, so that decisions likely to have an impact on animal welfare are taken in consultation with a wide audience and relevant stakeholders. In addition, specific activities, including planning, strategic decisions, monitoring and reporting of animal welfare improvement and implementation are taken with a view to involve the wider community and interact with stakeholders. This happens in all states in the form of ethics committees in the area of scientific research. Many states have also set up general animal welfare advisory groups, including relevant stakeholders such as animal welfare organisations. Some of these are statutory; for example, in Tasmania, the Animal Welfare Act 1993 establishes an Animal Welfare Advisory Committee (section 39; to include members of industry and NGOs). Others are set up under policy; for example, in Victoria the Minister for Agriculture and Food Security has established a non-statutory Animal Welfare Advisory Committee (including members of industry and NGOs).⁵¹ The government in Victoria has a programme of grants to animal welfare organisations that includes for provision of responsible pet ownership programmes.</p> <p>In New South Wales, the Animal Welfare Advisory Council is a non-statutory committee with the purpose of providing the state government with advice on animal welfare matters. The Council comprises representatives from industry, government, animal welfare organisations and professional bodies.⁵²</p>
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>Consultation with relevant stakeholders and experts on issues relevant to animal welfare and animal protection is important in the development of plans and strategies, which in turn are useful for the promotion of effective animal welfare provisions. State and territory governments have made clear, through interaction with such stakeholders, that animal welfare is a matter that stands independently and in consideration of which decisions in connection with other policies and issues should be taken,</p>

⁵¹ <http://www.depi.vic.gov.au/agriculture-and-food/animal-health-and-welfare/animal-welfare/committees>

⁵² <http://www.dpi.nsw.gov.au/agriculture/livestock/animal-welfare/awac>

as it occurs for instance with trade operation and health and safety issues. However, there is no national animal welfare statute and it is noted that at national level the funding and other resources for implementing the Australian Animal Welfare Strategy have recently been withdrawn and associated advisory committees disbanded.⁵³ The Agriculture Minister initially said that the activities under the Strategy will continue to be undertaken by state and territory governments and the Department of Agriculture.⁵⁴ The government is encouraged to continue its previous positive work with relevant stakeholders, including from NGOs, at national level.

Are there economic and societal barriers to improving this aspect of animal welfare?

Under the Australian Animal Welfare Strategy 2010-14, the government made important efforts to include consultation with relevant stakeholders in the decision-making process.

However, following an announcement in late 2013 the government handed over the responsibility for coordination and program management and ongoing delivery for the Australian Animal Welfare Strategy to the states and territories, and the government stepped back from leading any domestic animal welfare issues at a national level, suggesting that there may be barriers to continuation and improvement.⁵⁵

Analysis suggests that the majority of animal welfare research in Australia is controlled by livestock industry Research and Development Corporations, which may lead to some conflict of interest in allocation of resources and publication of results.⁵⁶

Are enforcement mechanisms in place in policy and legislation?

Interaction with stakeholders in animal ethics committees relating to the use of animals in research and teaching is mandated in legislation in each state and territory. Other state and territory committees are based in legislation or in policy commitments.

Publication: November 2014

⁵³ <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>

⁵⁴ <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>

⁵⁵ <http://www.abc.net.au/news/2013-11-08/animal-welfare-committee-scrapped/5079284>; http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF

⁵⁶ J Goodfellow, Animal Welfare Regulation in Australia and the Need for an Independent Office of Animal Welfare, April 2012

Australia: Socioeconomic information

Politics

Where not otherwise noted, information for this section has been sourced from the Economist Intelligence Unit's (EIU) country profiles.

Government type

Federal democracy

Capital

Canberra

International law organisation^{57 58}

Accepts ICJ and ICC jurisdiction

Suffrage⁵⁹

18

Legal system

Constitution of 1901

Executive branch

Prime minister: Tony Abbott

Deputy prime minister: Warren Truss

Judicial branch

Australia has a hierarchical court system with the High Court at the apex, and then followed by the Federal courts and courts at State

level⁶⁰. On advice from the Prime Minister and Cabinet, the judges are appointed by the Governor General⁶¹.

Legislative branch

Australia has a bicameral system with a lower house, the House of Representatives, consisting of 150 members, and the upper house, the Senate consisting of 76 members. Voting is compulsory for citizens and general elections take place every three years.

Political parties

Australian Labor Party

Liberal Party and National Party (are two separate parties, but in coalition)

Australian Greens

Economics

Where not otherwise noted, information for this section has been sourced from the World Bank.

EIU forecasts that real GDP will average out at a rate of 3% annually in the period 2012-2030⁶². With Tony Abbot coming to power in September 2013 promising further liberalisation of the economy and promoting investment; he pledged to abolish the previous

⁵⁷

http://treaties.un.org/Pages/ViewDetails.aspx?src=TR&EATY&mtdsg_no=XVIII-10&chapter=18&lang=en#111

⁵⁸ [http://www.icj-](http://www.icj-cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3)

[cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3](http://www.icj-cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3)

⁵⁹ [http://aceproject.org/epic-](http://aceproject.org/epic-en/CDTable?question=VR001#g)

[en/CDTable?question=VR001#g](http://aceproject.org/epic-en/CDTable?question=VR001#g)

⁶⁰

<http://www.nyulawglobal.org/globalex/Australia1.htm#thejudiciary>

⁶¹ Ibid.

⁶² <http://country.eiu.com/article.aspx?articleid=202117186&Country=Australia&topic=Summary&subtopic=At+a+glance>

government's carbon tax and taxes on mining companies' profits⁶³. The free-trade agreements Australia is seeking to sign with its main trading partners, China, Japan and South Korea should "boost its competitiveness and attractiveness"⁶⁴. Unemployment rose noticeably in August 2013 to 5.8%⁶⁵; BMI forecasts unemployment to reach 6.6% by the end of the year⁶⁶.

Main trading partners⁶⁷

Export

China - 29.6%

Japan - 19.4%

South Korea - 8.1%

Import

China - 20.2%

US - 12.9%

Japan - 8.7%

Commodities⁶⁸

Exports

Crude materials - 34.8%

Fuels - 28.4%

Food - 10.2%

Imports

Machinery and transport equipment - 39.5%

Minerals fuels - 16.9%

Miscellaneous manufacture articles - 12.0%

GDP (current USD)

\$1,520,608,083,022

⁶³ <http://coface.com/Economic-Studies-and-Country-Risks/Australia>

⁶⁴ <http://coface.com/Economic-Studies-and-Country-Risks/Australia>

⁶⁵ <http://coface.com/Economic-Studies-and-Country-Risks/Australia>

⁶⁶ <http://www.businessmonitor.com/australia##>

⁶⁷ <http://country.eiu.com/article.aspx?articleid=141117198&Country=Australia&topic=Summary&subtopic=Fact+sheet>

⁶⁸ Ibid.

GDP per capita, PPP

\$44,598

Labour force, total

11,855,650

Currency

Australian Dollar

Equivalence to 1 USD

1.1098

Central government debt, total, (% of GDP, 2011)

30.6

Manufacturing, value added (% of GDP, 2012)

9 (2010)

Agriculture, value added (% of GDP, 2012)

2 (2010)

Industry, value added (% of GDP, 2012)

20 (2010)

Exports of goods and services (% of GDP, 2012)

21

Imports of goods and services (% of GDP, 2012)

21

Services, etc., value added (% of GDP) (2012)

78 (2010)

Unemployment rate, (% , 2011)

5.1

Education expenditure (% of GDP, 2012)

5.1 (2009)

Adjusted savings: Education expenditure
USD (2011)
63,193,343,536

Population living in rural areas (% of total)
(2012)

11

Population living in urban areas (% of total)
(2012)

89

Society

Where not otherwise noted, information for this section has been sourced from the World Bank.

Total population (2012)
22,683,600

Religion

Christianity (61.1%), Non - Christian (7.2%),
No Religion (22.3%)⁶⁹

Languages⁷⁰

English (76.8%) spoken at home, other
languages (20.4%) (top three - Mandarin,
Italian, Arabic) household where two or more
languages are spoken

Population growth, annual % (2012)
1.6

Population: ages 0-14 (% of total) (2012)
19

Population: ages 15-64 (% of total) (2012)
67

Population: ages 65 and over (% of total)
(2012)
14

⁶⁹<http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/2071.0Main%20Features902012%E2%80%932013>

⁷⁰

http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/0