

# Animal Diseases (Exotic Disease Quarantine Area) Declaration 2007 (No 3)

Disallowable instrument DI2007–227

made under the

**Animal Diseases Act 2005, s 19 (1) (Exotic disease quarantine area)**

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**1. Name of instrument**

This instrument is the Animal Diseases (Exotic Disease Quarantine Area) Declaration 2007 (No 3).

**2. Commencement**

This instrument commences on the day after notification.

**3. Declaration of quarantine area**

I declare that the entire area of the Australian Capital Territory is an Exotic Disease Quarantine Area.

**4. Animals to which this declaration applies**

The animals to which this declaration applies are horses, mules, donkeys and other animals in the Equidae family (*equines*).

**5. Disease in relation to which this declaration is made**

This declaration is made in relation to the Equine Influenza disease.

**6. The area to which the declaration applies**

The area to which this direction applies is the entire geographic area of the Australian Capital Territory.

**7. Restrictions on entry to, leaving and movement within the quarantine area**

- (1) The restrictions on the movement of equines into and out of the quarantine area are set out in Schedule 1.
- (2) The restrictions on the movement of equines within the quarantine area are set out in Schedule 2.
- (3) The Director of Veterinary Hygiene may issue and publish guidelines from time to time in relation to the entry, leaving and movement of equines consistent with this declaration.

**8 Restrictions on sale in the ACT of animals etc**

Subject to the section 7 above, the sale in the ACT of an animal, animal products or any other thing to which this declaration applies is not restricted.

**9 Duration of declaration**

This declaration has effect until it is revoked.

**10 Dictionary**

The dictionary in Schedule 3 provides definitions for terms used in this declaration.

**11. Revocation of previous declaration**

Disallowable Instrument DI 2007-209 (Animal Diseases (Exotic Disease Quarantine Area) Declaration 2007 (No 2)) is revoked.

Jon Stanhope MLA  
Minister for the Environment, Water and Climate Change

27 September 2007

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## **Animal Diseases (Exotic Disease Quarantine Area) Declaration 2007 (No 3) – Schedule 1**

### **Restrictions on the movement of equines into and out of the quarantine area.**

- 1.1 The movement of equines into or from the ACT is forbidden, unless it is authorised.
- 1.2 The entry of equines into the ACT from the NSW Protected Area (Green) is authorised if the movement of the equine within that area was in compliance with the requirements of the relevant control order for that area made under section 22 of the NSW Act. The movement of the equine within the ACT must comply with the requirements of Schedule 2 of this declaration.
- 1.3 A person moving an equine from the NSW Protected Area (Green) into the ACT must carry proof of authorisation of the New South Wales portion of the journey for the duration of the journey through the ACT.
- 1.4 The movement of equines out of the ACT is authorised if the portion of the journey within the ACT has been authorised under Schedule 2.

*Note* The entry of equines into other jurisdictions is subject to the requirements of those jurisdictions and the authorisation to leave the ACT might not be sufficient to permit the travelling of the animal through the other jurisdiction. Additional authorisation for the portion of the journey in the other jurisdictions may be required from the respective jurisdictions.

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## **Animal Diseases (Exotic Disease Quarantine Area) Declaration 2007 (No 3) – Schedule 2**

### **Restrictions on the movement of equines within the quarantine area.**

- 2.1. The movement of equines and the holding of equine events in the ACT is forbidden, unless it is authorised.

#### *Authorisation of the movement of equines within the ACT*

- 2.2 The movement of equines within the ACT is authorised if
  - (a) the equine that is proposed to be moved has *not* been within a NSW Restricted Area (Red), a NSW Restricted Area (Purple), a Qld Restricted Area, or within 10 kilometres of any premises quarantined because of an outbreak of Equine Influenza since 1 August 2007;
  - (b) in the case of equines that have been within a NSW Control Area (Amber) – its movement from that area has been approved under the NSW Act;
  - (c) the equines that is proposed to be moved has *not* shown signs of respiratory disease (e.g. coughing, sneezing, nasal discharge, elevated temperature) for 30 days prior to its proposed movement;

- (d) a properly completed Equine Movement Statement is lodged with the Department of Territory and Municipal Services and any movement is in accordance with the conditions listed on that statement; and
- (e) the person in control of the equine retains a copy of the statement with them at all times when moving the equine.

2.3 The Director of Veterinary Hygiene may authorise movement of an equine which would otherwise be unauthorised, if:

- (a) exceptional circumstances exist; and
- (b) the Director is satisfied that the animal is not contaminated with Equine Influenza.

*Note* Examples of ways in which the Director may be satisfied that an animal is not infected include:

- (a) isolating the animal for a period of time;
- (b) inoculating the animal; or
- (c) testing the animal for the disease.

#### *Authorisation of the holding of equine events in the ACT*

2.4 The holding of an equine event in the ACT is authorised only if:

- (a) the organiser of the proposed equine event registers that event with the Department of Territory and Municipal Services prior to the event taking place;
- (b) the equine event organiser permits only equines that are accompanied with signed Equine Movement Statements, or equines that are normally kept at the place of the event, to participate in the event;
- (c) the equine event organiser obtains the Equine Movement Statement identification number for each equine that has been moved to the event on its arrival at the location where the event is to be held and records those identification numbers on an equine event participant register; and
- (d) retains the equine event participant register for at least 30 days after the conclusion of the equine event and makes that register available for inspection by any person authorised under the *Animal Diseases Act 2005*.

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## **Animal Diseases (Exotic Disease Quarantine Area) Declaration 2007 (No 3) – Schedule 3**

### **Dictionary**

**Control Area** means the control area declared under section 21 of the NSW Act by the Order made by the NSW Chief Veterinary Officer, as the NSW Minister’s delegate under section 67 of the NSW Act, on 25 August 2007.

**NSW Control Area (Amber)** means that part of the Control Area other than:

- (a) the NSW Protected Area (Green); and
- (b) all Restricted Areas in New South Wales.

**Equines** – see section 4 of the declaration.

**Equine event** means any market, fair, sale, parade, race meeting, recreational activity, competition or other gathering comprising 10 or more equines, or any number of equines from 3 or more premises and where the equines are moved to the event and back to their premises of origin within 5 days.

**Equine Movement Statement** means the document entitled “Animal Diseases Act 2005 – Equine Movement Statement” available from the Department of Territory and Municipal Services at:

[http://www.tams.act.gov.au/forms/animal\\_diseases\\_act\\_2005\\_movement\\_permit](http://www.tams.act.gov.au/forms/animal_diseases_act_2005_movement_permit)

**Equine Movement Statement identification number** means the unique number situated on the top of an Equine Movement Statement.

**Premises** includes a parcel of land, or several parcels of land which:

- (a) are contiguous with one another or are separated from one another only by a road, river, creek or other watercourse, and
- (b) constitute or are worked as a single property irrespective of whether those parcels are held under the same title or different titles or titles of different kinds.

**NSW Protected Area (Green)** means that part of the Control Area known as the Protected Area (Green) which has been or may be declared under section 22 of the NSW Act, in relation to the exotic disease equine influenza.

**NSW Restricted Area (Purple)** means any restricted area which has been declared or may be declared as such under section 15 of the NSW Act, in relation to the exotic disease equine influenza.

**NSW Restricted Area (Red)** means any restricted area which has been declared or may be declared as such under section 15 of the NSW Act, in relation to the exotic disease equine influenza.

**NSW Act** means the *Exotic Diseases in Animal Act 1991* (NSW).

**Qld Restricted Area** means the restricted area declared by notice issued from time to time under the *Exotic Diseases in Animals Act 1981* (Qld), in relation to the exotic disease equine influenza.