

Animal Diseases (Exotic Disease Quarantine Area) Revocation 2024

Disallowable instrument DI2024–299

made under the

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

EXPLANATORY STATEMENT

Status of this explanatory statement

This explanatory statement relates to the *Animal Diseases (Exotic Disease Quarantine Area) Revocation 2024* (the *instrument*) as made by the delegate of the Minister for the Environment, Parks and Land Management. It has been prepared in order to assist the reader of the disallowable instrument. It does not form part of the disallowable instrument and has not been endorsed by the Legislative Assembly.

Overview

Section 19 of the *Animal Diseases Act 2005* (the *Act*) provides that the Minister may declare an exotic disease quarantine area. An exotic disease quarantine area is currently in place for parts of the divisions of Macgregor, Macnamara and Strathnairn and 18 rural blocks in the district of Belconnen due to an outbreak of avian influenza in the area in June 2024.

Section 46 (1) of the *Legislation Act 2001* provides that the power to make an instrument includes the power to amend or revoke the instrument.

This instrument revokes the *Animal Diseases (Exotic Disease Quarantine Area) Declaration 2024 (No 4)* (DI2024-294) and *Animal Diseases (Exotic Disease Quarantine Area) Declaration 2024 (No 5)* (DI2024-296) (the *revoked instruments*) to remove the quarantine area as movement restrictions are no longer required in the area.

Regulatory impact statement

The *Legislation Act 2001* requires a regulatory impact statement (a *RIS*) for disallowable instruments, subject to specified exceptions. In this case, a RIS is not required because the instrument does not impose any appreciable costs on the community or part of the community (*Legislation Act*, section 34 (1)). Further, a RIS is also not required because it does not adversely affect rights or impose liabilities on a person (*Legislation Act*, section 36 (1) (b)).

Human rights

The limitations on the right to freedom of movement and the right to work and other work-related rights in the *Human Rights Act 2004*, sections 13 and 27B, were addressed in the explanatory statements for the revoked instruments. By revoking the instruments declaring the exotic disease quarantine areas, the limitation on these rights has been removed.