



RIS Ref: DAF1076-0419

File Ref: DOC19/1469

11 July 2019

Ms Margot Ricardo
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Department of Agriculture and Fisheries
PO Box 1080
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Dear Ms Ricardo

Decision Regulatory Impact Statement: Cattle pregnancy testing and ovarian scanning, for commercial purposes and scientific research, by laypersons

Thank you for your enquiry seeking advice on the adequacy of the *Cattle pregnancy testing and ovarian scanning, for commercial purposes and scientific research, by laypersons* Decision Regulatory Impact Statement (RIS).

Release of the Consultation RIS

Under the *Veterinary Surgeons Act 1936* (the Act) performance of an 'act of veterinary science', such as pregnancy testing for fee or reward, is restricted to registered veterinary surgeons. This is known as the 'practice restriction.'

In response to concerns from some agricultural and cattle industry stakeholders, the Department of Agriculture and Fisheries (the department) released a Consultation RIS in October 2018, seeking stakeholder views on the appropriateness of the practice restriction as it relates to:

- pregnancy testing of cattle by laypersons, by both rectal palpation and transrectal ultrasonography, for fee or reward
- ovarian ultrasound scanning performed by laypersons, under an Animal Ethics Committee (AEC) approval provided for under the *Animal Care and Protection Act 2001*.

The Consultation RIS presented three options for investigation:

1. retention of the practice restriction—wherein it would continue to be an offence for laypersons to conduct either pregnancy testing of cattle or transrectal ovarian scanning for fee or reward
2. removal of the practice restriction for pregnancy testing and transrectal ultrasound ovarian scanning—enabling any laypersons to legally provide cattle pregnancy testing services for fee or reward and perform transrectal ovarian scanning under an AEC approval
3. introduction of an accreditation scheme which would enable only approved laypersons to conduct pregnancy testing of cattle for fee or reward, in addition to registered veterinary surgeons. Laypersons would also be able to perform transrectal ovarian scanning under an AEC approval.

The RIS presented Option 3 as the department's preferred option, on the basis that this option delivered a net benefit to the community with no diminution in animal welfare outcomes.

The Consultation RIS was open for comment 14 December 2018 and both written submissions and online survey responses were received by the department. The department notes that stakeholders were divided on their support for the proposal, largely based on whether they were a producer or a veterinarian.



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Preparation of Decision RIS

The purpose of a Decision RIS is to reflect the outcomes of consultation on proposed regulatory amendments, including how stakeholder views were taken into consideration in developing a final recommendation. Due to the size of the original Consultation RIS, the Queensland Productivity Commission (the Commission) agreed with the department that a streamlined Decision RIS, which references pertinent additional information contained in the Consultation RIS, could be prepared. The Decision RIS continues to present Option 3 as the department's preferred option.

The Commission has assessed the Decision RIS and considers it adequately presents the results of consultation, details of the department's response to stakeholder feedback and a discussion of the impacts of removing the practice restriction in favour of an accreditation scheme. Given this, the Commission considers the Decision RIS is adequate to support the decision maker's consideration of the proposal.

Consistent with the Queensland Government Guide to Better Regulation (the guidelines), the final Decision RIS and this letter of adequacy will be published on the Commission's website following approval of the RIS for release.

Please contact Sean Mackay, Principal Analyst on (07) 3015 5149 if you require any additional information or guidance in relation to the above comments or the guidelines in general.

Yours sincerely



Christine Tozer
Team Leader