

LIVE EXPORT — INVESTIGATION

**234. Hon SIMON O'BRIEN to the Minister for Agriculture and Food:**

I refer to the ministerial statement that the minister provided earlier today in which she asserts that the WA Animal Welfare Act 2002 applies on board live export vessels.

- (1) Is the minister saying that a WA statute applies to a vessel on the high seas or in foreign ports; and, if not, how does it apply?
- (2) What breaches of the state act might conceivably be uncovered by an investigation into the August 2017 voyage of the *Awassi Express*?

**Hon ALANNAH MacTIERNAN replied:**

I thank the member for the question.

- (1)–(2) Certainly, the advice that we have had from the State Solicitor and the Solicitor-General is that the Animal Welfare Act can apply at the point of loading the ship and up to 200 kilometres out to sea. The scenario that obviously is being looked at is the conduct of loading the vessel, in the state that the vessel was and at the density it was loaded, knowing where that vessel was going to end up and what the weather conditions were going to be when that vessel reached that destination, and then whether the acts that occurred within the jurisdiction of Western Australia were highly probable to result in an act of cruelty to these animals.

That is the logic of the interpretation. The conduct of an exporter in loading that ship and in managing the ship in a particular way is assessed in terms of the probability of that resulting subsequently in harm occurring to the animals.