

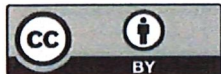
**Surveillance Program for Cattle Tick under the  
*Biosecurity Act 2014***

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# 1 Biosecurity program

## 1.1 Program name

The surveillance program (biosecurity program) for *Rhipicephalus (Boophilus) microplus* or *Rhipicephalus (Boophilus) australis* commonly referred to as cattle tick or Australian cattle tick will be known as the **Queensland Cattle Tick Surveillance Program**.

# 2 Requirement for a Surveillance program

## 2.1 Purpose and rationale

The *Biosecurity Act 2014* (the **Act**) provides for the establishment of surveillance programs. Surveillance programs are directed at any of the following—

- (a) monitoring compliance with the Act in relation to a particular matter to which the Act applies;
- (b) confirming the presence, or finding out the extent of the presence, in the State or the parts of the State to which the program applies, of the biosecurity matter to which the program relates;
- (c) confirming the absence, in the State or the parts of the State to which the program applies, of the biosecurity matter to which the program relates;
- (d) monitoring the effects of measures taken in response to a biosecurity risk;
- (e) monitoring compliance with requirements about prohibited matter or restricted matter;
- (f) monitoring levels of biosecurity matter or levels of biosecurity matter in a carrier.

The cattle tick [*Rhipicephalus (Boophilus)* species] are an external parasite, mainly of cattle, and regarded as a significant economic pest of the Queensland cattle industry.

In addition to cattle the cattle tick has a range of other stock that may act as a host (or **cattle tick carrier**) including buffalo, deer, horses, sheep, goats, camels, llamas, guanacos, vicunas and alpacas. For many of these species cattle tick has no or minimal impact and is not known to cause disease in these species in Queensland.

Tick borne parasites *Babesia bovis*, *Babesia bigemina* and *Anaplasma marginale* that cause tick fever in cattle are serious and often fatal diseases transmitted by the cattle tick. Cattle ticks and the presence of these diseases are **notifiable** when they occur in the Queensland cattle tick **Free Zone**<sup>1</sup> and must be reported to Biosecurity Queensland.

The Queensland Cattle Tick Surveillance Program's objectives are to:

- monitor compliance with the Act and Biosecurity Regulation 2016 (the **Regulation**) to minimise the risk of spread of cattle ticks; and
- check for the presence or absence of cattle ticks in Queensland; or
- monitoring levels of biosecurity matter (cattle tick); or
- monitor the effects of measures taken in response to a cattle tick infestation in the Queensland cattle tick free zone (biosecurity risk).

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<sup>1</sup> The cattle tick infested zone and cattle tick free zone are established under the Biosecurity Regulation 2016.

The Program is the most effective and efficient option to check compliance with the Act and to monitor the presence or absence of cattle tick at places in the Queensland cattle tick free zone. The provision of powers to enter for authorised officers to undertake compliance checks and monitoring of cattle tick carriers or movements of cattle tick carriers on a place within the State of Queensland results in an effective and efficient use of Queensland Government resources to facilitate compliance with the Act and to ensure the cattle tick free zone is being maintained.

## **2.2 Measures that are required to achieve the purpose**

The key activities undertaken by the Queensland Cattle Tick Surveillance Program include but are not limited to entry by authorised officers to places to carry out activities directed towards achieving the program's objectives (see 3.4 below).

## **2.3 Powers of authorised officers**

### **Entry of place**

The Act provides that under a surveillance program officers appointed as authorised officers under the Act may, at reasonable times, enter a place situated in an area to which a biosecurity program applies to take any action authorised by the biosecurity program<sup>2</sup>. These surveillance activities must be done in a timely and efficient manner to ensure that the measures are as effective as possible. The Queensland Cattle Tick Surveillance Program will authorise entry into places to allow these measures to be undertaken.

In accordance with the Act, a reasonable attempt will be made to locate an occupier<sup>3</sup> and obtain the occupier's consent to the entry, prior to an authorised officer entering a place<sup>4</sup> to undertake activities under the Queensland Cattle Tick Surveillance Program. Nevertheless, an authorised officer may enter the place if – (a) the authorised officer is unable to locate an occupier after making a reasonable attempt to do so; or (b) the occupier refuses to consent to the entry.

Where an occupier does not consent to entry, or, if after entering a place an authorised officer finds an occupier present, the authorised officer must make reasonable attempts to produce an identity card for the occupier's inspection and inform the occupier of the reason for entering and that the entry without permission is authorised under the Act.

An authorised officer under the Queensland Cattle Tick Surveillance Program must make a reasonable attempt to inform the occupier of any steps taken, or to be taken under the program, and that it is an offence to do anything that interferes with a step taken or to be taken. If there is no occupier present at the place, an authorised officer must leave a notice in a conspicuous position and in a reasonably secure way. This notice must state the date and time of entry and information addressing the reason for entry, authorisation to enter a place and the steps undertaken by the authorised officer after entry.

### **Obligations**

A person may be obligated to take action as specified in the Program authorisation in section 3.5 below.

### **General powers of authorised officers**

Nothing in the Queensland Cattle Tick Surveillance Program or its associated Authorisation limits the powers of authorised officers under Chapter 10 of the Act.

<sup>2</sup> See section 261 (Power to enter a place under biosecurity program) of the Act.

<sup>3</sup> The Act defines an *occupier*, of a place, generally to include the person who apparently occupies the place (or, if more than 1 person apparently occupies the place, any of the persons); any person at the place who is apparently acting with the authority of a person who apparently occupies the place; or if no-one apparently occupies the place, any person who is an owner of the place.

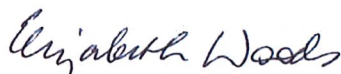
<sup>4</sup> See section 270 (Entry of place under s261 and s262) of the Act.

## 2.4 Consultation

Consultation has been carried out as stated in 3.8 below.

## 3 Authorisation of a Surveillance program in the State of Queensland

I, Dr Elizabeth Woods, the chief executive of the Department of Agriculture and Fisheries (the Department) acting pursuant to section 235 of the *Biosecurity Act 2014* (the Act), authorise the Queensland Cattle Tick Surveillance Program (the Program) in Queensland, on the basis that I am satisfied that cattle ticks impose a significant biosecurity risk in Queensland and that measures are needed to check compliance with the Act, monitor for the presence or absence of cattle tick and monitor the effects of measures taken in response to cattle tick infestations in the Queensland cattle tick free zone.



Dr Elizabeth Woods  
Director-General  
Department of Agriculture and Fisheries

Authorised on 2012/18

### 3.1 Biosecurity matter

The biosecurity matter to which the Surveillance program relates is cattle tick –

- *Rhipicephalus (Boophilus) australis*; or
- *Rhipicephalus (Boophilus) microplus*

### 3.2 Purpose and scope of the Program

The purpose of the Program is to monitor compliance with the Act and the Regulation, monitor for the presence, or confirm the absence, of cattle tick in the Queensland cattle tick free zone, or monitor the effects of measures taken in response to a biosecurity risk.

### 3.3 Area affected by the Program

The Program is directed at monitoring compliance with the Act and deciding the presence or extent of cattle ticks<sup>5</sup> and the Program will apply to any place in Queensland where a person keeps or is suspected to keep a designated animal<sup>6</sup> that is a potential cattle tick carrier.

<sup>5</sup> See section 236(1)(e)(i) and (ii) (What program authorisation must state) of the Act.

<sup>6</sup> See the definition of 'designated animal' in section 134.

### 3.4 Powers of authorised officers

An authorised officer appointed under the Act may enter a place—other than a residence<sup>7</sup>—without a warrant and without the occupier’s consent within the State of Queensland under the Program<sup>8</sup>. An authorised officer appointed under the Act will also have the power to enter a place under the Program.<sup>9</sup>

An authorised officer appointed by the chief executive can exercise the powers of an authorised officer under the Act in relation to the Program<sup>10</sup>.

An authorised officer has general powers after entering a place to do any of the following:<sup>11</sup>

General powers in the Act	Measures an authorised officer may take under the Program
Search any part of the place	Search a place to check for cattle tick carriers.
Inspect, <sup>12</sup> examine <sup>13</sup> or film <sup>14</sup> any part of the place or anything at the place	Inspect, examine and film to assist with tracing of cattle tick carriers to and from a place.
Take for examination a thing, or a sample of or from a thing, at the place	Take samples for the purposes of diagnostic analysis, to ascertain the presence or absence of cattle tick or tick fever.
Place an identifying mark in or on anything at the place	Sample and have analysed chemicals used to treat a carrier, test the calibration and efficiency of any equipment used to treat a carrier.
Place a sign or notice at the place	Identify carriers with permanent identification devices if necessary and consistent with any purpose of the Program.
Produce an image or writing at the place from an electronic document or, to the extent it is not practicable, take a thing containing an electronic document to another place to produce an image or writing	Produce written and/or electronic note(s) to support Program activities.
Take to, into or onto the place and use any person, detection animal, equipment and materials the authorised officer reasonably requires for exercising the authorised officer’s powers under this division	Take GPS coordinates to ensure accuracy of location details of carriers or cattle tick.
Destroy biosecurity matter or a carrier if: <ul style="list-style-type: none"> <li>• The authorised officer believes on reasonable grounds the biosecurity matter or carrier poses a significant biosecurity risk</li> <li>• The owner of the biosecurity matter or carrier consents to its destruction.</li> </ul>	Take a document to copy such as a movement record, biosecurity certificate or biosecurity instrument permit that is relevant to the objectives of the Program.
Remain at the place for the time necessary to achieve the purpose of the entry	
The authorised officer may take a necessary step to allow the exercise of a general power	
If the authorised officer takes a document from the place to copy it, the authorised officer must copy and return the document to the place as soon as practicable	

<sup>7</sup> The Act defines a 'residence' to mean a premises or a part of a premises that is a residence with the meaning of s 259(2) and (3).

<sup>8</sup> See section 259(1)(e) (General powers to enter places) of the Act.

<sup>9</sup> See section 261 (Power to enter a place under biosecurity program) of the Act.

<sup>10</sup> See section 255(3) (Powers of particular authorised officers limited) of the Act.

<sup>11</sup> See section 296 (General powers) of the Act.

<sup>12</sup> Section 296(5) defines *inspect*, a thing, to include open the thing and examine its contents.

<sup>13</sup> Section 296(5) defines *examine* to include analyse, test, account, measure, weigh, grade, gauge and identify.

<sup>14</sup> Section 296(5) defines *film* to include photograph, videotape and record an image in another way.

If the authorised officer takes from the place an article or device reasonably capable of producing a document from an electronic document to produce the document, the authorised officer must produce the document and return the article or device to the place as soon as practicable.	
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An authorised officer may make a requirement (a *help requirement*) of an occupier of the place or a person at the place, to give the authorised officer reasonable help to exercise a general power.<sup>15</sup>

### 3.5 Obligations imposed on a person under the Program

A person who is an occupier of a place to which the Queensland Cattle Tick Surveillance Program relates, when required by an authorised officer will:

- muster and yard any cattle tick carrier on the place for the purpose of inspecting the carriers to determine the presence or absence of cattle ticks
- muster and yard any cattle tick carrier on the place to allow an authorised officer to monitor the effects of measures taken in response to a cattle tick infestation in the free zone
- assist in the handling of any cattle tick carrier in order for an authorised person to inspect or sample the cattle tick carriers
- provide hard copy or electronic documentation on request
- provide access to a thing to facilitate photography of the thing
- help the authorised officer in the execution of their powers.

A person of whom a *help requirement* has been made must comply with the requirement unless the person has a reasonable excuse.

### 3.6 Commencement and duration of the Program

The Queensland Cattle Tick Surveillance Program will begin on 1 February 2019 and will be ongoing.

### 3.7 Consultation with relevant parties

As required by the Act<sup>16</sup>, I have consulted, prior to the authorisation of the Program in 2016, with all local governments in Queensland, including those which are the local governments for the areas to which the Program applies:

### 3.8 Notification of relevant parties of requirements

As required by the Act<sup>17</sup>, I will give public notice of the Program 14 days before the Program starts by

- giving the notice, by way of letter, to each government department or government owned corporation responsible for land with Queensland; and
- publishing the notice on the department's website.

A copy of the Program (including its Authorisation) is available for inspection at the Department of Agriculture and Fisheries head office at 41 George Street, Brisbane and regional offices. A copy of the Program is also available to view and print at no cost on the Department of Agriculture and Fisheries

<sup>15</sup> See section 297 (Power to require reasonable help) of the Act.

<sup>16</sup> See section 239(Consultation about proposed biosecurity program) of the Act.

<sup>17</sup> See section 240 (Notice of proposed biosecurity program) of the Act.



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website at [www.daf.qld.gov.au](http://www.daf.qld.gov.au). A copy of the Program Authorisation will be provided on request by contacting the Department of Agriculture and Fisheries Customer Service Centre on 13 25 23.

