

## **PROJECT REFERENCE GROUP FEEDBACK SUMMARY**

### ***DRAFT CODE OF PRACTICE FOR THE MANAGEMENT AND CONTROL OF PANAMA DISEASE TROPICAL RACE 4***

A draft of a proposed Code of Practice ("CoP") *For the Management and Control of Panama disease tropical race 4 in Queensland* was released to Project Reference Group members on 22/6/22.

The Project Reference Group included representatives of the ABGC, biosecurity agencies from both the Queensland and New South Wales governments, an infested property owner, a grower in close proximity to an infested property, and another grower not in close proximity to an infested property.

Project Reference Group members were given approximately three weeks to provide their responses. Extensions of time for responses were given to Biosecurity Queensland ("BQ") until 21/7/22 (received 22/7/22) and NSW Department of Primary Industries (who were attending to a varroa mite issue) until 22/7/22.

Approximately 80 feedback comments were received from all Reference Group members on the preliminary draft CoP which have informed the draft CoP to be presented to the Panama TR4 Program Management Board. The main take-away points that emerged from the feedback were:

1. There was support for a CoP;
2. There was support for the CoP as presented, subject to cosmetic changes to some words and phrases used in the document;
3. There was no opposition to the fundamental tools underpinning the CoP to address TR4 – instituting on-farm biosecurity practices; grower and regulator surveillance of plants; isolation and containment of infection source; and, destruction management.

There were many helpful comments submitted for consideration. Following analysis of the comments, adjustments were made to the content to address some:

1. cosmetic issues;
2. clarity issues on specific terms; and
3. definition usage.

Comments relating to cosmetic changes included individual style and layout preferences as well as word preferences to those used in the CoP where they both shared the same meaning. Clarity issues related to matters like decontamination and whether that should include disinfection and definition issues related to the tightening up of their usage within the CoP. Incorporated comments have enhanced the overall content and appearance of the CoP.

There were a number of polar opposite views from commentators on the CoP. For example, the majority found the draft clear, well written and concise whilst a minority found some provisions unclear. It is not always possible to reconcile and accommodate different stakeholder views.

Other than cosmetic matters, two themes emerged from within the feedback provided by BQ in relation to the CoP once finalised which will require clarification–

1. The Office of Queensland Parliamentary Counsel (“OPC”) may/will be drafting the CoP so whatever is written will be re-written; and
2. Any legislative tool currently used by BQ to successfully manage TR4 to date - like biosecurity surveillance programs, may/will not be available post transition to the industry-led TR4 phase.

With respect to the first point, it is not intended for OPC to draft the CoP. There are precedents for industry written documents being adopted in legislation as mandatory and voluntary CoPs. Indeed, the Biosecurity Manual which is given mandatory status by the *Biosecurity Regulation 2016* is a *de facto* CoP and it was drafted by BQ staff.

With respect to the second point, industry-led regulation will face significant hurdles in effectively managing TR4 without the power to enter properties without the owner’s consent. Entry powers are strictly controlled under legislation and it is inappropriate for such powers to be included in a CoP. The *Biosecurity Act 2014* empowers authorised officers acting under a biosecurity program to enter properties without consent where consent has been refused by the owner for the purposes of detecting disease, taking samples and monitoring compliance with lawful requirements. Outside of emergency type situations or the obtaining of a warrant, there is limited scope for authorised officers to enter properties where consent is refused.