

## **EADRA Frequently Asked Questions**

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## **Glossary**

AUSVETPLAN	Australian Veterinary Emergency Plan
CCEAD	Consultative Committee on Emergency Animal Diseases
EAD	Emergency animal disease
EADRA	Emergency Animal Disease Response Agreement
EADRP	Emergency Animal Disease Response Plan
LCC	Local Control Centre
NMG	National Management Group

**For more information on the EADRA please visit:**

<http://www.animalhealthaustralia.com.au/programs/emergency-animal-disease-preparedness/ead-response-agreement/>

## ***EADRA Frequently Asked Questions***

### **Emergency Animal Disease Response Agreement**

#### **1. WHAT IS THE EMERGENCY ANIMAL DISEASE RESPONSE AGREEMENT?**

*The EADRA is an agreement between government and industry on how to manage cost and responsibility for an emergency response to an animal disease outbreak.*

The Emergency Animal Disease Response Agreement (EADRA) is a formal, legally binding agreement between Animal Health Australia, the Australian government, all state and territory governments, and currently thirteen livestock industry signatories ('parties'). The EADRA covers the management and funding of responses to emergency animal disease (EAD) incidents. Its full title is 'Government and Livestock Industry Cost Sharing Deed in respect of Emergency Animal Disease Responses'.

The EADRA was ratified in March 2002.

#### **2. WHAT IS THE OVERALL PURPOSE OF THE EMERGENCY ANIMAL DISEASE RESPONSE AGREEMENT?**

*The EADRA states the agreed parameters for an emergency response to an animal disease outbreak and allows parties to 'get on with the job'.*

The EADRA was developed to facilitate rapid responses to, and control and eradication or containment of, certain animal diseases ('emergency animal diseases', or EADs). In particular, the EADRA establishes mechanisms that:

- a. facilitate immediate reporting of suspect EADs by providing:
  - i. financial disincentives for any failure to report
  - ii. financial incentives for early reporting in the form of cost sharing of compensation provisions provided by jurisdictional legislation for destruction of livestock or property as part of disease control measures.
- b. facilitate an early and comprehensive response to an EAD, to define the nature of the disease and contain its spread
- c. provide that parties that fund a response to an EAD have a role in decision making about the response and its funding
- d. define funding responsibilities up to certain limits for each EAD including providing a framework wherein:
  - the beneficiaries of the eradication or containment of a disease pay an appropriate and equitable proportion of the costs of mounting a response
  - no one person/organisation is made better or worse off as a result of reporting a disease incident or suspected disease incident, and
  - there is appropriate accountability by a party to all of the parties who fund a response to an EAD.

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- e. define the EAD preparedness and risk mitigation responsibilities in non-outbreak times of parties to the Deed
- f. Commit parties to define the costs that are to be “normal” and should be considered as a baseline above which other costs are to be shared.

### **3. WHO LOOKS AFTER THE EMERGENCY ANIMAL DISEASE RESPONSE AGREEMENT?**

*Animal Health Australia is the custodian of the EADRA.*

In non-outbreak times, Animal Health Australia manages the review process for the EADRA, which includes regular workshops with representatives of all parties. In this way, Animal Health Australia ensures that the EADRA remains current, credible and effective. Experience gained from applying the EADRA in an EAD event flows into the review process.

Usually, an updated version of the EADRA is published once a year. Supporting ‘guidance documents’ are also prepared and provide more detail on specific aspects of the EADRA (see EADRA website <https://www.animalhealthaustralia.com.au/training/emergency-animal-disease-training/guidance-documents/>).

### **4. WHAT IS AN EMERGENCY ANIMAL DISEASE?**

*An EAD is a disease that is likely to have significant effects on livestock – potentially resulting in livestock deaths, production loss, and in some cases, impacts on human health and the environment.*

Under the EADRA, an EAD is defined as a disease that meets one or more of the following criteria:

- a. It is a known disease that does not occur in endemic form in Australia; it is considered to be in the national interest to be free of this disease.
- b. It is a variant, non-endemic form of an endemic disease (caused by a strain or type of the agent that can be distinguished from the endemic strain) that – if established in Australia – would have a national impact.
- c. It is a serious infectious disease of unknown or uncertain cause; on the evidence available at the time, it could be an entirely new disease or one not listed in the categorised disease list set out in the EADRA.
- d. It is a known endemic disease, but is occurring in such a fulminant outbreak form (far beyond the severity expected), that an emergency response is required to ensure that there is neither a large-scale epidemic of national significance nor serious loss of market access.

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### **5. WHO IS COVERED BY THE EMERGENCY ANIMAL DISEASE RESPONSE AGREEMENT?**

*Animal Health Australia, the Australian government, all state and territory governments, and a number of livestock industry sectors are covered by the EADRA.*

Coverage extends to all industries where the representative bodies are parties to the EADRA. To become a party to the EADRA, an industry representative body must apply for admission.

Parties to the EADRA are:

- a) Animal Health Australia
- b) The Commonwealth of Australia
- c) The States of Queensland, New South Wales, Victoria, South Australia, Tasmania and Western Australia
- d) The Northern Territory of Australia and the Australian Capital Territory
- e) Australian Chicken Meat Federation Inc.
- f) Australian Egg Corporation Limited
- g) Australian Dairy Farmers Limited
- h) Cattle Council of Australia Inc.
- i) Australian Pork Limited
- j) Sheepmeat Council of Australia Inc.
- k) Woolproducers Australia
- l) Australian Lot Feeders' Association Inc.
- m) Goat Industry Council of Australia
- n) Racing Australia
- o) Harness Racing Australia Inc
- p) Australian Horse Industry Council
- q) Equestrian Australia Limited.

### **6. WHICH DISEASES ARE COVERED UNDER THE EMERGENCY ANIMAL DISEASE RESPONSE AGREEMENT?**

*There are 61 categorised diseases that are covered by the EADRA.*

The EADRA also provides a mechanism to cover non-listed EADs, under a set of conditions.

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### **7. WHAT ARE THE BENEFITS OF THE EMERGENCY ANIMAL DISEASE RESPONSE AGREEMENT?**

*The most substantial benefit is the ability to respond quickly, effectively<sup>1</sup> and efficiently<sup>2</sup> to an EAD incident while minimising uncertainty over management and funding arrangements.*

Other significant benefits are:

- a) potential liabilities are known, and funding mechanisms are agreed in advance
- b) costs are minimised for all parties
- c) a requirement that all funding parties remain engaged in cost sharing until the EAD response is successful or a decision is made that the EAD response is no longer feasible or cost effective
- d) industry is directly and from the outset, involved in decision making about mounting and managing an EAD response
- e) involvement of decision makers with authority to commit to actions and funding
- f) a consistent and agreed national approach for managing incursions
- g) an underpinning series of technical response plans (AUSVETPLAN) to provide guidance and consistency
- h) affected farmers whose industry representative body is a party to the EADRA may receive compensation for certain authorised direct costs associated with an approved EAD response, which will help remove disincentives to report suspicion of diseases
- i) the costs of compensation payable under state/territory legislation for livestock or property that is destroyed for the purpose of eradication or prevention of the spread of the EAD, and any livestock that has died of the EAD (this needs to be certified), can be cost shared between the affected parties to the EADRA
- j) Australian government agreement to provide initial payment for an industry party's share of costs where that industry party is unable to do so, and to allow such funding to be repaid over time
- k) wider commitment to risk mitigation by all parties through the development and implementation of biosecurity plans or statements – see <https://www.animalhealthaustralia.com.au/what-we-do/biosecurity-services/biosecurity-planning-and-implementation/>
- l) all state and territory government parties are required to define a base level of resources ('normal commitments') for managing EAD responses, and industry parties have complementary normal commitments (the EADRA Guidance document on normal commitments provides more information – see EADRA website <https://www.animalhealthaustralia.com.au/wp->

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<sup>1</sup> Effectiveness is about doing the right task, completing activities, achieving goals, and producing the intended or expected result.

<sup>2</sup> Efficiency is about doing things in an optimal way, for example doing it the fastest or in the least expensive way or performing or functioning in the best possible manner with the least waste of time and effort.

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[content/uploads/2015/09/EADRA-Guidance-Document\\_Normal-Commitments-for-Parties-to-the-EADRA\\_April\\_2016.pdf](content/uploads/2015/09/EADRA-Guidance-Document_Normal-Commitments-for-Parties-to-the-EADRA_April_2016.pdf)

- m) provision of an incentive to maintain a reserve of trained personnel and technical expertise
- n) trained and accredited personnel being required to be involved in EAD responses wherever possible (see <https://www.animalhealthaustralia.com.au/training/emergency-animal-disease-training/>)
- o) provision of accountability and transparency to all parties.

### **8. WHAT DOES ‘COST SHARING’ MEAN?**

*Parties to the EADRA have agreed to a mechanism for sharing the cost of an EAD response. The proportions depend on the disease category.*

Cost sharing is the process of government and industry parties’ proportional funding of the eligible costs of an EAD Response Plan (EADRP). The underlying principles are that

- a. the beneficiaries of the eradication or containment of a disease pay an appropriate and equitable proportion of the costs of mounting a response
- b. no one person/organisation is made better or worse off as a result of reporting a disease incident or suspected disease incident, and
- c. there is appropriate accountability by a party to all of the parties who fund a response to an EAD, and
- d. Response costs that are proposed to be cost shared must be clearly identified in the EADRP prepared by an affected state/territory and approved by NMG, on the advice of the CCEAD.

### **9. WHAT TYPE OF EXPENSES CAN BE COST SHARED UNDER THE EADRA?**

*Cost sharing can apply for salaries and wages, operating expenses, capital costs, and compensation.*

#### Salaries and wages

Salaries or consultancy fees for staff/consultants engaged by the party to assist directly with eradication and for staff/consultants engaged to backfill positions of existing permanent staff assisting directly with eradication are eligible for reimbursement.

In contrast, salary or consultancy fees of staff/consultants who are, or would be, engaged by a government or industry party, irrespective of the disease emergency, are not eligible for cost sharing.

#### Operating expenses

Operating expenses directly incurred by a party in the eradication program are eligible for reimbursement. For laboratory services provided internally by a state/territory government agency,

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eligible costs are the cost of additional staff and operating costs incurred as a result of the emergency disease response.

### Capital costs

Capital expenditure on major items such as motor vehicles or buildings are not eligible for reimbursement. The working life of such capital items would normally be expected to extend far beyond any eradication effort funded under the EAD Response Plan, and there is every possibility they could be utilised in other ongoing programs. Essential equipment required for the immediate servicing needs of the EAD Response Plan is eligible for reimbursement.

### Compensation

Consistent with the relevant legislation applying in the jurisdiction in question, compensation is to be paid to the owner of any livestock or property that is destroyed for the purpose of eradication or prevention of the spread of the EAD, and any livestock that has died of the EAD (this needs to be certified).

In the case of livestock, a second payment may become due on the date the property where the livestock were located becomes eligible to be restocked provided the total value of livestock is greater on that date.

The EADRA Guidelines for Accounting and Cost Sharing provide more detail – see EADRA website <https://www.animalhealthaustralia.com.au/training/emergency-animal-disease-training/guidance-documents/>.

Cost sharing principles do not apply to consequential loss suffered by a party.

## **10. WHAT TYPE OF EXPENSES ARE EXCLUDED FROM BEING COST SHARED UNDER THE EADRA?**

### Normal commitments

Cost sharing does not apply to activities that are considered “normal” and that exist for, or are required to carry out, a Lead Agency’s normal biosecurity commitments. These are considered as a baseline above which other costs can be shared.

### Business risk

Cost sharing does not apply to activities that are considered to be part of those generated by normal/acceptable business risk.

### Consequential loss

To be eligible for cost sharing, the cost must have been incurred as a direct result of the response activity or regulatory process, or be a direct result of achieving a response objective. It would also need to have been “reasonably foreseeable” and if it was not, then it would be considered a consequential loss, which is excluded from cost sharing principles under the EADRA.



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If the cost was generated by anything not directly related to the response or caused by some unrelated factor or circumstances, then it would also be considered a consequential loss.

### Recovery costs

Costs associated with recovery from the outbreak are ineligible for Cost Sharing. Costs of recovery in an EAD, just as with other emergency incident management, are managed by processes outside of the disease control legislation and procedures. Recovery services during and after emergencies and business continuity are provided by recovery agencies from all levels of government and non-government organisations.

## **11. DOES THE EADRA INCLUDE COMPENSATION FOR ANIMAL WELFARE CASES?**

*The EADRA does not specifically mention animal welfare; however, compensation for welfare-related slaughter under the EADRA can be appropriate under certain circumstances.*

In emergency disease responses, the welfare of animals is an important consideration. Parties to the EADRA have agreed a description of ‘compensable welfare slaughter’:

“Compensation for welfare-related slaughter under the EADRA is appropriate where the relevant Chief veterinary officer agrees that the slaughter is essential for disease control purposes in accordance with an approved EAD Response Plan and all other non-slaughter options have been exhausted. Compensation is limited to the market value of the destroyed animals as defined in the EADRA, and does not include reduced value, feed costs, husbandry costs, or any other form of consequential loss.”

Slaughter of animals on animal welfare grounds, for reasons that are not specifically related to disease control (e.g. space limitations on pig/poultry enterprises or as a result of disease pathology) may also be possible, by agreement between the enterprise and the Local Control Centre and the chief veterinary officer. Compensation or alternative payment mechanisms for such slaughter, will be determined by jurisdictional legislation and procedures. Cost sharing of compensation payable under jurisdictional legislation may be possible, provided that the rationale and animal welfare procedure is captured in collaboration between the LCC and the affected enterprise and included in an approved Animal Welfare Plan which is consistent with or part of the EADRP.

The EADRA Guidance document “Livestock Welfare Management and Compensation Principles for Parties to the Emergency Animal Disease Response Agreement” provides more detail – see EADRA website <https://www.animalhealthaustralia.com.au/training/emergency-animal-disease-training/guidance-documents/>.

## **12. WHAT IS AN EMERGENCY ANIMAL DISEASE RESPONSE PLAN?**

*The EADRP uses AUSVETPLAN as a framework and is the specific response plan developed by the affected state or territory where an outbreak occurs.*

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An EADRP is developed by the state or territory chief veterinary officer(s) in whose jurisdiction(s) the EAD incident has occurred. The EADRP must be prepared in accordance with a specific schedule in the EADRA and follow certain principles, including (but not limited to) the following:

- a. the EADRP development and approval process must not impede the initiation of a rapid response to an outbreak of an EAD
- b. the EADRP must clearly identify any proposed significant variations from AUSVETPLAN
- c. any key strategies and core operational activities, that are to be the subject of cost sharing must be clearly identified in the EADRP, including compensation payable under jurisdictional legislation for animals and property destroyed or damaged as a result of EAD control activities
- d. once agreed by the National Management Group (NMG), the EADRP will commit the state or territory agency/ies to the key strategies and core operational activities contained in the Plan. CCEAD (and NMG) therefore has an obligation to align EADRP's from multiple jurisdictions to ensure, as far as possible, that there is national consistency in the response.

The EADRP must be endorsed by the Consultative Committee on Emergency Animal Diseases (CCEAD), a committee of technical representatives of the parties) before being submitted to the National Management Group (NMG, a higher level group representing each of the parties affected by an incident or an outbreak of an EAD). The NMG will approve, or not approve, the invoking of cost sharing and manage, on behalf of the affected parties, the national policy and resourcing needs of the EAD Response Plan.

The EADRA Guide to developing an EADRP provides more detail – see EADRA website <https://www.animalhealthaustralia.com.au/training/emergency-animal-disease-training/guidance-documents/>.

### **How much do government and industry pay in total?**

*Each response will differ in cost, but parties agree in advance to an upper limit.*

The EADRA contains provisions for parties to agree on a limit on the amount that will be eligible for cost sharing between the parties in respect of a response plan for an EAD incident. This is known as the 'Agreed Limit' and can only be exceeded with the written agreement of the affected parties (the parties affected by an incident or an outbreak of an EAD).

The default agreed limit for a party is that party's proportional share of 1% of the GVP of the Industry/ies affected by the EAD (2% in the case of foot-and-mouth disease).

Where the National Management Group has reason to believe that the cost of an EAD Response Plan (EADRP) will exceed the agreed limit, it must promptly determine whether the agreed limit should be increased, the EADRP should be continued, the proportional shares of the affected parties should be altered, the EADRP should be moved to an agreed long term control program, or any other appropriate alterations should be made to the EADRP.

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### **13. WHAT IS THE RELATIVE PROPORTION THAT INDUSTRY AND GOVERNMENTS PAY?**

*There are 4 disease categories that determine the proportions paid by government and industry.*

The relative proportion of the costs that governments and industry pay depends on the category of the disease:

<b>Category of Disease</b>	<b>Government Funding</b>	<b>Industry Funding</b>
<b>Category 1</b>	100%	0%
<b>Category 2</b>	80%	20%
<b>Category 3</b>	50%	50%
<b>Category 4</b>	20%	80%

There are currently 5 diseases in Category 1, 13 in Category 2, 16 in Category 3 and 27 in Category 4.

### **14. WHICH DISEASES ARE IN CATEGORY 1?**

Category 1 diseases are EADs that predominantly seriously affect human health and/or the environment (depletion of native fauna) but may only have minimal direct consequences to the livestock industries. This category currently includes:

- i. Australian bat lyssavirus
- ii. Japanese encephalitis
- iii. Nipah virus
- iv. rabies
- v. Western, Eastern and Venezuelan equine encephalomyelitis

### **15. WHICH DISEASES ARE IN CATEGORY 2?**

Category 2 diseases are EADs that have the potential to cause major national socio-economic consequences through very serious international trade losses, national market disruptions and very severe production losses in the livestock industries that are involved. This category includes diseases that may have slightly lower national socio-economic consequences, but also have significant public health and/or environmental consequences. This category currently includes:

- i. avian influenza (highly pathogenic; virus subtypes H5 and H7)
- ii. bovine spongiform encephalopathy
- iii. brucellosis (due to *Brucella abortus*)
- iv. brucellosis (due to *Brucella melitensis*)
- v. foot-and-mouth disease
- vi. glanders
- vii. Hendra virus
- viii. peste des petits ruminants

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- ix. Rift Valley fever
- x. rinderpest
- xi. screw worm fly
- xii. sheep pox
- xiii. vesicular stomatitis

### **16. WHICH DISEASES ARE IN CATEGORY 3?**

Category 3: EADs that have the potential to cause significant (but generally moderate) national socio-economic consequences through international trade losses, market disruptions involving two or more states and severe production losses to affected industries, but have minimal or no effect on human health or the environment. This category currently includes:

- I. African horse sickness
- II. African swine fever
- III. anthrax (major outbreaks)
- IV. avian influenza (highly pathogenic; other than virus subtypes H5 and H7)
- V. avian influenza (low pathogenic; virus subtypes H5 and H7)
- VI. bluetongue
- VII. classical swine fever
- VIII. contagious bovine pleuropneumonia
- IX. encephalitides (tick-borne)
- X. lumpy skin disease
- XI. Menangle virus (porcine paramyxovirus)
- XII. Newcastle disease
- XIII. scrapie
- XIV. swine vesicular disease
- XV. trichinellosis
- XVI. vesicular exanthema

### **17. WHICH DISEASES ARE IN CATEGORY 4?**

Category 4: EADs that could be classified as being mainly production loss diseases. While there may be international trade losses and local market disruptions, these would not be of a magnitude that would be expected to significantly affect the national economy. The main beneficiaries of a successful emergency response to an outbreak of such a disease would be the affected livestock industry(s). This category currently includes:

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- I. Aujeszky's disease
- II. Borna disease
- III. bovine tuberculosis due to *Mycobacterium bovis*
- IV. Braula fly (except in Tasmania)\*
- V. contagious equine metritis
- VI. dourine
- VII. east coast fever
- VIII. epizootic lymphangitis
- IX. equine babesiosis
- X. equine encephalosis
- XI. equine influenza
- XII. Getah virus
- XIII. haemorrhagic septicaemia
- XIV. heartwater
- XV. infectious bursal disease (hypervirulent form)
- XVI. Jembrana disease
- XVII. Maedi/visna
- XVIII. Nairobi sheep disease
- XIX. porcine reproductive and respiratory syndrome (PRRS)
- XX. Potomac fever
- XXI. pulmonary adenomatosis
- XXII. sheep scab
- XXIII. surra
- XXIV. swine influenza
- XXV. Teschen disease
- XXVI. transmissible gastroenteritis
- XXVII. Wesselsbron disease

### **18. WHO DETERMINES THE CATEGORY OF AN EMERGENCY ANIMAL DISEASE?**

*An Emergency Animal Disease (EAD) Categorisation Panel determines the formal disease categories.*

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The panel will advise on changes to the existing categorisation of an EAD and also consider the appropriate category for a new disease.

As a minimum, the panel comprises an independent chair, a veterinarian with government disease control expertise, a person with specific expertise in the disease, a person with relevant economic expertise and a nominee from each relevant industry. Where appropriate it will also include a person with public health expertise (if a public health risk may exist), a conservation representative, or relevant members as determined by the independent chair.

Before categorisation is undertaken for a new disease, there needs to be a determination whether the disease is an EAD. A Guidance document *Guidelines for Determining Whether an Unlisted Disease is an EAD under the EAD Response Agreement* assists this process (see EADRA website <https://www.animalhealthaustralia.com.au/training/emergency-animal-disease-training/guidance-documents/>)

### **19. WHAT IF THERE IS AN OUTBREAK OF AN EMERGENCY ANIMAL DISEASE THAT HAS NOT BEEN CATEGORISED?**

*The National Management Group may allow a response to an uncategorised disease, and mechanisms have been defined to allow this to occur.*

Where the NMG decides that an EAD Response Plan is to be followed but the disease was previously unknown and has not yet been categorised, the parties will engage in cost sharing as if the disease were a Category 1 EAD (i.e. 100% government funding). If the disease was previously known, it will be treated as a Category 3 (i.e. 50% governments, 50% industry), unless NMG agrees that there are significant public health issues, in which case the disease will be treated as Category 1. This way, the response to the EAD can get underway without delay.

### **20. HOW ARE THE COSTS FOR INDIVIDUAL GOVERNMENTS AND INDIVIDUAL INDUSTRIES WORKED OUT?**

*Industry costs are determined in relation to industries' GVP. Government costs are shared 50% by the Australian government, with the remainder shared by the state and territory governments based on the size of the affected industries in those jurisdictions.*

Government funding is shared between government parties, i.e. the Commonwealth, the six states and the two territories. For each disease, the Commonwealth share is 50% of the total government share.

The split between states and territories is worked out using a set of detailed formulae. For Category 1 diseases (i.e. diseases that predominantly seriously affect human health and/or the environment but may only have minimal direct consequences to the livestock industries), the formula uses figures from the latest human population census. For all other diseases, the formula is based on the relevant livestock population and on GVP data of the industry/ies affected by the disease.

The split of costs eligible for cost sharing between the industry parties where an EAD affects more than one species, or concerns more than one industry party for a species, are similarly determined on the basis of the GVP of each industry.

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### **21. HOW DOES INDUSTRY MEET ITS COST SHARING OBLIGATION?**

*Parties to the EADRA must have plans in place to meet costs should a response occur.*

Each industry party must take reasonable steps to ensure that its industry meets the cost sharing obligations of that industry. The Commonwealth may initially meet an industry's cost sharing obligations, and that industry will then repay the Commonwealth within a reasonable time period.

Parties to the EADRA can establish an EAD response levy to meet financial liabilities for responses under the EADRA. While this is not the only option, only one industry party has chosen an alternative approach (i.e. a fixed amount held in reserve), as it provides the greatest flexibility in relation to adjusting levy rates to suit particular needs. Usually, the EAD response levy is set to zero and activated only in an EAD incident.

### **22. WHAT IS OWNER COMPENSATION?**

*Where appropriate, owners of livestock that are culled in a response effort may be eligible for compensation for the culled animals.*

Compensation is determined and managed by state/territory legislation, processes and procedures. Consistent with the relevant legislation applying in jurisdictions, compensation is to be paid to the owner of any livestock or property that is destroyed for the purpose of eradication or prevention of the spread of an EAD and for any livestock that would have been compulsorily slaughtered had they not already died of the EAD. Under the EADRA, the jurisdiction can share the costs of such compensation, provided that the cost sharing of compensation payable under jurisdictional legislation is identified in the approved EADRP.

If the culled livestock prove to be more expensive to replace on the day that the property becomes eligible to be restocked, a second payment ("top up payment") of the difference (between the value of livestock on the cull date and the replacement costs on the date the property becomes eligible to restock) may be available.

The compensation payable at this second payment is the difference between the total value of livestock on that date and the amount paid for livestock that died or were slaughtered because of the EAD.

A Guidance document - Interpretation of Compensation and Cost Sharing in the Emergency Animal Disease Response Agreement provides additional detail on compensation (see EADRA website <https://www.animalhealthaustralia.com.au/training/emergency-animal-disease-training/guidance-documents/>)

### **23. WHO CAN CLAIM OWNER COMPENSATION, AND WHEN DO CLAIMS NEED TO BE MADE?**

*A claim for compensation must be made by, or on behalf of, the owner of animals or the property that is subject to an incident or the outbreak of an EAD, within ninety days after the date of destruction or death of the livestock or other property.*

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A request for a second valuation must be made by or on behalf of the owner within thirty days of receipt of notification that the property is eligible to be restocked. A claim for a second payment for compensation must be made within twenty-one days of receipt of the second valuation determination.

### **24. HOW ARE LIVESTOCK AND PROPERTY VALUED FOR COMPENSATION?**

*For livestock, compensation is set at market value of stock on the date of detection or reporting; for property, it is assessed as value of the property immediately prior to destruction.*

In the case of livestock, the value is based on the date the owner reports the disease or suspicion of disease, or the date of detection of the disease by an inspector, or the date of imposition of a quarantine order relating to the disease, whichever is the earlier. The date on which the second valuation is based is the date of release of all restrictions pertaining to the property's eligibility to be restocked.

In the case of property (including buildings), the value is that applicable immediately before destruction.

For the purpose of calculating the value of the stock or property, that value is calculated upon the basis of a sale at the place where the stock or property was when it was destroyed or where the stock was when it died of the disease, that is, farm gate value.

An AUSVETPLAN Operational manual, *Valuation and Compensation*, provides more detail on compensation and valuation – see AUSVETPLAN website  
<https://www.animalhealthaustralia.com.au/our-publications/ausvetplan-manuals-and-documents/>

### **25. IS COMPENSATION PAYABLE WHEN THE INDUSTRY IS NOT A PARTY TO THE EMERGENCY ANIMAL DISEASE RESPONSE AGREEMENT?**

*Usually, if the industry is not represented by an EADRA signatory, there will be no cost sharing of compensation under the EADRA.*

The payment of compensation for animals or property destroyed or damaged as a result of emergency control measures is managed according to the relevant jurisdictional legislation and processes, which vary between states and territories.

The EADRA does not determine whether compensation will be paid. This is always determined by jurisdictional legislation and processes. The EADRA does determine how the cost sharing of response costs (including compensation, if appropriate) will be determined.

Compensation may be payable by the combat jurisdiction under their legislation to parties who are not signatories to the EADRA. In this case the jurisdiction will fund the payment of compensation but the cost will not normally be cost shared under the EADRA unless by agreement of all relevant parties.

Participants in industries for which there is no representative body, or for which the representative body is not a party to the EADRA, are not eligible for cost sharing of compensation if the GVP of that



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industry is greater than \$20 million. If the GVP is less than \$20 million, such participants may be eligible for cost sharing of compensation under the EADRA, if the NMG agrees.

### **26. HOW IS THE MOST APPROPRIATE RESPONSE TO AN EMERGENCY ANIMAL DISEASE DETERMINED?**

*All parties have collaboratively developed and agreed on appropriate response measures.*

For all diseases listed in the EADRA, there is a preferred approach to an outbreak. These preferred approaches have been developed and agreed upon by governments and relevant industries in non-outbreak times and are captured in AUSVETPLAN Disease strategies (see AUSVETPLAN website <https://www.animalhealthaustralia.com.au/our-publications/ausvetplan-manuals-and-documents/>).

AUSVETPLAN Disease strategies provide sufficient information about the nature of the disease, principles of its control and eradication, the preferred initial policy and its rationale, and recommended quarantine and movement controls.

The EAD Response Plan developed by the state or territory chief veterinary officer(s) in whose jurisdiction(s) the EAD incident has occurred must be consistent with relevant AUSVETPLAN manuals, unless the CCEAD advises, and the NMG agrees to, a variation.

The availability of agreed AUSVETPLAN Disease strategies ensures that informed decisions about the policies and procedures needed to manage an EAD incident in Australia are immediately at hand and there is no time lost in mounting the response.

### **27. WHAT IS AUSVETPLAN?**

*AUSVETPLAN is the Australian Veterinary Emergency Plan for responding to an emergency animal disease.*

AUSVETPLAN is a series of technical response plans that describe the proposed Australian approach to an EAD incident. The documents provide guidance based on sound analysis, linking policy, strategies, implementation, coordination and emergency-management plans.

AUSVETPLAN procedures are contained in a series of manuals, all available on the Animal Health Australia website <https://www.animalhealthaustralia.com.au/our-publications/ausvetplan-manuals-and-documents/>

AUSVETPLAN currently comprises a summary document, disease strategies for 28 of the 41 EADs listed in the EADRA, and response policy briefs for a further 31 EADs. AUSVETPLAN also contains operational manuals, enterprise manuals, management manuals and a number of guidance and resource documents. Animal Health Australia manages the review, endorsement and publication process.

### **28. WHO IS RESPONSIBLE FOR THE DECISION MAKING UNDER THE EMERGENCY ANIMAL DISEASE RESPONSE AGREEMENT?**

*All parties involved in a response have decision making power for that response – through the National Management Group and the Consultative Committee on Emergency Animal Diseases.*

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There is no single party exclusively responsible for decision making under the EADRA. Equally, not every party to the EADRA will be involved in decision making for every incident. Decisions are made by two groups, with government and industry representation drawn from parties who are affected by the EAD incident ('affected parties'). The two decision making groups are the NMG and the CCEAD. The CCEAD is a committee of technical representatives of the parties; they advise the NMG, which is a higher level group representing each of the affected parties. The NMG will approve, or not approve, the invoking of cost sharing and manage, on behalf of the affected parties, the national policy and resourcing needs of an EAD Response Plan.

### **29. WHAT IS THE NATIONAL MANAGEMENT GROUP, AND HOW DOES IT OPERATE?**

*NMG is the high-level decision making body that determines whether to respond to an animal disease and the direction of that response.*

The NMG has two primary functions, i.e. to consider EAD response issues, and to consider general issues around the EADRA.

In an EAD response, the NMG will comprise a representative of each of the affected parties (the parties who are affected by the EAD incident):

- the Secretary of Australian Government Department of Agriculture, who chairs the NMG; the Department also provides the secretariat)
- the chief executive officers of the state and territory government parties
- the president (or analogous officer) of each of the relevant industry parties
- Animal Health Australia as an observer.

NMG is responsible for approving the EAD Response Plan (including an indicative budget) for an incident. Such approval means that cost sharing applies. NMG also reviews the EADRP when it believes the cost may exceed the agreed limit (1% of the GVP of the affected industry/ies [2% for foot-and-mouth disease]). Importantly, NMG determines whether a party has acted appropriately in the matter of reporting of an EAD in the first place. NMG also determines the point at which an EAD has been eradicated and the response can be stood down or that an EAD cannot be eradicated and the EAD response stood down. It is at this point that the EADRP is terminated and cost sharing ceases to apply.

NMG makes decisions by consensus.

### **30. WHAT IS THE CONSULTATIVE COMMITTEE ON EMERGENCY ANIMAL DISEASES, AND HOW DOES IT OPERATE?**

*The CCEAD is the key technical coordinating body for animal health emergencies.*

CCEAD provides the link between the Commonwealth, states and territories, industry and Animal Health Australia. CCEAD members are:

- the Australian Chief Veterinary Officer, who chairs CCEAD

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- all state and territory chief veterinary officers (or their nominees)
- one representative nominated by CSIRO Animal Health
- two representatives from the Australian Department of Agriculture nominated by the Australian chief veterinary officer
- one representative of Animal Health Australia as an observer
- members of relevant industry parties (generally including one member representing a non-affected industry).

The Australian Government Department of Agriculture provides the secretariat for CCEAD.

Under the EADRA, CCEAD has specific responsibilities, for example, CCEAD must assess the EAD Response Plan submitted by the affected jurisdiction(s) and advise the NMG whether the Plan should be approved. This includes advice on whether the EAD can be eradicated or contained. CCEAD will monitor progress in the response and provide regular consolidated reports to the affected parties and to the NMG. CCEAD determines when a disease has been contained or eradicated under an EADRP, and recommend when proof of freedom has been achieved. In circumstances where rapid eradication of an EAD is judged to be no longer feasible, CCEAD will provide advice and recommendations to NMG on when the EADRP should be terminated, when cost sharing should no longer apply, and on options for alternative arrangements.

CCEAD makes decisions by consensus.

### **31. IS THE INFORMATION GIVEN TO THE NATIONAL MANAGEMENT GROUP AND THE CONSULTATIVE COMMITTEE ON EMERGENCY ANIMAL DISEASES CONFIDENTIAL?**

*Information considered by NMG and CCEAD is confidential, but public communiqués on key decisions are provided.*

Most information provided to the NMG and CCEAD is confidential; this is because it could be commercially sensitive, relating to national security or international relations, or include personal information. However, representatives present at the meetings are allowed to discuss certain information within their organisation, under the provisions of the EADRA, on a strict need-to-know basis, to effectively operate and perform their obligations under the EADRA.

To keep the public informed about its decisions, the NMG usually provides public communiqués after its EAD meetings.

### **32. UNDER THE EADRA, DO PARTIES HAVE OBLIGATIONS OTHER THAN COST SHARING?**

*Parties have reporting, biosecurity and resourcing obligations under the EADRA.*

For example, industry parties must notify the relevant government authority within 24 hours of becoming aware of an EAD incident, and government parties in turn must notify the CCEAD within 24 hours.

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There are also on-going biosecurity obligations that are aimed at reducing the risk of an EAD incident occurring in the first place. Animal Health Australia manages a national biosecurity planning and implementation program under which industry parties develop industry biosecurity plans that describe how each industry will promote improvements to existing biosecurity measures used within that industry. The program also obliges government parties to develop biosecurity statements that outline biosecurity policies and programs relevant to their responsibilities including feral animal, public health and environmental policies. For more detail and copies of all of the plans and statements see <https://www.animalhealthaustralia.com.au/what-we-do/biosecurity-services/biosecurity-planning-and-implementation/>

Furthermore, the EADRA obliges government parties to determine existing and required resource commitments and to define the costs that a State or territory consider to be 'normal'. Industry parties have also developed complementary normal commitments. Only costs above that baseline level should be cost sharable. The *EADRA Guidance document on normal commitments* provides more information – see EADRA website <https://www.animalhealthaustralia.com.au/training/emergency-animal-disease-training/guidance-documents/>.