



The Hon. Adam Marshall MP
Minister for Agriculture
Minister for Western New South Wales

OM21/6148

Mr Stan Konstantaras
President Recreational Fishing Alliance of NSW
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Dear Mr Konstantaras

I refer to your letter of 13 September 2021 regarding the Animal Welfare Reform Discussion Paper. I understand you have also written to the Hon Matt Kean MP, NSW Treasurer and Minister for Energy and Environment. Your correspondence has been referred to me as Minister for Agriculture.

As you are aware, the NSW Government is modernising the animal welfare policy and legislative framework in consultation with the community. From 3 August to 17 September 2021, we sought public feedback on the Animal Welfare Reform – Discussion Paper, which outlines proposed changes to the laws and explains their intended effect. More information on the animal welfare discussion paper can be found here: www.dpi.nsw.gov.au/animals-and-livestock/animal-welfare/animal-welfare-reform/discussion-paper.

I can assure you, the NSW Government will not ban activities such as fishing or hunting.

Under existing NSW animal welfare laws, you can fish and hunt in a manner that inflicts no unnecessary pain. This provision will be replicated in the new animal welfare framework, so that fishing and hunting will continue.

The Discussion Paper also proposes to revise the definition of animal to include cephalopods and decapod crustaceans, to ensure these animals will be protected from acts of cruelty. To ensure that this change does not impact normal fishing practices, any new laws will specify that it is not an offence to use fish, cephalopods or decapod crustaceans for live bait fishing.

I aware that this matter has been confused with the introduction of the Prevention of Cruelty to Animals Amendment (Aquatic Animal Recognition) Bill 2021. This Bill is a Private Member's Bill brought forward by the Hon. Emma Hurst MLC, and proposes to extend the definition of animal to include cephalopods and all crustaceans .

NSW Government does not support this Bill and will strongly oppose it in Parliament.

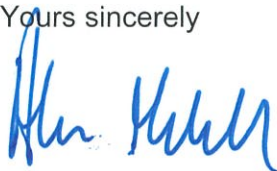
The Department of Primary Industries received almost 4,800 responses to the Discussion Paper from a wide range of community members and stakeholders. The NSW Government is using this feedback to refine proposals and inform the drafting of the new animal welfare legislation.

There will be further opportunities for the community to provide feedback on the draft legislation when it is published in the coming months. To stay up to date you can register to receive the latest animal welfare updates at: <https://www.dpi.nsw.gov.au/animals-and-livestock/animal-welfare/news-and-community>.

In addition to the broader reforms, the Government has continued to act decisively in response to urgent animal welfare issues. As you note in your letter, in June this year the NSW Government's Prevention of Cruelty to Animals Amendment Bill 2021 passed Parliament, with the primary focus of increasing penalties for animal cruelty offences. NSW now has the strongest set of penalties in the country, with the severity of the penalty for heinous animal cruelty matching the seriousness of the offence.

Thank you again for your interest in this matter.

Yours sincerely



Adam Marshall
MINISTER

14 DEC 2021