



## Agriculture Victoria

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Dear Ms Laucher

### **DRAFT EXPORT CONTROL BILL 2017 AND ASSOCIATED REGULATION IMPACT STATEMENT**

Thank you for providing the opportunity to respond to the draft Export Control Bill 2017 and associated Regulation Impact Statement (RIS). Feedback is provided in response to the RIS's recommended option to consolidate and improve the existing export legislative framework.

The draft Export Control Bill 2017 is important to Victoria's role as food safety regulator and licensor for meat and dairy products.

#### *Impact on Victoria*

Victoria welcomes the consolidation and subsequent improvement of the proposed agricultural export legislation. It has the potential to reduce regulatory burden and we believe that overall the proposed changes to Australia's export control legislation will benefit Victoria's export industries.

We note, however, that the RIS did not consider any credible alternatives to the option being implemented. It only presented two options: the Commonwealth Government's preferred option; and an option of taking no action, which would allow Australia's export control framework to expire. This was a missed opportunity for Australia's export industries.

#### *Improvement opportunities*

Victoria supports the draft Bill's allocation of power to the Secretary to approve new Rules. This will provide for increased flexibility and a more responsive legislative framework. To ensure consistent communication with the states and territories, we recommend mandatory consultation when a new Rule is proposed. This recommendation is consistent with consultation required under Section 368 of the *Biosecurity Act 2015*.

Victoria also suggests that consideration should be given to increasing the scope for state regulatory authorities to support export auditing and approval processes. This would ensure

that export businesses are operating at standards that are consistent with state food safety standards, which is particularly important when export products are diverted into the domestic market. It may also help manage and reduce some of its associated administrative costs.

Victoria would like to ensure that the draft Export Control Bill 2017 considers and complements both the requirements of the Australian Standards for the Export of Livestock 2011 and existing state and territory animal welfare standards and legislation, including comparable penalties and offences. We would also appreciate timely communication to states and territories of crucial information, such as failed consignments and regulation non-compliance. Where problems are identified with international exports, there are likely similar issues occurring in the domestic market.

Victoria would welcome an opportunity to contribute to the development of the Export Control Rules in 2018. Victoria's agricultural stakeholders have raised areas of interest regarding commodity-specific legislation. Most notably, the oversight of Halal, Kosher and Organic certifications (or similar) and exemptions for samples or smaller consignments provide improvement opportunities.

Victoria welcomes regular communication on the revised export legislation framework. We look forward to working with the Department of Agriculture, Water and Resources on the development of the Export Control Rules in 2018.

Yours sincerely



**Emily Phillips**

Deputy Secretary Agriculture, Food and Fibre

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