

Over view

Appendix C: List of consultation questions

- 1) Have you ever experienced export delays to a country or loss of market access for your products as a result of the conduct of other exporters or businesses not following the requirements? If so, describe the impact of this delay on your business and your industry.

Can't not say we have, as a company we are quite diligent in regards to paperwork prior to any sailings. Cargo could potentially be delayed in China if it is not registered on the list of approved product with CIQ. We tend to move small airfreight shipments and clear them before sending a full consignment.

- 2) Do you think broader enforcement powers available to the department would assist you and your business and your industry? If so, describe the benefit it would bring.

The department should have the appropriate powder to amend and adjust legislations to assist business and enable more consistency, transparency and accountable for all exporters.

- 3) Are there benefits to your business of maintaining existing arrangements? Provide examples if possible.

- 4) Are you aware of opportunities for a reduction in regulatory burden under the existing framework? If so, provide examples.

Current Framework have little impact on Austral apart from foreign unloads, manual documentation framework. The Trust Trader program in line with quarantine could see a lift in some current burden.

- 5) Have you experienced growth in your sector over the past decade that has been assisted by Australia's export regulatory system? If yes, provide details.

There are been growth over the decade and the added burden of auditable processes have added to export systems, but I'm not sure how much of this is an Importing country requirement or Departments not working together to enable smoother processes.

- 6) Have you or your business exported or attempted to export goods that fall out of the scope of existing agricultural export legislation?

- a) If so, what was your experience of this process? Did you require some sort of facilitation from the department in order to export the goods? What products were involved?

Austral currently have a "Deed of Indemnity" with the department which enable foreign unloads in Mauritius. The manual documentation and duplication around this is huge, the lead time sometimes unacceptable to our business, whereby we are required to leave containers in a foreign port pending approval of our documentation from Quarantine.

- b) What information was requested by the department and what was issued by the department (for example, a letter of facilitation)?

Dead of Indemnity allow manual documentation for foreign unloads, in the past containers have been held by China due to a difference between electronic and manual documentation.

The department now issues the certification on security paper which now enables faster clearance in China. In the past a facilitation letter has been required.

c) What were your regulatory costs (including delays costs) associated with this process?

As a business we do not count the costs has been part of doing business with foreign unloads.

Austral, appreciate the department helping to make the Deed of Indemnity work for the years it has.

7) What benefit would you or your business receive if the department had a clear process for providing certification for these types of products? If you are able, please quantify this benefit in dollar terms?

I would prefer to quantify this in time for employee's working weekends and trying to meet deadlines.

8) How often do you or your business read or refer to Australia's agricultural export legislation? If possible, describe this time spent reading the legislation as x hours per year.

This will only be referred to should there be an amendment ,

9) How often do you seek legal advice on the operation Australia's agricultural export legislation?

The legal team at the department have spent many hours over the original Deed of Indemnity and I believe every year Market Access are required to look at this

10) The improved legislation will streamline many common export requirements. Do you expect this streamlining to benefit your business? If so, provide details of these benefits. Do you think the new arrangements will save time? If not, why not?

If the new arrangement could streamline foreign unloads to Freeport's and this be acceptable to all Importing countries we believe this would free the department and Austral up.

11) How would you or your business benefit from legislation that could be made more efficiently to align with importing country requirements?

All exporters can only benefit in an alignment with importing country requirements. Time spent on documentation can be a huge burden, I believe the Trusted Trader program will also assist with 1.1 Duplication and complexity

12) Have you or your business experienced any adverse effects as a result of delays in implementing new legislation? No the Department have always been very helpful

13) If so, describe what the impact was on you and your business. What could have been done to prevent this from happening?

14) Are you able to identify any other benefits to you or your business as a result of the improved legislation?

Austral are currently looking at a Trusted Traders Licence which will enable documentation to be more streamlined with importing countries who are aligned with the agreement.

15) Provide details of any concerns you or your business may have about the new legislation or any of the changes as presented in this document.

The Deed of Indemnity will cease to exist, this could have impact on our business unless the alternative solution is agreed.

16) The department has assumed that the time required to complete an application for an export licence is four hours.

a) Is this an accurate estimate?

Dependent on the shipment and processes for each shipment this could well be into 2-3 hours,

b) If not, how long does it take? (Include in your estimate all activities associated with making the application, including gathering relevant information and completing the form).

Austral have Approved arrangement and all documentation is on the EXDOC program.

17) How often have you been required to apply for an export licence?

N/A

18) When completing applications for the department, do you feel like you are providing the same information multiple times? In particular, do you find that you are providing information about whether you are a 'fit and proper person' or 'person of integrity' multiple times?

Personally think is due diligence and not a huge burden to our company but manual documentation user could find this a burden.

19) Do you have any suggestions for how the department can make the licence application process easier or more efficient?

20) If you are a third party authorised officer or have employees appointed as authorised officers, how long did it take to receive the instrument of appointment after the deed of obligation was signed and returned to the department?

21) If there was a delay in receiving the instrument of appointment, what was the associated cost to you and/or to your business? Please include in your response:

a) the cost associated with the delay (including making alternative arrangements such as engaging a departmental authorised officer or another third party authorised officer, or any additional processing, storage and handling costs)

b) details of any loss of income resulting from the delay

c) Details of any opportunity cost (the value of opportunities that cannot be realised because of the regulatory intervention) resulting from the delay.