

**Australian Government****Department of Agriculture,  
Water and the Environment****Exporter Supply Chain Assurance Operations Approved Arrangement –  
new application, renewal, and variations**Official form approved under section 377(1)(b) of the *Export Control Act 2020***Section A: General information**

<b>Purpose of this form</b>	For a person in management and control to apply for a <b>Exporter Supply Chain Assurance Operations Approved Arrangement</b> <ul style="list-style-type: none"><li>• a new approved arrangement, or</li><li>• renew an existing approved arrangement, or</li><li>• variation of an existing approved arrangement.</li></ul>
<b>Before submitting</b>	Check requirements for exporter supply chain assurance operations approved arrangements, as well as associated guidelines on the department's website.
<b>To complete this form</b>	<b>Electronically</b> You will need the latest version of Adobe Acrobat Reader to save changes to your document. <b>Manually</b> Use black or blue pen Print in BLOCK LETTERS Mark boxes with a tick or a cross.
<b>Processing fee</b>	Application fees will apply—charging guidelines are available on the department's website.
<b>Your form must include</b>	All sections completed. For new, renewal applications and where relevant to a variation application, additional information listed at section D.
<b>Submit your application</b>	Email: <a href="mailto:livestockexp@awe.gov.au">livestockexp@awe.gov.au</a> (preferred) Department of Agriculture, Water and the Environment Live Animal Export Branch GPO Box 858 Canberra ACT 2601 Phone: 02 6272 4581

## Section B: Application type

### 1 Indicate application type (select all applicable)

Exporter Supply Chain Assurance Operations Approved Arrangement

Application for a new approved arrangement

Application to renew an existing approved arrangement

Application to vary an existing approved arrangement

Where the application is for a variation, please specify proposed change(s). Include any relevant attachments with your application:

## Section C: Applicant details

### 2 Is the applicant a sole trader, partnership, or a body corporate?

Sole trader

Body corporate

Partnership

**Other, please specify**

### 3 Business details

Business name (or name of individual if a sole trader with no registered business name)

Australian Business Number (ABN) (if applicable)

Australian Company Number (ACN) (if applicable)

Suburb/town/city

State/territory

Postcode

Postal address

Suburb/town/city

State/territory

Postcode

Work phone (include area code)

Mobile phone

Email

Email for invoicing purposes

Name of the person making this application

## Section D: Persons who manage or control export operations

### 4 For approved arrangements for exporter supply chain assurance operations list (attach more pages if you are listing more than 5 people):

- the applicant for approval of the proposed arrangement for exporter supply chain assurance operations, and
- all persons who would manage or control the assurance operations covered by the proposed arrangement

#### Person 1: the applicant (if applicable, insert director (or equivalent) details)

Title                      Given name    Family name

Also                      Given name    Family name  
known as

Date of birth (dd/mm/yyyy)    Place of birth

Job title

Home Street address

Suburb/town/city    State/territory    Postcode

Phone numebr    Email

#### Person 2

Title                      Given name    Family name

Also                      Given name    Family name  
known as

Date of birth (dd/mm/yyyy)    Place of birth

Job title

Home Street address

Suburb/town/city

State/territory

Postcode

Phone numebr

Email

**Person 3**

Title Given name

Family name

Also Given name  
known as

Family name

Date of birth (dd/mm/yyyy) Place of birth

Job title

Home Street address

Suburb/town/city

State/territory

Postcode

Phone numebr

Email

**Person 4**

Title Given name

Family name

Also Given name  
known as

Family name

Date of birth (dd/mm/yyyy) Place of birth

Job title

Home Street address

Suburb/town/city

State/territory

Postcode

Phone numebr

Email

**Person 5**

Title Given name

Family name

Also Given name  
known as

Family name

Date of birth (dd/mm/yyyy) Place of birth

Job title

Home Street address

Suburb/town/city

State/territory

Postcode

Phone numebr

Email

## 5 Names to be removed from management and control (variation or renewal only)

a. Given name Family name

b. Given name Family name

c. Given name Family name

d. Given name Family name

e. Given name Family name

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## Section E: Fit and proper person test

**Note:** This section must be completed if the application is for a new approved arrangement. For applications to vary an approved arrangement, this section is only required to be completed if amendments to persons in management or control are being proposed.

**Instructions:** Please refer to the meaning of 'conviction' and 'spent conviction' under section 85ZM of the Crimes Act 1914. Applicants are not required to disclose spent convictions.

Please refer to the meaning of 'associate' in section 13 of the Export Control Act 2020.

## 6 Have you, or any people listed in section D, or any of your associates, been convicted of an offence against, or ordered to pay a pecuniary penalty under, any of the following:

- a. the Export Control Act 2020 (including any instruments made under that Act) or the repealed Export Control Act 1982;
- b. the Australian Meat and Live-stock Industry Act 1997;
- c. the Biosecurity Act 2015 or the repealed Quarantine Act 1908;
- d. the Imported Food Control Act 1992;
- e. the Illegal Logging Prohibition Act 2012;
- f. another Act prescribed by the rules;
- g. the Criminal Code or the Crimes Act 1914, to the extent that it relates to an Act referred to in this paragraph.

No

Yes

**Provide details (attach more pages if necessary)**

**7 Have you contravened an Act referred to in paragraph 7?**

No

Yes

**Provide details (attach more pages if necessary)**

**8 Do you have any outstanding charges under an Act referred to in paragraph 7?**

No

Yes

**Provide details (attach more pages if necessary)**

**9 Do you alone or jointly with another person, owe the Commonwealth a debt under an Act listed in paragraph 7?**

No

Yes

**Provide details (attach more pages if necessary)**

**10 Have you:**

- a. made a false or misleading statement in an application under the Export Control Act 2020?
- b. given false or misleading information or documents to the Secretary or to another person performing functions or duties or exercising powers under the Export Control Act 2020?
- c. given false or misleading information or documents to the Secretary or the Department under a prescribed agriculture law?

No

Yes

**Provide details (attach more pages if necessary)**

**11 Have you:**

- a. had an application under the Export Control Act 2020, the Australian Meat and Live-stock Industry Act 1997, or the repealed Export Control Act 1982 refused?
- b. had a licence, accreditation, approved arrangement or registration under the Export Control Act 2020 suspended, revoked or cancelled

No

Yes

Provide details (attach more pages if necessary)

**12 Have you failed to comply with any notice, instruction, condition, or restriction under the Export Control Act 2020, including any instruments made under that Act, the repealed Export Control Act 1982 or the Australian Meat and Live-stock Industry Act 1997?**

No

Yes

Provide details (attach more pages if necessary)

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## Section G: Requirements for exporter supply chain assurance operation approved arrangement applications

Refer to the checklist for an approved arrangement for exporter supply chain assurance operations available on the department's website.

For all applications for new approved arrangements, the application must include the proposed arrangement.

**The proposed arrangement must be accompanied by a declaration stating:**

- a. the interests (if any), direct or indirect and pecuniary or otherwise, of the applicant that conflict or could conflict with the applicant's ability to properly carry out the exporter supply chain assurance operations covered by the arrangement; or
- b. if the applicant has no such interests—that fact.

**The proposed arrangement must record that the applicant for approval of the arrangement is committed:**

- a. to meeting the objects referred to in section 3 of the Act that are applicable to the exporter supply chain assurance operations covered by the arrangement; and
- b. to complying with the requirements of the Act in relation to those operations; and
- c. to carrying out those operations in accordance with the arrangement. For variations to approved arrangements, the application must detail the proposed variation and include the varied approved arrangement.

**The proposed arrangement must:**

- a. demonstrate that the applicant has an appropriate governance structure in place.
- b. include procedures the applicant will implement to report significant variations to its approved arrangement to the department.
- c. include procedures the applicant will implement to ensure they are independent of regulated parties in the delivery of its assurance services and that there is a system in place to manage conflicts of interest that may exist.
- d. include details of the applicant's procedure to ensure there are sufficient competent and qualified personnel to deliver its assurance services.

- e. include the applicant's proposed implementation plan to offer assurance services in all countries accessed by Australian exporters of feeder and slaughter livestock. Where this is not possible for one or more countries, the proposed arrangement must include details for consideration by the department of the reasons why assurance services cannot be provided.
- f. include the applicant's policies and procedures that demonstrate commitment to maintaining high standards of integrity and accountability.
- g. include the applicant's procedure for internal audit of its exporter supply chain assurance operations.
- h. include the applicant's procedure that will be implemented in the event they cease provision of services to some or all countries to ensure ongoing control, traceability and acceptable animal welfare outcomes for exported Australian feeder and slaughter livestock.
- i. include details of the applicant's procedure to report to the department on its exporter supply chain assurance operations every 3 months.
- j. include details of the applicant's procedure for dealing with identified non-conformities with the assurance standards and/or rules by a certified entity. This must include that the assurance given in relation to an entity in accordance with the approved arrangement may be removed (i.e. the certification of an entity may be suspended or revoked by the applicant as a result of a sufficiently severe non-conformity, or one that has not been satisfactorily addressed).
- k. include copies of the applicant's exporter supply chain assurance operations rules and standards. These must demonstrate equivalence by comparison to ESCAS principles with respect to animal welfare, control through the supply chain, traceability through the supply chain and independent auditing. The proposed arrangement must include details of the process that was followed to develop the rules and standards, and this process must be consistent with international standard development procedures such as those required by the International Organisation for Standardization (or equivalent).
- l. include details of the applicant's procedure to ensure notification of all relevant certified entities within a given country in the event of a supply chain disruption.
- m. include details of the applicant's procedure to ensure that no Australian livestock remain with entities which have had their certification revoked.
- n. include details of the applicant's procedure to ensure consistent auditing of certified entities against assurance rules and standards.
- o. include details of the applicant's system for scheduled and ad hoc review of assurance rules and standards to ensure consistency with ESCAS principles.
- p. include details of the applicant's procedure to require certified entities to facilitate and provide timely access for the applicant to their systems, facilities, procedures, records, livestock and personnel, including where their certification is suspended or withdrawn, in instances where the applicant still needs to carry out procedures relevant to its assurance operations.
- q. include details of the applicant's procedure to ensure that certification bodies providing auditing, assessment and certification services are independent of the entities they are auditing, have no conflict of interest and possess an appropriate level of competence and expertise.
- r. include details of the applicant's risk-based approach to external auditing, including procedures for entity risk assessment, entity risk rating and entity audit frequency.
- s. include details of the applicant's procedure to ensure that external auditors are approved by an approved certification body before offering audit services and that they do not conduct audits where a conflict of interest exists or potentially exists.
- t. include details of the applicant's procedure to ensure external auditors have the appropriate skills and competencies to undertake the scope of the audit required, and a commitment to ongoing professional development.
- u. include details of the applicant's procedure to ensure internal auditors of certified facilities have the skills and competencies necessary to conduct the scope of their audits, receive appropriate training to do so, are impartial and do not audit their own work area.
- v. include details of the applicant's procedure for auditing the certification body's management of nonconformities.
- w. include details of the applicant's procedure for handling and managing third party (e.g., animal welfare groups, industry, and the public) complaints and nonconformities, including complaints referred by the department.

**Note:** The applicant must be an Australian company. For the purpose of an approved arrangement for ESCAO, the 'applicant' means the third-party provider of assurance services applying for an approved arrangement to carry out ESCAO and includes the company director and all persons who would control or manage the operations covered by the proposed arrangement.

**Note:** The applicant for an approved arrangement and its employees must not hold a livestock export licence.



## Section I: Declaration

I declare that I have authority to make this application on behalf of the applicant.

I declare that the information I have provided is true and correct.

I understand that a person may commit an offence or be liable to a civil penalty if the person makes a false or misleading statement in an application or provide false or misleading information or documents (sections 136.1, 137.1 and 137.2 of the Criminal Code and sections 367, 368 and 369 of this Act).

I understand that under sections 185 and 218 the Export Control Act 2020, the applicant may be required to, as soon as practicable, provide the department with additional or corrected information, if the applicant becomes aware that information included in the application is incomplete or incorrect.

Signature (enter signature or type your name)

Full name

Date (dd/mm/yyyy)

**Note:** Declarant must be listed in management or control

## Section J: Privacy notice

‘Personal information’ means any information or opinion about an identified, or reasonably identifiable, individual.

‘Sensitive personal information’ is a subset of personal information and means any information or opinion about an individual’s racial or ethnic origin, political opinion or association, religious beliefs or affiliations, philosophical beliefs, sexual preferences or practices, trade or professional associations and memberships, union membership, criminal record, health or genetic information and biometric information or templates.

The Department of Agriculture, Water and the Environment collects your personal information (as defined in the *Privacy Act 1988*) in relation to this form for the purposes of assessing your application. The department is authorised under the *Export Control Act 2020* to assess your application and related purposes. If you fail to provide some or all of your personal information, we will not be able to process your application.

The department may disclose your personal information to relevant authorities in an importing country and other Australian agencies where necessary for these purposes, provided the disclosure is consistent with the *Privacy Act 1988* and other relevant laws. Your personal information may also be disclosed to relevant employees within your organisation for the purpose of approving your licence and to maintain the currency of your personal information for the purpose of the licence. Your personal information will be used and stored in accordance with the Australian Privacy Principles.

By completing and submitting this form you consent to the collection, use and disclosure of all personal information, including sensitive information, in this form to the relevant authorities in the importing country.

The department has not taken steps to ensure that the relevant authorities in the importing country do not breach the Australian Privacy Principles. This means that:

- relevant authorities in the importing country may not be accountable under the Privacy Act
- you may not be able to seek redress under the Privacy Act
- you may not be able to seek redress in the overseas jurisdiction.

Relevant authorities in the importing country may not be subject to any privacy obligations or to any principles similar to the Australian Privacy Principles.

See the department’s [Privacy Policy](#) to learn more about accessing or correcting personal information or making a complaint. Alternatively, telephone the department on +61 2 6272 3933.