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Export Establishment Registration

What is an Export Establishment?

Export registered establishments are premises that prepare prescribed goods for export.

The *Export Control Act 2020* and associated rules detail what is a prescribed good. More information on the export legislative framework can be found at agriculture.gov.au/biosecurity-trade/policy/legislation#export-legislation.

Preparing goods includes:

- Slaughter
- Boning
- Processing
- Inspecting
- Chilling
- Freezing
- Holding
- Producing
- Packing
- Treating
- Handling
- Dismembering
- Loading
- Storing.

Why the department registers establishments for export

The purpose of registering an establishment is to ensure that:

- the facilities are fit for the purpose of preparing, handling, storing and/or inspecting product for export
- appropriate hygiene and the necessary measures to produce the goods according to trade descriptions and other requirements applicable to a given commodity are maintained
- the goods comply with importing country requirements.

How to register an establishment for export

Establishments must be registered by the department's Secretary before commencing an operation for the production, storage, handling and/or presentation of prescribed goods for export.

Establishments seeking to become registered to prepare prescribed goods for export from Australia must apply for registration by using the Export Service, which can be found at agriculture.gov.au/biosecurity-trade/export/from-australia/ex26.

The application for registration must include:

- the name of the occupier (must be a legal entity). An occupier may nominate one or more registered business names.
- the business address of the occupier and the physical location of the premises
- the particulars of proposed export operations to be conducted in the establishment and other operations likely to affect the export operations
- particulars of any serious offence for which the occupier or persons in management or control have been convicted of, that may impact the Secretary's decision to register the establishment.
- any other information required by the relevant rules.

If the premises is a ship, the application for registration must include:

- the name of the vessel, home port and the place in Australia where the ship can be inspected

An authorised officer, appointed by the Secretary under section 291 of the Act, must inspect the establishment to assess whether the establishment meets the requirements for registration or to verify that an establishment continues to meet the requirements for variations to the registration. The authorised officer can then make a recommendation to the Secretary, stating that the establishment meets the legislative requirements to obtain registration.

Establishment registration application assessment

The Secretary may register an establishment for export where the requirements for registration are met. The registration of the establishment may be subject to conditions specified by the Secretary consistent with the objectives of the legislation. The establishment registration may be varied at the request of the occupier or the Secretary. The registration of an establishment is dependent on the following elements:

- The persons nominated as in management or control of the establishment are assessed as "fit and proper persons" in accordance with the Export Legislative Framework.
- Any debts owed to the Commonwealth by the occupier or in connection with the establishment are paid or are taken to have been paid, if unpaid, the non-payment is due to exceptional circumstances.
- The establishment construction, facilities and equipment are all suitable for both the type of goods and type of export operation.
- The establishment's export operations are compatible with those undertaken for different kinds of goods at the establishment and there will be no detrimental impact on export operations for prescribed goods at the establishment.
- The establishment has an Approved Arrangement in place if required by any applicable rules.

- There is demonstrated compliance with any other requirements of the applicable rules.

The Secretary has a consideration period to assess the application, and the Secretary is deemed to have refused the application if a decision is not made during this time. This consideration period is set out in the relevant rules. For example, for meat and meat products, the consideration period is 120 days. However, there may be extensions to the consideration period, as outlined in section 379 of the Act.

Unique establishment number for each export registered establishment

The department allocates a unique identifying number to an establishment upon registration. If an occupier moves operations to new premises, a new number will be allocated to those premises upon registration.

Registered export operations

When an establishment is registered, it is allocated specific registered operations (codes). These operations are relevant to the commodity and must conform to technical requirements. A registered establishment can only carry out the export operations for which it has been registered.

These codes are critical to the validations that are conducted via the EXDOC and NEXDOC systems, and they support decisions to issue export permits and or health certificates. It is essential that they be true and correct.

Registration fee and period of registration

Application, assessment and registration fees may apply. These differ by commodity and are detailed in the departmental charging guidelines, available at agriculture.gov.au/about/fees/charging-guidelines.

The registration comes into effect on the date the establishment is registered by the Secretary or another date if specified in the certificate of registration. An establishment is registered on an ongoing basis provided it complies with all the requirements relevant to the granting of export registration. If the certificate of registration specifies an expiry date, the establishment will cease to be registered after that date.

The registration of an establishment continues until the registration is suspended or terminated either by the Secretary or by the occupier on notifying the Secretary in writing.

If a person ceases to be the occupier of a registered establishment, the registration of that establishment lapses.

Registration renewal

Registration renewal only applies where a limited registration period is in force.

Applications for renewal must be made:

- in writing to the secretary
- within the period prescribed by the rules or, if the Secretary allows a longer period, within that period.

The Secretary may renew the registration of an establishment if all the legislative requirements are met.

If a registration renewal application is not received within that period, then it will be treated as an application to register a new establishment. Establishments with limited registration periods should be mindful of the applicable renewal application period that applies to them. For example, for meat commodity, the period is from 180 to 120 days before the expiry date for the registration.

Registration Certificate

The Secretary will issue a certificate of registration to the occupier.

The certificate contains:

- the number allocated to the establishment
- the name and address of the occupier
- the ACN and ABN number of the occupier
- the date the registration takes effect
- that the registration remains in force indefinitely or the expiry date for the registration if applicable
- each kind of export operations and each kind of prescribed goods covered by the registration
- if applicable, each place where a kind of prescribed goods covered by the registration may be exported
- the persons who manage and control the registered establishment
- any other information prescribed by the relevant rules.

More information

Learn more about improved agricultural export legislation here: agriculture.gov.au/market-access-trade/improving-export-legislation.

Learn more about submitting an application to register, vary or revoke an export establishment here: agriculture.gov.au/biosecurity-trade/export/from-australia/ex26#daff-page-main.

Email exportestablishment@aff.gov.au

Phone: 1800 900 090

Acknowledgement of Country

We acknowledge the Traditional Custodians of Australia and their continuing connection to land and sea, waters, environment and community. We pay our respects to the Traditional Custodians of the lands we live and work on, their culture, and their Elders past and present.

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