



November 2021

Plant export legislation changes

Plant rules – Changes affecting export bulk vessels commencing January 2022

On 1 January 2022, the Export Control (Plants and Plant Products) Rules 2021 (plant rules) are being amended to better align with current business and regulatory practices. This is the first round of amendments since the new plant export legislation commenced in March 2021.

The proposed changes to export bulk vessel survey and inspection practices will provide greater assurance to us, the shipping industry, and Australia's grain exporters that bulk vessels comply with agricultural export legislation.

The proposed changes do not shift the standard expected of vessels to be loaded with Australian grain. The proposed change:

- puts in place more effective checks and balances to ensure inspection and surveying practices meet the current expected standard
- minimises risks that Australian grain will be infested or contaminated by vessels after loading and while transiting to its destination overseas.

Implementation of helmet-mounted recording devices for bulk vessel inspections

It is proposed that it will be mandatory for all bulk vessel inspections to be recorded by Bulk Vessel Inspection Authorised Officers (BVI AOs) using helmet-mounted video recording devices.

BVI AOs or their employers will be responsible for acquiring the:

- helmet-mounted video recording device/s which must record at a minimum of 540p (960 x 540 pixels) at 25 frames per second (fps), with a minimum recording bit rate of 6 Mbps. We recommend sourcing recording devices with a bit rate of no more than 20 Mbps. Devices that record at higher bit rates lead to other impacts, such as greater battery usage during inspection and the need for more short term and long term data storage.
- additional spare batteries
- helmet mounts for cameras
- spare camera memory cards
- adequate storage to store video footage for 2 years.

Both AOs involved in the bulk vessel inspection (BVI buddies) must video record the inspection.

For audit purposes, BVI AOs or their employers will be responsible for storing recorded video footage for up to 2 years. Recorded footage must be made available to us on request and be no higher than 1080p. We will provide guidance on how to provide the recorded footage.

Directions to cease loading non-compliant bulk vessels

It is proposed the department will have the power to direct that the loading of a non-compliant bulk vessel is to cease until action is taken to rectify the vessel non-compliance.

The proposed change compliments other powers in the legislation:

- to issue directions to respond to non-compliance
- to suspend bulk vessel approvals for non-compliant vessels
- to refuse export permits and phytosanitary certificates if product is loaded into a non-compliant bulk vessel.

Background

The plant rules commenced 28 March 2021 and, along with the Export Control Act 2020, set the specific requirements for the export of plants and plant products. We have been tracking areas where the new legislation may not align with current business practice and regulatory expectations, and where additional regulatory improvements are needed. The plant rules will be reviewed annually and amended where needed.

Further information

Email plantexportreform@awe.gov.au

Web

- awe.gov.au/plant-export-leg-changes
- awe.gov.au/market-access-trade/improving-export-legislation

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