



CBC session 19-20/02
AEPCOMM EXPANSION – 26 AUGUST 2019
PARTICIPANTS QUESTIONS

Please note: similar questions raised by participants have been grouped together into a single question where possible.

1. Is there a concern with BMSB via airfreight?

Detections of BMSB on airfreight are minimal and therefore airfreight is currently not subject to mandatory BMSB measures. However, the department continues to monitor airfreight and may apply the same mandatory measures to this import pathway if BMSB detections increase.

2. What happens if you forget to enter information like the phytosanitary certificate number in the goods description field? Would AEPCOMM still work?

If you forget to enter the required information (such as the phytosanitary number) in the system, it is unlikely to prevent your import declaration from being lodged under AEPCOMM. However, it is a condition of the arrangement that you must enter the certificate number in the Goods description field or you may be subject to non-compliance.

3. How do we know what outcomes are available for a commodity group if the outcomes have been removed from the requirements and conditions document?

The Requirements and conditions document still provides a guide as to whether a commodity or commodity pathway is in scope of AEPCOMM, however you are required to log onto your BICON AEPCOMM user access account to verify the commodity pathway is actually in scope and to obtain the relevant AEPCOMM code.

4. Do the original documents (i.e. a phytosanitary certificate) need to be sighted or should a copy be enough to lodge?

A copy of the consignment's documentation is sufficient to lodge your import declaration under AEPCOMM. If original documentation is required BICON will specify it.

5. Do we need to refer to BICON every time we want to lodge an import declaration through AEPCOMM?

It is a requirement that you refer to BICON to verify if a commodity is in scope of AEPCOMM and to determine the correct AEPCOMM code to enter in the system. Your BICON AEPCOMM user access account will allow you to personalise your searches, this includes following BICON cases (in case of any changes), as well as bookmarking pathways that you may use often. There is a link under the [Help](#) section in BICON with task cards that provide further information on how to use BICON features.

6. Do we have to create an AEPCOMM user account in BICON?



Yes. The 19.2 Requirements and conditions stipulates that BIPs must have a BICON Multiple user account that is registered for AEPCOMM. Additionally accredited persons employed by or contracted to the BIP must be added to the BIPs Multiple user account. AEPCOMM information and codes are not visible on the BICON public version.

Help cards on how to obtain access are found under the **Account Registration and Maintenance** on the [Help](#) section of BICON.

7. If a phytosanitary certificate is issued a day after the shipped-on-board date, and it states that goods have been inspected and are free from Khapra beetle, but not listing the inspection date is this a valid phytosanitary certificate?

No. Currently BICON states that if the phytosanitary certificate is issued after dispatch the date of inspection must be identified as an additional declaration. Please ensure you refer to relevant BICON cases to ensure you keep up to date with requirements.

8. Are BICON Multiple user accounts ABN, AA ID or branch specific?

BICON will allow duplicate information such as ABNs, AA Site IDs and Branch ID. The only information that BICON would not allow a duplicate of is the account email as this is the unique identifier for each BICON account.

9. According to ABF original documentation are the documents a broker uses to prepare the FID. The presenters imply that the definition of original documentation is different for the Department of Agriculture.

Where original documentation is requested by the Department of Agriculture, and BICON does not specify original documents are required, is this regarded as a non-compliance for the BIP?

For the Department of agriculture original documents refer to the actual documents issued by an entity, a government organisation or a government. When BICON does not specify that original documents are required, a copy of the consignment's documentation is sufficient to lodge your import declaration under AEPCOMM

10. Does a biosecurity direction time frame start from when the direction is issued or when the cargo is available for the process or treatment?

The biosecurity direction time frame starts from the date the direction is issued and emailed to the BIP. The length of the time frame depends on the direction.

If you have lodged an import declaration through AEP well in advance (prior to the cargo being available), please contact the department so that the timeframe can be extended.

11. Where importers designate their own transport and that transport company fails to follow instructions who will be responsible? When will the department start penalising transport companies who fail to follow instructions?

When non-compliance is reported (such as a bypassed direction), the department investigates the circumstances that lead to the incident.

As a BIP you are required to comply with conditions 20 and 21 of the 19.2 Requirements and conditions document: ensuring that biosecurity directions generated through AEP are carried out or forwarded to third parties (if applicable) and if requested, providing evidence to the department you have done so observing appropriate time frames.



If you have systems in place to be able to provide clear evidence to the department that you have fulfilled your responsibilities as a BIP, you will not be penalised with non-compliance.

- 12.** Is there a facility to have sample documents approved so that brokers can lodge with confidence (as long as the documents they use each and every time are the same as the sample approved)? This would provide brokers with confidence that what they are lodging has been approved and hence not live in fear of non-compliance.

Unfortunately that is not an available option. The main reason for this being that documentation requirements are dynamic and may change in response to various circumstances. However if you require assistance when lodging import declarations through AEP please send your queries to aepsupport@agriculture.gov.au and we will endeavour to assist.

- 13.** For BMSB containers that require onshore treatment in Australia, is the AEPCOMM code to use 'FUM'?

The BMSB hitchhiker pests BICON case provides the applicable codes for goods that require onshore treatments. You must refer to this case when determining AEPCOMM codes for goods subject to BMSB measures.

The code FUM may be applicable in some scenarios, when goods are only required to be fumigated at the standard Methyl bromide rate (48g/24hr/>21C). This standard rate is higher than the rate required for BMSB and therefore it will address the BMSB risk.

During the 2019-20 BMSB season, The AEPCOMM code BMSBFUM will only be available until the BMSB treatment options under the arrangement are split into BMSBHT (heat treatment) and BMSBMB (methyl bromide fumigation). The Department will notify Industry when the change is implemented, we envisage this to happen by the end of November.

- 14.** How do we get articles added to AEPCOMM? For example: musical equipment (speakers/guitars/drums, etc.)

If you wish to provide suggestions on commodities that you would like to see added to AEPCOMM please send them to aepsupport@agriculture.gov.au. We will present your suggestions to the relevant programs for assessment. The programs will then make a decision as to whether a commodity is suitable for AEPCOMM.

- 15.** If the Department is trying to encourage AEPCOMM why draconian results if innocent errors are made?

Verification of AEP lodgements are crucial for the department to ensure AEP requirements and conditions are being met, as innocent errors may result in inadequate management of biosecurity risk, increasing the chances of introducing a pest or disease into Australia.

We are always endeavouring to provide you with better decision-making support through improvement of our systems. For example:

- Simplifying NCCC Concern types and AEPCOMM codes
- Incorporating AEPCOMM pathways, outcomes and codes into BICON.
- Developing a [Compliance guide](#) to provide information related to classification of non-compliance, and how to meet the broker arrangements' requirements and conditions.



Whilst failure to meet conditions will result in a short term increase in referrals, you have the opportunity to address any compliance issues and in turn reduce review levels to as low as 1% referral (through ongoing compliance).

As per the [Approved arrangements general policies](#), you have the option of appealing noncompliance decisions. Where you believe the result of a document assessment verification is incorrect and have adequate supporting evidence you may request reassessment via the Cargo Online Lodgement System (COLS).

- 16.** For animal content HS code 9603 - if a brush with animal hair also has a wooden handle, is it possible to utilise AEPCOMM?

Yes, you can use AEPCOMM for these types of products. Brokers will need to ensure that the goods also meet biosecurity requirements for the timber components by referring to the Timber and timber products BICON case. The ACC code ANIM must also be entered, or the goods will not process through AEPCOMM.

- 17.** Are camper trailers considered to fall under the new caravan commodity group?

Yes, if the camper trailer is classified under tariff 8716.10.00. Please refer to the prefabricated office, accommodations units and caravans BICON case when assessing the goods and the applicable AEPCOMM code to be applied at the time of lodgement.

- 18.** Do I need to provide the treatment cert if the timber has been treated?

Records and documents that support your assessment must be kept and maintained by BIPs for a period of 5 years from the date the document assessment was conducted. Where requested, records and/or documents must be made available within 1 business day or as specified by the department where requested.

Please refer to conditions 24 & 26 of the 19.2 Requirements and conditions document.

- 19.** Could you please explain condition 14 in greater detail? Does a broker have to present the documentation for each AEP lodgement in COLS?

No, BIPs are only required to present documentation to the department when an import declaration is referred for an AEP verification or where specifically requested.

- 20.** If the industry took up AEP in a big capacity, what effect do you think this would have on the COLS system and what percentage of entries would be taken out of the COLS system? I ask as we are approaching BMSB season and COLS seems to be clogged already.

As you are aware, lodging import declarations through the broker approved arrangements significantly decreases processing waiting periods when compared to lodging documentation for assessment by the Department.

Although currently the percentage of brokerages under the broker approved arrangements is satisfactory, the actual usage of AEPCOMM is not optimal.

For example, during the 2018-19 BMSB season, only 30% of eligible import declarations were processed via AEPCOMM.

Increase utilisation of AEPCOMM by industry would decrease pressure on the COLS system and turnaround periods.

- 21.** Does Condition 20 mean the BIP (Broker) has to book the inspection only? A third party can no longer book inspections?

Third parties such as AA sites are still permitted to book inspections. However, the BIP is still responsible for the goods and must ensure biosecurity directions are followed within the specified timeframe.



- 22.** With pre-fab buildings, BMSB was mentioned in the presentation. Outside caravans, the goods in the presentation are classified under chapter 94. The department's BMSB webpage does not list chapter 94 good as either "target high risk" or "target risk" goods.
<http://www.agriculture.gov.au/import/before/brown-marmorated-stink-bugs#what-are-the-target-high-risk-goods>. Please provide guidance.
Prefabricated buildings (tariff 9406) are not subject to BMSB seasonal measures, and will be assessed as per the standard AEPCOMM conditions.
Caravans imported under tariff 8716 may be subject to BMSB seasonal measures if they are manufactured in, or shipped from any of the countries classified as a target risk country. To determine if your goods are subject to 2019-20 BMSB seasonal measures, please refer to the [Seasonal measures for Brown marmorated stink bug](#) page for more information.
- 23.** Do we need to enter phytosanitary certificate/document numbers in the Goods description field?
Yes, entering government certificate numbers into the Goods description field is an operating condition of AEPCOMM. Please refer to conditions 17 & 18 of the [19.2 Requirements and conditions](#) document.
Please see answer to [Q45](#) for related information.
- 24.** If the consignment consists of products that are in scope for AEPCOMM scope and some that are out of scope, can AEPCOMM still be used to process the goods that are in scope?
Yes, brokers do have the option to partially process entries via AEPCOMM if they wish to do so. For the lines not in scope, documentation will need to be lodged via COLS, and further document charges will apply on top of the \$18 approved arrangement fee.
- 25.** Sorry I missed the first bit of the webinar. But will there be a BMSB AEPCOMM group like last year?
Yes, BIPs will be able to use AEPCOMM for goods subject to BMSB seasonal measures. Brokerages that maintained their compliance during the 2018-19 BMSB season will benefit during the current season through reduced verification assessment.
This BMSB season the BICON case BMSB hitchhiker pests has been updated to include AEPCOMM information such as AEPCOMM pathways and codes. If goods are subject to BMSB seasonal measures please ensure you refer to this case for the relevant AEPCOMM code.
- 26.** Can you use the manufactured wooden articles scope with/alongside the manufactured articles containing animal derived material? For example: Sofa 9401 containing feather cushion components? Or will this be considered out of scope as it's not listed as a tariff on the animal derived material article case?
At this stage, the goods described in the question above are out of scope for AEPCOMM. We are hoping to further expand the animal derived material commodity group in the near future to include tariff 9401.
- 27.** Have the costs been reduced when the 10 verifications occur so we do not get charged \$18.00 and then \$30.00 to use these new avenues?
Fees for Import declarations selected for document assessment verifications remain unchanged.



For more information in regards to charges please refer to [Industry advice notice #171 – 2018 Charges for automatic entry processing for commodities \(AEPCCOMM lodgements\)](#).

- 28.** Why doesn't compliance start low and only increase if non-compliance is detected?

The compliance based model provides the department and specialist commodity areas of the department with confidence regarding a BIPs/accredited person's ability to meet the requirements of the broker approved arrangements. Additionally, the model serves as an incentive for BIPs to be rewarded with lower document verification review levels.

- 29.** Looking at the prefab building BICON case this morning, it seems to indicate that an inspection is required even when the building is new, is that not correct?

Unfortunately the information provided is insufficient to determine the full scenario however, if BICON states that an inspection is required then that would be correct. The response to question 35 provides a specific scenario of when a new prefabricated building may require inspection.

Please contact aepcsupport@agriculture.gov.au if you require assistance with assessment under AEPCCOMM.

- 30.** Compliance review rates, e.g. 25% - is this 25% chance of going for review until the rate is reduced, or is it every fourth lodgement?

If document review levels for a commodity are at 25%, this means the system will randomly select 25% of lodgements made by a brokerage. A review level of 25% does not mean they system will choose every fourth import declaration for verification.

- 31.** Can I use AEPCCOMM for imported vessels that are sailed in?

Not at present. This pathway is out of scope of AEPCCOMM and documents are required to be lodged through COLS for assessment by the department.

- 32.** Will you send the link to the "training and accreditation page" when the Q&A are uploaded?

The link to the page can be found here:

<http://www.agriculture.gov.au/import/arrival/arrangements/training-accreditation>

- 33.** Why do we need a BICON user account? Anyone can login into BICON and use as a search engine for import conditions.

The public view of BICON provides import conditions and onshore outcomes for a wide range of products, however it does not display AEPCCOMM information such as AEPCCOMM pathways and appropriate AEPCCOMM codes to enter in the system. Therefore, registering for BICON AEPCCOMM user access is essential and a condition of the approved arrangement.

- 34.** Regarding "designated AIMS direction timeframe" mentioned in condition 23. Our brokerage tries to work well in advance of a shipments arrival, what happens when we lodge goods and the biosecurity direction requires the inspection to be completed before the vessel even arrives? In my view, this is a good example of the Department looking to punish brokers more and more.

Timeframe due dates may be amended when there is a genuine need for extension. In these scenarios, you can contact the department by calling 1800 900 090 or emailing to info@agriculture.gov.au and request for the due date to be extended.



- 35.** I think it was mentioned that Prefabricated Buildings loaded in an FCL destined for rural unpack would be subject to full unpack/inspection. I cannot see this requirement specified in BICON. Please provide advice.

Yes, some commodities in the BICON case Prefabricated office, accommodation units and caravans, require a Cargo inspection (rather than a rural tailgate inspection) if the cargo is destined for a rural location.

For example: an FCL containing a new caravan with no wooden components (where all documentation complies with requirements) destined to be unpacked at a rural location, would require a Cargo inspection.

In this case, please enter the AEPCOMM code: INS (as indicated in BICON). This removes the need for rural concerns to be declared for the container.

Applying the NCCC concern RURL to this type of import declaration will result in two directions: a rural tailgate inspection and a Cargo inspection direction (unpack).

- 36.** I have used the NCCC AA for containers that are to be unpacked at a rural location. When the goods are subject to Biosecurity then the documents are still required to be submitted through COLS, but then the officer only sends the rural tailgate inspection direction back and not the released direction and it is time consuming to chase the release. Is there an option to have this sorted?

It is not necessary to request the release direction for commodity lines prior to the rural tailgate inspection. The finalised direction will be issued by the inspecting officer once the rural tailgate inspection is completed and any biosecurity concerns have been addressed. The finalised direction will cover both non-commodity and commodity lines.

- 37.** How does a brokerage remove themselves from the AEPCOMM?

If a BIP wishes to remove AEPCOMM from their approved arrangement they can apply for a variation by submitting an application to the department. The application is found at <http://www.agriculture.gov.au/import/arrival/arrangements/revocations> and should be submitted to broker.accreditation@agriculture.gov.au for processing.

- 38.** I have followed Katya's earlier example of rice from Thailand and can't see the AEPCOMM code INS in the onshore outcomes.

To be able to access AEPCOMM information such as pathways and codes, accredited persons need to be logged in to their BICON AEPCOMM user access account. The public view of BICON will not display this information.

If you require guidance on how to register, please go to the [Help](#) section of BICON. Help cards are available under the Account registration and maintenance heading.

- 39.** Does this mean that only licensed customs brokers have access to the AEPCOMM outcomes? That is, non-broker freight forwarders and importers will not have access to AEPCOMM outcomes?

The BICON public version contains some information regarding AEPCOMM, this includes notices that identify commodities and pathways included in the scope however, the public version does not provide information such as the onshore assessment questions and other specific AEPCOMM elements.

Detailed AEPCOMM information (such as AEPCOMM codes) can only be accessed through AEPCOMM user access accounts.

If your business has a current AEPCOMM arrangement you are able to add users onto your multiple user account regardless if they are licensed customs brokers or not.

- 40.** Is the NZ MPI deemed a phytosanitary certificate?



The New Zealand Ministry for Primary Industries (NZMPI) issues phytosanitary (for plant and plant based products) and sanitary (for animal and animal based products) certification. The department's eCert exchange with New Zealand enables us to receive electronic phytosanitary and sanitary certification (excluding certificates issued for live animals and reproductive material) issued from NZMPI.

- 41.** If I need to refer a whole container for fumigation but it contains different tariff lines; and these tariff lines are from different AEPCOMM groups. Can I enter BMSBFUM under the header instead of under each relevant entry line? This would make lodgement a lot more efficient.

If you have an import declaration that includes goods from different commodity groups, it is possible to assign the same AEPCOMM code to all lines as long as BICON stipulates it is appropriate; and the import declaration meets conditions outlined in the 19.2 Requirements and conditions document. These include:

- All lines are of the same cargo type
- Impediment free lines are not assigned an AEPCOMM code
- All lines in a sea cargo import declaration are associated with a container
- All lines for the same commodity group have the same outcome applied

- 42.** Could tariff chapter 95 for toys be included in the scope of AEPCOMM?

Thank you for your suggestion. The AEP Reform team will investigate the types of products included under this tariff chapter and consider requesting approval from the specialist areas for inclusion into the AEPCOMM scope.

- 43.** What happens if lodge a declaration well in advance, and you are issued with a biosecurity direction for and inspection (or any other measure), but the time expires to carry out activity before the shipment even arrives.

If you have lodged an import declaration through AEP well in advance (prior to the cargo being available), please contact the department so that the timeframe can be extended. This request will not attract fees.

The biosecurity direction time frame starts from the date the direction is issued and emailed to the BIP.

- 44.** I was recently accredited for AEPCOMM. How can I check if I have completed all relevant CBC accreditation? I want to make sure that I am ok to start utilising AEPCOMM for the start of BMSB season in a few weeks.

Training and accreditation CBC is coordinated through Industry organisations (such as CBFCA, FTA and Broker CPD), please contact them for information in the first instance (they will contact the department if required). Also, please remember that you are required to keep evidence of your training in case evidence is requested by the department.

- 45.** I am a little confused with the need to enter phytosanitary certificate details in the Goods description field when details can be entered in the AEP certificate fields. Is this duplication of work?

If BICON stipulates a phytosanitary certificate is required for clearance of a commodity, you must enter details as follows and in accordance with the Minimum documentary and import declaration requirements policy:



If certificate is	Then enter the following in ICS or third party software
available through eCert (currently New Zealand and Indonesia)	<ol style="list-style-type: none">1. document type in the AQIS document type field2. certificate number in the AQIS document number field
not available through eCert (countries other than New Zealand and Indonesia)	<ol style="list-style-type: none">1. certificate number in the Goods description field

For example, for a New Zealand phytosanitary certificate you would enter:

- AQIS Document type: NZPHYTO and
- AQIS Document number: NZL2019/ABCD/12345

Please refer to the department's [Electronic certification \(eCert\) for imports](#) webpage for more detailed information.