



EXPORT ADVISORY NOTICE – 2014-07		16 May 2014
Title:	Integrity requirements for livestock export licence holders	
Species:	All livestock	
Country:	All	
For information:	[1] Livestock Exporters [2] Department of Agriculture Live Animal Export Officers [3] MLA / LiveCorp / ALEC	

P u r p o s e

The purpose of this EAN is to provide some guidance to exporters on the department's consideration of 'integrity' as it relates to livestock export licences. Recently, several issues have raised concerns about the integrity of livestock export companies and their employees.

Integrity in the context of section 23 of the *Australian Meat and Live-stock Industry Act 1997* (**AMLI Act**) includes references to the integrity of the licence holder, the integrity of the licence holder's application for a licence, and the licence holder's ongoing compliance with the licence conditions. The AMLI Act also requires that each person who participates or would participate, in the management or control of the applicant's livestock export business is a person of integrity. This is to ensure the competitiveness and integrity of Australia's live export system.

Livestock export licence holders must possess sufficient honesty so that they can be safely relied on not to engage in any conduct or undertake, or to attempt to undertake, any act which might bring Australia's live export industry into disrepute or risk damaging the reputation of Australia's export system to countries outside Australia.

The department considers that full, open and honest disclosure by the licence holder is relevant to integrity.

The below examples provide general guidance as to the circumstances which may lead a decision maker to suspend or cancel a licence on the grounds of a lack of integrity. The decision maker may also consider placing additional conditions on the exporter's licence.

Examples

Exporters should be aware that the following examples are not exhaustive, and are provided as guidance only. Decisions concerning whether or not to suspend or cancel a licence are made by the department on a case-by-case basis, taking into account all relevant information. Examples of things the decision maker may consider when determining whether or not an entity has ceased to be a person/body corporate of integrity include situations in which the licence holder or a person in management or control of the licence holder's livestock export business:

- makes false or misleading statements regarding their compliance with legislation, regulations, standards, conditions of the licence or applications to export livestock;
- directs an employee or third party to not comply with legislation, regulations, standards or conditions of the licence;
- fails to report non-compliance with legislation, regulations, standards or conditions of the licence by other individuals relating to livestock export ; or
- is convicted of an offence which casts doubt on their integrity.

Background

To export livestock by air or sea, an exporter must hold a licence approved and issued under section 10 of the AMLI Act. Information related to export licensing can be found at the following web address: www.daff.gov.au/biosecurity/export/live-animals/livestock/information-exporters-industry.

Livestock exporters are reminded of their obligations under the *Australian Meat and Live-stock Industry (Export Licensing) Regulations 1998*, in particular in relation to regulations 19 and 20.

Narelle Clegg
Assistant Secretary
Animal Export Reform Branch
Live Animal Export Division
Department of Agriculture

Contact officer: Kate Makin
Ph: (02) 6272 4581
Email: livestockexp@daff.gov.au