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# Outline of the Export Control (Meat and Meat Products) Rules 2021

## Improved agricultural export legislation



## Introduction

Australia's new agricultural export legislation began on 28 March 2021. It comprises the *Export Control Act 2020* (the Act), and the *Export Control Rules 2021* (the Rules) which set out the operational requirements that must be met to export specific goods from Australia (e.g. meat).

The *Export Control (Meat and Meat Products) Rules 2021* (the Meat Rules) regulate the export of meat and meat products. They set out:

- which meat and meat products are regulated
- the prescribed export conditions that must be complied with.

At the commencement of the new legislation, the Meat Rules replaced the previous legislation, including the *Export Control (Meat and Meat Products) Orders 2005*. The regulatory controls and oversight in the previous legislation has been maintained.

The Meat Rules set out the rules for regulating the export of meat and meat products. The Meat Rules must be read with the Act.

## Structure and content

### Chapter 1 – Preliminary

This chapter outlines the Meat Rules and defines key terms.

Many definitions are the same as in the *Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption (AS 4696:2007)*.

### Chapter 2 – Exporting goods

This chapter sets out which meat and meat products are prescribed goods. These are the goods that are regulated under the new export legislation.

The chapter specifies conditions for the export of prescribed meat and meat products from Australia. It also outlines some meat or meat products that are not prescribed goods, such as gelatine derived from meat.

In some cases, exporters can apply for an exemption from certain provisions in the Act and the Meat Rules. Chapter 2 details what is required for an exemption, including:

- applications for an exemption, conditions of exemption and the period of effect of an exemption
- matters the Secretary of the Department of Agriculture, Water and the Environment must consider when granting or revoking the exemption.

Chapter 2 also covers when and how government certificates and halal certificates are issued.

### Chapter 3 – Accredited properties

This chapter sets out:

- requirements for accreditation of a property
- conditions of accreditation
- process for renewing, varying or revoking accreditation
- obligations of managers of accredited properties.

### Chapter 4 – Registered establishments

This chapter sets out the:

- requirements for registration of an establishment
- conditions of registration
- process for renewing, varying or revoking registration
- process for allocating meat inspection services.

### Chapter 5 – Approved arrangements

This chapter sets out the requirements for approved arrangements for export operations for prescribed meat or meat products, and for approved arrangements for Halal meat certification operations. This includes the:

- process to apply for an approved arrangement, or a variation of an approved arrangement
- conditions for approval, including those relating to preparation and transportation, trade descriptions, official marks, traceability, integrity, inspection services and management practices
- circumstances in which an approved arrangement may be varied, suspended or revoked
- obligations of holders of approved arrangements.

### Chapter 6 – Export licences

Exporters of meat or meat products derived from bovine (other than buffalo), caprine or ovine animals will need to have a meat export licence. This chapter sets out the requirements for granting a meat export licence, including the:

- process for renewal
- conditions for a meat export licence, including when the holder of the export licence must notify the secretary of certain matters
- grounds for suspending or revoking an export licence
- obligations of holders of meat export licences.

### Chapter 7 – Export permits

This chapter specifies the validity period for export permits. It also sets out:

- circumstances in addition to those listed in the Act when an export permit may be varied, suspended and revoked
- other matters, including when an export permit is no longer in force.

### Chapter 8 – Other matters relating to export

This chapter set out:

- the requirements for giving a notice of intention to export, including giving notice as soon as possible, and who the notice must be submitted to
- the requirements for trade descriptions
- the use, manufacture and possession of official marks and official marking devices.

### Chapter 9 – Powers and officials

This chapter covers audits, including:

- how an audit is to be conducted
- what the audit report must include
- the process for dealing with any non-compliance found during an audit
- the application and approval process for approved auditors.

Chapter 9 also outlines the powers and functions of authorised officers, in addition to those found in the Act. In the Meat Rules, these functions and powers include:

- inspecting meat and meat products
- applying dispositions
- inspecting establishments and securing areas, equipment or other things
- powers where integrity of prescribed meat or meat products may not be able to be ensured
- grounds for giving directions deal with non-compliance, in addition to those found in the Act.

## Chapter 10 – Compliance and enforcement

This chapter sets out the:

- process that must be followed if a sample is taken for the purposes of monitoring or investigating compliance with the Act
- process for dealing with things seized when exercising investigative powers.

## Chapter 11 – Miscellaneous

This chapter sets out:

- reviewable decisions in addition to those in the Act
- general requirements for records management
- storage requirements for samples of meat and meat products
- matters relating to compensation for damaged or destroyed meat or meat products
- matters relating to Commonwealth liabilities and circumstances in which the liabilities are taken to have been paid.

## Further information

Email: [exportlegislation@agriculture.gov.au](mailto:exportlegislation@agriculture.gov.au)

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