



March
2021

Outline of the Export Cost Recovery Framework

Improved agricultural export legislation



Introduction

The cost recovery legislation allows the Commonwealth to impose fees and charges and appropriately recover costs for providing export certification services. The export cost recovery framework, developed as a consequence of the *Export Control Act 2020*, consists of 3 legislative instruments:

1. Export Charges (Imposition–General) Regulations 2021
2. Export Charges (Imposition–Customs) Regulations 2021
3. Export Control (Fees and Payments) Rules 2021.

The export cost recovery framework includes updates to align it with Australia’s new agricultural export legislation which commenced on 28 March 2021. It has not introduced any new fees or charges or increased existing fees or charges for export certification services.

The new agricultural export legislation is comprised of the:

- *Export Control Act 2020* which consolidates export requirements previously included in more than 20 Acts and 40 legislative instruments into one Act
- Export Control Rules 2021 which outline the operational requirements that must be met to export specific goods from Australia.

The new export legislation replaced the *Export Control Act 1982*, export-related provisions in the *Australian Meat and Live-stock Industry Act 1997* and related legislative instruments, such as orders and regulations.

Export Charges Regulations

The Export Charges (Imposition–General) Regulations 2021 and the Export Charges (Imposition–Customs) Regulations 2021 outline:

- charges in relation to the export of certain goods covered by the *Export Control Act 2020*
- charges in relation to matters associated with the export of certain goods covered by the *Export Control Act 2020* and
- exemptions from the prescribed charges.

The prescribed charges are imposed as taxes and support the *Export Charges (Imposition—General) Act 2020*, the *Export Charges (Imposition—Customs) Act 2020* and the *Export Charges (Imposition – Excise) Amendment Act 2020*.

The regulations have replaced the Export Charges (Imposition–General) Regulations 2015 and the Export Charges (Imposition–Customs) Regulations 2015.

Export Control Rules 2021

The Export Control (Fees and Payments) Rules 2021 include the following information:

- the persons who are liable to pay the charges
- the time when the charges are due and payable
- matters relating to unpaid charges including late payment fees.
- The Rules replaced the previous Export Control (Fees) Order 2015.

Review of Export Cost Recovery Implementation Statements

On 17 February 2021, the department released seven 2020–21 Cost Recovery Implementation Statements (CRIS) for illustrative purposes. These CRIS describe the financial impact of the 2020–21 Federal Budget package Busting Congestion for Agricultural Exporters. Fees and charges are frozen in 2020–21 and the CRIS introduce a stepped increase to full cost recovery by 2023–24.

Through a process independent of the implementation of the Export Control Act 2020 the department is reviewing fees and charges for export cost recovery arrangements in 2020–21. This review considers industry feedback from consultations in 2019–20. Consultation on 2021–22 CRIS is planned for March 2021.

Changes to fees and charges are expected to be implemented from 1 July 2021. These changes will be made through amendments to the new legislative instruments after their commencement on 28 March 2021.

Further information

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Web: agriculture.gov.au/market-access-trade/export-regulation-review