



# GUIDELINE

## Reinstatement of expired and withdrawn plant export authorised officer appointments

### Direction to staff

You must comply with this instructional material under the Practice Statement Framework.

### Direction to authorised officers

Authorised officers must exercise powers and perform function in accordance with any lawful directions or instructions issued by the department.

### Summary of main points

This document outlines the policy and process for reinstating expired or withdrawn plant export authorised officer appointments. It includes:

- eligibility
- application requirements
- assessment principles
- assessment process.

### In this document

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## Purpose of this document

This guideline details the policy and process for the reinstatement of expired or withdrawn plant export authorised officer (AO) appointments.

This guideline aims to expedite the reappointment of expired or withdrawn AO appointments, whilst still providing us with assurance that these persons have retained the skills and knowledge to be an AO.

## Definitions

The following table defines terms used in this document.

Term	Definition
Authorised Officer (AO)	<p>A person authorised under section 291 of the <i>Export Control Act 2020</i> to be an authorised officer. The authorised officer may exercise powers and functions conferred on them through an instrument of appointment.</p> <p><b>Note:</b> An authorised officer may be a Commonwealth, State or Territory government officer, or third-party individual. Examples of third-party individuals include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• employees of registered establishments</li> <li>• employees of an exporter</li> <li>• self-employed individuals/sole traders.</li> </ul>
Authorised Officer (AO) appointment	<p>The powers and functions conferred on an AO under the <i>Export Control Act 2020</i>.</p> <p><b>Note:</b> AO appointments are valid for a period of 2 years, with the exception of the BVI3001: <i>Export inspection of empty bulk vessels</i> job function, which is valid until the first prerequisite expires.</p>
Candidate	A person whose Authorised Officer appointment has either expired or was withdrawn.
Corrective Action Request (CAR)	A formal notice from the department requesting the cause of non-compliance with requirements to be eliminated, with the objective of preventing reoccurrence.
Expired AO appointment	<p>An AO appointment that has past its validity period.</p> <p><b>Note:</b> An AO with an expired appointment is no longer appointed under section 291 of the <i>Export Control Act 2020</i>.</p>

Term	Definition
Inactive AO	An appointed AO who has not conducted at least one inspection in any of their appointed job functions in 12 months or more.  <b>Note:</b> An inactive AO: <ul style="list-style-type: none"> <li>is still appointed under section 291 of the <i>Export Control Act 2020</i>.</li> <li>may be inactive in a particular job function or job functions, but still be active in others.</li> </ul>
Knowledge assessment	A written exam that assesses whether a candidate has the skills and knowledge to be reinstated or continue their appointment as an AO.
Personal information	Information or an opinion about an identified individual, or an individual who is reasonably identifiable.
Plant Export Assessor (PEA)	A regionally-based department officer with a Certificate IV in Training and Assessment, diploma or higher level qualification in adult education, responsible for training and candidates.
Plant Exports Management System (PEMS)	The department's electronic system which contains records of the findings and results of phytosanitary inspections of plants and plant products, empty containers and ship holds used for export.
Regional Assurance Manager (RAM)	A regionally-based department officer responsible for providing support to external AOs and their employers.
Withdrawn AO appointment	An AO appointment that has been revoked on request in accordance with section 298D of the <i>Export Control Act 2020</i> .  <b>Note:</b> An AO who has had their appointment revoked on request is no longer appointed under section 291 of the <i>Export Control Act 2020</i> .

## Legislative framework

The following list outlines the legislation that applies to AOs:

- *Export Control Act 2020*
- Export Control (Plants and Plant Products) Rules 2021
- Export Control (Fees and Payments) Rules 2021
- *Privacy Act 1988*
- *Public Service Act 1999*
- *Work Health and Safety Act 2011*

## Roles and responsibilities

The following table outlines the roles and responsibilities undertaken in this guideline.

Role	Responsibility
Delegate	Making a decision with regards to the application.  <b>Important:</b> The person performing this role must be delegated or sub-delegated a power or function of the Secretary under section 291 of the <i>Export Control Act 2020</i> .

Role	Responsibility
Authorised Officer Program (AOP)	<ul style="list-style-type: none"> <li>Reviewing applications.</li> <li>Notifying persons with expired or withdrawn AO appointments of the outcome of their application.</li> </ul>
Candidate	<ul style="list-style-type: none"> <li>Applying to become reinstated as an AO.</li> <li>Attaching all the required documentation to their application.</li> </ul>
PEA	<ul style="list-style-type: none"> <li>Provide training to candidates.</li> <li>Conduct competency assessment of candidates.</li> </ul>
RAM	Visit with the candidate within 3 months of them being reinstated.

## Eligibility

This policy applies to persons with expired or withdrawn AO appointments only.

Refer to the Guideline: [Management of inactive plant export authorised officers](#) for information on how inactive AOs are managed.

## Application requirements

- Candidates wanting to be reinstated as a plant export AO must complete the Reference: [Application to be reinstated as a plant export authorised officer](#) and submit it to the Authorised Officer Program.
- Candidates can only apply to become reinstated in the [job function/s](#) that they held previously.

## Re-entry pathways

### Knowledge assessment

The knowledge assessment comprises a series of true/false, multiple choice and short-answer questions to assess whether candidates have retained the skills and knowledge to be reinstated as an AO.

- All questions must be answered correctly in order to pass.
- If the candidate does not pass the knowledge assessment, they must attend facilitated training and assessment.

### Facilitated training and assessment

Facilitated training and assessment must be conducted in accordance with the Guideline: [Plant export authorised officer model](#).

## Fees and charges

- The following fees and charges may be incurred as part of an application to become reinstated as a plant export AO
  - application fee
  - approval fee.
- A 'learning and assessment' fee will be charged if the candidate is required to attend facilitated training and assessment.
- An annual levy will be charged if a candidate with a withdrawn AO appointment had an appointment expiry date that has not yet been reached and they were not appointed on 1 July.

**Note:** Further information about AO [fees and charges](#) is available on the department's website.

## Processing applications

Applications must be lodged and assessed in accordance with the Guideline: [Plant export authorised officer model](#).

### Personal information

The department collects your personal information (as defined by the *Privacy Act 1988*) for the purposes of determining your eligibility for reinstatement as a plant exports authorised officer and related purposes. If you fail to provide some or all of the personal information requested, the department will be unable to assess your eligibility for appointment.

The department may disclose your personal information to other Australian government agencies, persons or organisations where necessary for the above purposes, provided the disclosure is consistent with relevant laws, in particular the *Privacy Act 1988*. Your personal information will be used and stored in accordance with the Australian Privacy Principles.

**Refer to** the department's [Privacy Policy](#) to learn more about accessing or correcting personal information or making a complaint. Alternatively, telephone the department on +61 2 6272 3933.

### Prior training

Candidates who did not receive facilitated training for their original appointment must attend facilitated training and assessment.

### Corrective action requests

The delegate must take into consideration the following with regards to CARs received by the candidate during their appointment:

- number of CARs received
- type of non-compliance identified
- seriousness of the CAR/s.

### Time since last inspection activity

Candidates who last conducted an inspection:

- less than 12 months ago, may have their AO appointment reinstated
- 12 months to 2 years ago, may complete a [self-assessment checklist](#), which will indicate whether sitting a knowledge assessment or attending facilitated training and assessment is the better option for them
- more than 2 years ago, must attend facilitated training and assessment.

**Important:** a 'learning and assessment' fee must be charged if the candidate attends facilitated training and assessment.

### Reinstatement process

The following table outlines the process for reinstating a plant export AO.

Stage	What happens	Responsible party
1.	The candidate submits a completed Reference: <a href="#">Application to be reinstated as a plant export authorised officer</a> to AOP.	Candidate

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2.	<p>The application is reviewed to determine the candidate type.</p> <table border="1"> <thead> <tr> <th data-bbox="320 253 683 320">When the candidate has...</th> <th data-bbox="683 253 1145 320">Then...</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 320 683 573"> <ul style="list-style-type: none"> <li>a withdrawn AO appointment and</li> <li>their original appointment expiry date has <u>not</u> passed</li> </ul> </td> <td data-bbox="683 320 1145 573"> <p><b>continue to stage 3.</b></p> </td> </tr> <tr> <td data-bbox="320 573 683 826"> <ul style="list-style-type: none"> <li>a withdrawn AO appointment and</li> <li>their original appointment expiry date has passed</li> </ul> </td> <td data-bbox="683 573 1145 826"> <ul style="list-style-type: none"> <li>the candidate is charged an application fee</li> <li><b>go to stage 4.</b></li> </ul> </td> </tr> <tr> <td data-bbox="320 826 683 958"> <p>an expired AO appointment</p> </td> <td data-bbox="683 826 1145 958"> <ul style="list-style-type: none"> <li>the candidate is charged an application fee</li> <li><b>go to stage 4.</b></li> </ul> </td> </tr> </tbody> </table>	When the candidate has...	Then...	<ul style="list-style-type: none"> <li>a withdrawn AO appointment and</li> <li>their original appointment expiry date has <u>not</u> passed</li> </ul>	<p><b>continue to stage 3.</b></p>	<ul style="list-style-type: none"> <li>a withdrawn AO appointment and</li> <li>their original appointment expiry date has passed</li> </ul>	<ul style="list-style-type: none"> <li>the candidate is charged an application fee</li> <li><b>go to stage 4.</b></li> </ul>	<p>an expired AO appointment</p>	<ul style="list-style-type: none"> <li>the candidate is charged an application fee</li> <li><b>go to stage 4.</b></li> </ul>	AOP
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	<p>not appointed on 1 July</p>	<ul style="list-style-type: none"> <li>• <b>process ends here</b></li> <li>• the candidate is charged the annual levy</li> <li>• the candidate's AO appointment is reinstated with their original appointment expiry date.</li> </ul> <p><b>Refer to</b> the Guideline: <a href="#">Management of inactive plant export authorised officers</a> if it has been more than 12 months since the candidate last completed an inspection.</p> <ul style="list-style-type: none"> <li>• <b>process ends here.</b></li> </ul>							
4.	<p>The application is assessed in accordance with the policy and process outlined the Guideline: <a href="#">Plant export authorised officer model</a>.</p> <table border="1" data-bbox="320 882 1145 1397"> <thead> <tr> <th data-bbox="320 882 687 954">When the application is...</th> <th data-bbox="687 882 1145 954">Then...</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 954 687 1021">accepted</td> <td data-bbox="687 954 1145 1021"><b>continue to stage 5.</b></td> </tr> <tr> <td data-bbox="320 1021 687 1397">rejected</td> <td data-bbox="687 1021 1145 1397"> <ul style="list-style-type: none"> <li>• the candidate is advised that their application has been rejected and the reasons why</li> </ul> <p><b>Note:</b> Candidates have a right to appeal the decision as per the appeals policy in the Guideline: <a href="#">Plant export authorised officer model</a></p> <ul style="list-style-type: none"> <li>• <b>process ends here.</b></li> </ul> </td> </tr> </tbody> </table>		When the application is...	Then...	accepted	<b>continue to stage 5.</b>	rejected	<ul style="list-style-type: none"> <li>• the candidate is advised that their application has been rejected and the reasons why</li> </ul> <p><b>Note:</b> Candidates have a right to appeal the decision as per the appeals policy in the Guideline: <a href="#">Plant export authorised officer model</a></p> <ul style="list-style-type: none"> <li>• <b>process ends here.</b></li> </ul>	AOP
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5.	<p>The candidate's application to be reinstated is assessed by AOP. Assessment includes checking:</p> <ul style="list-style-type: none"> <li>• if they received training for their original appointment</li> <li>• if they received any CARs whilst they were appointed</li> <li>• the time since they last conducted an inspection.</li> </ul>		AOP						

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6.	<p>Did the candidate receive training for their original appointment?</p> <table border="1"> <thead> <tr> <th>When...</th> <th>Then...</th> </tr> </thead> <tbody> <tr> <td>yes</td> <td><b>continue to stage 7.</b></td> </tr> <tr> <td>no</td> <td> <ul style="list-style-type: none"> <li>the candidate is advised that they must attend facilitated training and assessment</li> <li><b>go to stage 15.</b></li> </ul> </td> </tr> </tbody> </table>	When...	Then...	yes	<b>continue to stage 7.</b>	no	<ul style="list-style-type: none"> <li>the candidate is advised that they must attend facilitated training and assessment</li> <li><b>go to stage 15.</b></li> </ul>	AOP
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8.	<p>The CARs are reviewed and a decision is made whether the candidate would benefit from attending facilitated training.</p> <table border="1"> <thead> <tr> <th>When the decision is that facilitated training and assessment is...</th> <th>Then...</th> </tr> </thead> <tbody> <tr> <td>not required</td> <td><b>continue to stage 9.</b></td> </tr> <tr> <td>required</td> <td> <ul style="list-style-type: none"> <li>the candidate is advised that they must attend facilitated training and assessment</li> <li><b>go to stage 15.</b></li> </ul> </td> </tr> </tbody> </table>	When the decision is that facilitated training and assessment is...	Then...	not required	<b>continue to stage 9.</b>	required	<ul style="list-style-type: none"> <li>the candidate is advised that they must attend facilitated training and assessment</li> <li><b>go to stage 15.</b></li> </ul>	Delegate
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9.	<p>When did the candidate last conduct an inspection as an appointed AO?</p> <table border="1"> <thead> <tr> <th>When...</th> <th>Then...</th> </tr> </thead> <tbody> <tr> <td>less than 12 months ago</td> <td><b>go to stage 14.</b></td> </tr> <tr> <td>12 months to 2 years ago</td> <td> <ul style="list-style-type: none"> <li>the candidate is sent a self-assessment checklist</li> <li><b>continue to stage 10.</b></li> </ul> </td> </tr> <tr> <td>more than 2 years ago</td> <td> <ul style="list-style-type: none"> <li>the candidate is advised that they must attend facilitated training and assessment</li> <li><b>go to stage 15.</b></li> </ul> </td> </tr> </tbody> </table>	When...	Then...	less than 12 months ago	<b>go to stage 14.</b>	12 months to 2 years ago	<ul style="list-style-type: none"> <li>the candidate is sent a self-assessment checklist</li> <li><b>continue to stage 10.</b></li> </ul>	more than 2 years ago	<ul style="list-style-type: none"> <li>the candidate is advised that they must attend facilitated training and assessment</li> <li><b>go to stage 15.</b></li> </ul>	AOP
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11.	The candidate sits a written knowledge assessment.	Candidate								
12.	<p>A PEA marks the assessment.</p> <p><b>Important:</b> The candidate must correctly answer all questions of the knowledge assessment to pass.</p> <table border="1"> <thead> <tr> <th>When the candidate...</th> <th>Then</th> </tr> </thead> <tbody> <tr> <td>does not pass the assessment</td> <td><b>continue to stage 13.</b></td> </tr> <tr> <td>passes the assessment</td> <td><b>go to stage 14.</b></td> </tr> </tbody> </table>	When the candidate...	Then	does not pass the assessment	<b>continue to stage 13.</b>	passes the assessment	<b>go to stage 14.</b>	PEA		
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Stage	What happens	Responsible party						
13.	<p>A PEA contacts the candidate and</p> <ul style="list-style-type: none"> <li>re-asks any incorrectly answered questions</li> <li>provides appropriate prompts in an attempt to get the correct answer from the candidate.</li> </ul> <table border="1"> <thead> <tr> <th>When the candidate provides...</th> <th>Then</th> </tr> </thead> <tbody> <tr> <td>correct answers to the previously incorrect questions</td> <td><b>continue to stage 14.</b></td> </tr> <tr> <td>incorrect answers to the previously incorrect questions</td> <td> <ul style="list-style-type: none"> <li>the candidate is advised that they must attend facilitated training and assessment</li> <li><b>continue to stage 15.</b></li> </ul> </td> </tr> </tbody> </table>	When the candidate provides...	Then	correct answers to the previously incorrect questions	<b>continue to stage 14.</b>	incorrect answers to the previously incorrect questions	<ul style="list-style-type: none"> <li>the candidate is advised that they must attend facilitated training and assessment</li> <li><b>continue to stage 15.</b></li> </ul>	PEA
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14.	<ul style="list-style-type: none"> <li>The candidate is advised that they <ul style="list-style-type: none"> <li>have passed the knowledge assessment</li> <li>will be reinstated as a plant export AO</li> <li>must complete any eLearning outstanding from their previous appointment prior to their next reappointment</li> <li>will receive a RAM visit within 3 months.</li> </ul> </li> <li>The candidate's appointment is reinstated with an expiration date of 2 years from their new appointment date.</li> <li><b>Process ends here.</b></li> </ul>	AOP						
15.	Facilitated training and assessment is conducted in accordance with the Guideline: <a href="#">Plant export authorised officer model</a> .	<ul style="list-style-type: none"> <li>PEA</li> <li>Candidate</li> </ul>						

## Record keeping

Department staff must keep records in accordance with the department's record keeping policy.

## Related material

- The following related material is available online
  - Reference: [Application to be reinstated as a plant export authorised officer](#)
  - Reference: [Table of Authorised Officer job functions](#)
  - Guideline: [Audit of plant export authorised officers](#)
  - Guideline: [Management of inactive plant export authorised officers](#)
  - [Australian Federal Police: National Police Checks](#)
  - [National police check providers](#)
  - [Department of Agriculture, Water and the Environment charging guidelines](#)
  - [Department of Agriculture, Water and the Environment privacy policy](#).
- The following related material is available on the department's shared drive

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- Guideline: *Plant export authorised officer model*
- Reinstatement of expired and inactive plant export authorised officers - self-assessment

## Document information

The following table contains administrative metadata.

Instructional Material Library document ID	Instructional material owner
IMLS-9-7326	Director, Authorised Officer Program

## Version history

The following table details the published date and amendment details for this document.

Version	Date	Amendment details
1	22/10/2021	First publication of this guideline.