



Australian Government
Department of Agriculture
and Water Resources

Export Advisory Notice 2016-20		19 August 2016
Title:	Managing Compliance during transition to approved arrangements	
Species:	ALL	
Country:	ALL	
For information:	<ol style="list-style-type: none">1. Department Officers2. Livestock Exporters3. LiveCorp4. ALEC	

Purpose

To advise exporters of the department's approach to managing compliance during the transition period for Approved Arrangements.

Key points

The implementation of approved arrangements requires a large cultural change for both exporters and departmental staff.

The department recognises that a transition period is needed to allow exporters and their staff time to become familiar with new requirements. Until 31 March 2017, the Department will allow exporters some concessions under the Performance Management and Compliance Guidelines, to facilitate a smooth transition to Approved Arrangements.

The approach assumes that livestock exporters will comply, or try to comply, with their obligations under Approved Arrangements.

During the transition period, the Department's focus will be on

- helping exporters to understand their responsibilities and optimize voluntary compliance;
- clarifying (where necessary) information about approved arrangements; and
- ensuring consistent and transparent decision making by Departmental staff.

During this transition period the department will only use its power to refuse to grant an export permit where

- there is a reasonable belief that serious deliberate non-compliance or fraudulent activity has occurred – for example the date on test results has been altered to make ineligible animals eligible for export.
- importing country or ASEL requirements have not been met and the error can't be remedied within a reasonable period of time – for example isolation requirements are breached and preparation of the animals will need to start again from the beginning; or animals won't fit in air shipment crates and alternative crates aren't available.

During this period, performance impact levels as outlined in the Performance Management and Compliance Guidelines, will still be applied to all consignments. Additionally, other consequences of non-compliance will continue to apply, such as changes in the audit frequency.

Under no circumstance does this approach limit the ability of authorised officers to apply controls to manage real or suspected breaches of the Export Control Orders. Indications of deteriorating compliance or deliberate non-compliance will immediately result in the full application of the sanction powers provided within the Performance Management and Compliance Guidelines (EAN 2016-18), the Export Control Orders and the *Australian Meat and Live-stock Industries Act 1997*.

The full requirements of approved arrangements will apply after 31 March 2017.

Background

As of 1 January 2017, all livestock exporters will be required to have an approved arrangement with the Department of Agriculture and Water Resources to export livestock. Small and infrequent exporters can be exempt from the requirement. A small and infrequent exporter is defined as someone who exports 4 or less consignments a year which contain no more than 400 animals in total across the consignments.

The department has released Performance Management and Compliance Guidelines (EAN 2016/18), which outline how livestock exporter performance and compliance is managed by the Department under Approved Arrangements.

Livestock exporters are required to comply with the approved arrangement which encompasses meeting ASEL, importing country and other legislative requirements. The department will use various mechanisms to monitor the performance of livestock exporters which includes audits, inspection of livestock and verification of documentation.

Further information

For further information exporters are able to contact the department by email at livestockexp@agriculture.gov.au or by phone 02 6272 4581.

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