



15 October 2019

Export advisory notice 2019/09

Independent Observer Deployment Policy

Species: **All livestock exported by sea**

Countries: **All**

Attention

- Australian Government Accredited Veterinarians
- Australian Livestock Exporters' Council
- LiveCorp
- Livestock Exporters
- Meat and Livestock Australia

Purpose

To inform livestock exporters of the department's policy regarding the deployment of independent observers on livestock export voyages by sea that is now in place.

Key points

1. Under sections 9D and/or 9E of the *Export Control Act 1982*, the Secretary (or their delegate) can direct an independent observer to accompany livestock export voyages by sea.
2. Exporters should expect an independent observer to accompany livestock export voyages by sea in the following circumstances:
 - a. voyages departing from ports south of latitude 26 degrees south and crossing the equator
 - b. the first voyage undertaken by an exporter or vessel following a reportable mortality
 - c. the first voyage(s) by any new exporter or vessel
 - d. other long-haul voyages with complex arrangements such as those with multiple ports of discharge, carrying buffalo or enacting management plans (e.g. heavy cattle).
3. The department may also direct an independent observer to accompany other voyages.
4. The department will shortly commence consulting stakeholders on its independent observer deployment policy before making any further changes by the end of 2019.

Instructions


1. The department strongly encourages exporters to factor the requirement of an independent observer on voyages that fit the circumstances described under key point 2. For other voyages,

the department will notify exporters when it intends to direct an independent observer to accompany those voyages.

2. For all voyages, where exporters anticipate extenuating circumstances that may prevent an independent observer being accommodated, they should advise the department by email (to livestockexp@agriculture.gov.au, copied to observers@agriculture.gov.au) at least 10 clear business days prior to the expected date of departure. The email should include a statutory declaration from the exporter and advice from the vessel operator explaining why an independent observer cannot be accommodated.
3. The department will consider, on a case by case basis, each instance of this nature and the circumstances of the voyage before deciding whether to direct an independent observer to accompany a voyage.
4. If an exporter varies a notice of intention to export (NOI) in a way that impacts the application of this policy, this must be done 10 clear business days prior to departure unless otherwise agreed with the department.

Background

1. Since 1 November 2018, the department has encouraged exporters to factor the requirement of an independent observer on all livestock export voyages by sea (EAN 2018-10 and EAN 2018-14 refer).
2. Based on information gathered by independent observers on more than 100 voyages, the department has a deeper understanding of the types of voyages where the deployment of an independent observer is most beneficial.



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