



Export Certification

Fact Sheet

What is Export Certification?

Export certification is issued in accordance with the *Export Control Act 1982* (The Act) and importing country requirements.

The Act provides for the making of regulation for the granting of export permits and issuing of government certificates.

The *Export Control (Orders) Regulations 1982* (The Regulations) empower the Minister to make Orders that are not inconsistent with the Act. The Regulations outline “prescribed goods” to which conditions and prohibitions are attached by the various Export Orders. The Export Orders stipulate the conditions and regulations for the issuing of export permits and government certificates. This includes provisions relevant to the issuing of government certificates for non-prescribed goods.

Definitions

Export Permit	A document that confirms eligibility of goods for export and facilitates the exit of these goods from Australia
Government Certificate	A certificate issued by the department to confirm that certain criteria has been met to facilitate clearance of goods at import
Export Control Order	Means a legislative instrument (regardless of whether it is called <i>Order</i> or <i>Orders</i>) made under regulation 3 of the <i>Export Control (Orders) Regulations 1982</i>
Importing country requirements	Means a requirement that must be met before products can be exported to that country from Australia as set out by the importing country.
Prescribed Goods	Goods that are prescribed under the <i>Export Control Act of 1982</i>
Non-Prescribed Goods	Goods that are not prescribed under the <i>Export Control Act of 1982</i> (i.e. no commodity orders)

Legislation

The following legislation provides the framework for certification.

The Act provides the legal authority under which the Department of Agriculture certifies the export of prescribed goods and non-prescribed goods. The subordinate legislation listed below provides detailed procedures and information for granting of permits and issuing of certificates:

- *Export Control (Prescribed Goods – General) Order 2005*
- *Export Milk and Milk Products) Orders 2005*
- *Export Control (Fish and Fish Products) Orders 2005*
- *Export Control (Eggs and Egg Products) Orders 2005*
- *Export Control (Rabbit and Ratite) Orders 1985*
- *Export Control (Wild Game Meat and Wild Game Meat Products) Orders 2010*
- *Export Control (Fees) Orders 2001*
- *Export Control (Meat and Meat Products) Orders 2005*
- *Export Control (Poultry Meat and Poultry Meat Products) Orders 2010.*

Issue of Export Permits

An export permit is mandatory for all prescribed goods exported from Australia in accordance with *Export Control (Prescribed Goods – General) Order 2005*. The main function of an export permit is to verify that product is eligible for export and is required by the Australian Customs and Border Protection Service prior to export clearance being granted.

An exporter of prescribed goods must apply to the Secretary for an export permit. The applicant must provide certain information to the Secretary to satisfy legislative requirements and to verify compliance to importing country requirements.

The Secretary may issue an export permit once satisfied that the conditions and restrictions have been met and that the information given to the Secretary is true and correct.

An export permit is valid for 28 days and should be issued prior to the intended departure of the goods.

The exporter of the goods must notify the Secretary if the intention to export is abandoned.

An export permit may be revoked if the goods do not comply with the restrictions and conditions, where a permit is revoked the permit must be surrendered.

A charge for a Request for Permit (RFP) or export permit may apply as stipulated in the Charging Guidelines. Available at <http://www.daff.gov.au/fees/biosecurityfees-charges/export>.

Issue of Government Certificates

A government certificate is an official document issued by the Department containing details about the product being exported, confirming the product meets importing country requirements. The government certificate is signed by either a veterinary officer or authorised officer depending on importing country requirements.

The role of the certificate is to confirm to the importing country authorities that the described goods have met specified requirements.

An exporter must apply for a government certificate, in the case of prescribed goods the export permit may be considered an application, in the case of non-prescribed goods an application must be made in accordance with part 8.05 of the *Export Control (Prescribed Goods – General) Order 2005*.

An export permit must be issued for prescribed goods prior to an export certificate being considered.

The government certificate will only be issued if the Secretary is satisfied that the goods meet the relevant conditions and restrictions of the *Export Control Orders*, any importing country requirements and any other matters as specified on the certificate.

A government certificate may be cancelled by the Secretary in certain circumstances.

A certificate charge may apply as stipulated in the Charging Guidelines. Available at <http://www.daff.gov.au/fees/biosecurityfees-charges/export>.

Issue of Replacement Export Health Certificates

A replacement certificate is issued where an amendment is made to information on the certificate. A replacement certificate will only be issued where all copies of the original are returned, or in the case of lost certificates a declaration is made. Where the request is made by an importing country authority the certificate is not required to be returned.

An exporter may apply to the Secretary for a replacement certificate. The Secretary will assess the request and may seek additional information before issuing the replacement.

Replacement certificates will only be issued if the Secretary is satisfied that the product eligibility and product suitability has been maintained, and/or integrity is intact. The Secretary may in certain circumstances refuse to issue a replacement certificate.

A charge may apply for a replacement certificate that is additional to the per certificate charge.

All replacement certificates will include an endorsement that provides details of the original certificate and a statement that confirms that the certificate is a replacement.

General Principals

Product must be verified as complying with legislative and importing country requirements prior to a certificate being issued.

Certificates are issued as per known importing country requirements as per Manual of Importing Country Requirements (MICoR) - <http://www.daff.gov.au/micor> or any other relevant notice.

The certificate template will always be as agreed with the importing country or in if there has been no agreement on a template, then as agreed by the department's Export Standards Branch.

Certificates will not be backdated.

Manual certificates wherever possible should not be handwritten and must not contain any corrections.

Commercial information is not permitted on certificates unless agreed for that product to that country.

Certificates may not be issued if market access sensitivities exist or restrictions are in place due to a disease incident.

Exporter as nominated on the export permit is responsible for the goods.

Replacement Certificates

- Replacement certificates will only be issued if the Secretary is satisfied that product complies with all requirements.
- Where the exporter requests a replacement for product that has departed Australia product suitability and integrity must be proven to have been maintained:
 - seals must be intact for containerised product or where a seal is applied
 - temperature records may be required for assessment to confirm product quality has been maintained.
- Where the Importing Country Authority requests a replacement the department will verify information and eligibility prior to issuing a replacement.
- Replacements will not be issued for product that has been rejected by an overseas importing country authority due to product suitability non compliance.
- Replacement certificates are not accepted or are limited in some countries.

Where can I find information on the issue of export certification?

The relevant legislation can be found on the department's website

<http://www.daff.gov.au/biosecurity/export>

Further information can be obtained from the department's regional offices as below:

NSW - Sydney (02) 83347444 Email Sydneydocumentationexport@daff.gov.au

VIC/SA/WA - Melbourne (03) 83186700 email SER.Exdoc@daff.gov.au

QLD - Brisbane (07) 32468755 email exdocqld@daff.gov.au