

15 June 2020

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Via: <https://haveyoursay.agriculture.gov.au/draft-export-plant-rules-2020>

Department of Agriculture, Water and Environment
GPO Box 858, Canberra, ACT 2601,
Australia

RE: Export Control (Plants and Plant Products) Rules 2020

Dear Sir/Madam,

I write regarding the Draft Export Control Rules [Plants and Plant Products] Rules 2020 (Rules) which is currently open for consultation.

1. About GTA

Grain Trade Australia (GTA) is a national association and is the focal point for the commercial grains industry within Australia. The role of GTA is to provide a framework across Industry to facilitate and promote the trade of grain. GTA facilitates trade and works to provide an efficient, equitable and open trading environment by providing leadership, advocacy and commercial support services to the Australian grain value chain. GTA Members are responsible for over 95% of all grain storage and freight movements made each year in Australia. Over 95% of the grain contracts executed in Australia each year refer to GTA Grain Trading Standards and/or Trade Rules.

GTA has established the Australian Grains Industry Code of Practice. All GTA Members are required to adhere to the Code of Practice. GTA Members are drawn from all sectors of the grain value chain from production to domestic end users and exporters. GTA has over 260 organisations as Members. Their businesses range from regional family businesses to large national and international trading/storage and handling companies who are involved in grain trading activities, grain storage, processing grain for human consumption and stock feed milling. A list of GTA Members is attached.

2. General Comments on the Draft Rules

Various issues outlined below were raised by GTA at a recent teleconference outlining the proposed Rules changes, hosted by the Department of Agriculture, Water and the Environment (AWE). Should further explanation be required, please contact GTA.

GTA is broadly supportive of the draft Rules and their apparent intent to simplify regulatory requirements (Acts, Rules etc.) across all commodities and processes to provide greater efficiency and in turn flexibility for industry to manage the export of Australia's grain products. This includes the prescriptive nature of "industry management systems appropriate to the activity being conducted".

We note the Rules stipulate in detail in some sections a range of requirements and obligations. In several instances, these also refer back to the Export Control Act 2020 (Act). It is our understanding the intention of the Rules is to provide "general guidance on AWE/Secretary powers" under the Act, in order to provide sufficient flexibility for AWE and/or the Secretary to specify requirements. However, from a practical perspective when reviewing requirements for specific commodities/operations, while simplified, it still remains confusing for industry if we are required to refer to detailed information/reference in:

