

Agriculture, Water and the Environment Portfolio

Committee: Joint Committee on the Australian Commission for Law Enforcement Integrity

Inquiry: Integrity of Australia's border arrangements

Question No: 1

Hearing Date: 11 September 2020

Division/Agency: Compliance Division (CD)

Topic: Revocation or suspension of approved arrangements

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Question Date: 22 September 2020

Question Type: Spoken

Senator Scarr asked:

CHAIR: Thank you very much. I'll now direct some questions to the Department of Agriculture, Water and the Environment. In your submission, in section 2.1, there's a reference to the utilisation of services of a range of third-party service providers. Then there's a statement: Between 2017 and August 2019, six (6) Approved Arrangements were revoked and eight (8) were suspended due to noncompliance. These establishments or individuals are accredited to undertake various activities such as inspection, storage, handling or treatment of goods/containers. I'm interested to know what the matters of noncompliance that led to either revocation or suspension of approved arrangements were.

Mr Tongue: I might start and then throw back to the room if that's okay. Approved arrangements are a way that we can more efficiently and effectively manage the breadth of our responsibilities. In the cargo world, 'approved arrangements' might include such things as the fumigation of containers; movement of containers to particular locations for aspects of unstuffing or restuffing; or, depending on the nature of the cargo—it might be heavy mining equipment, for example—it may have pests or diseases attached to it. So there are a wide range of approved arrangements that enable us to manage the complexity of the border. From time to time, approved arrangements might, for a variety of reasons, fail to meet our requirements. For example, they may not be conducting fumigation of containers effectively. I think I've got an expert in the room there, Peta Lane, and I might hand to her.

Ms Lane: Thanks. I don't have the details of those particular revocations or suspensions with me. I'm happy to provide some further detail on notice. But, as Mr Tongue has said, generally, these non-compliances will relate to ineffective fumigation or inadequate containment of biosecurity risk material, for example, and with the revocations and suspensions, they are usually triggered by repeat instances of noncompliance. I'm happy to provide some further detail on these particular cases though.

CHAIR: If you could take that on notice, Ms Lane, thank you. I guess my primary concern, in relation to this statement, was whether or not the reasons for revocation or suspension related to any sort of corruption issue. But from what you're saying—and you can take it on notice and provide further details—it's more a case of them not doing the things they needed to do to the standard required. Is that a fair summation?

Ms Lane: Yes, I believe that's correct. I don't believe any of these revocations or suspensions have been linked to corruption activities. Typically, they involve facilities or entities not complying with the conditions as have been set out in their arrangements.

Answer:

During 2017-2019, no approved arrangements had their approvals suspended or revoked as a result of corruption activities.

During 2017-2019 all approved arrangements that were either suspended or revoked were as a result of one or more of the following reasons:

- The arrangement no longer meets the requirements on the basis of which approval was given; or
- The Biosecurity Industry Participant is no longer fit and proper; or
- The approved arrangement has contravened one or more of their conditions; or
- The level of Biosecurity risk associated with the operation of the arrangement has changed; or
- The biosecurity industry participant is liable to pay a cost-recovery charge that is due and payable (Debt to the Commonwealth).