



Australian Government

Department of Agriculture, Fisheries and Forestry

EXECUTIVE MINUTE

on

JOINT COMMITTEE OF PUBLIC ACCOUNTS AND AUDIT

REPORT No 394

Review of Australia's Quarantine Function

GENERAL COMMENTS

The Joint Committee of Public Accounts and Audit (JCPAA) tabled its report, *Review of Australia's Quarantine Function*, in March 2003. The JCPAA found that "Australia's quarantine function is in good shape", with the additional funds allocated to the quarantine function under the Government's increased quarantine initiative "being well spent". Committee members were impressed with the enthusiasm, professionalism and performance of quarantine staff.

The report made fourteen recommendations, which are set out below, together with the Australian Government response.

Response to the Report's recommendations

Recommendation No. 1, paragraph 2.48

The Department of Agriculture, Fisheries and Forestry—Australia should:

- finalise its Draft Administrative Framework for Import Risk Analysis; and
- update its website information to reflect the current procedures for import risk analysis.

Australian Government Response:

The revised *Import Risk Analysis (IRA) Handbook* previously titled "Draft Administrative Framework for Import Risk Analysis" was released in August 2003. The Department of Agriculture, Fisheries and Forestry web site was simultaneously updated to reflect the revised IRA Handbook.

The revised IRA Handbook is the result of detailed consideration and extensive consultation with stakeholders. Its aim is to support a process that is both more accountable and more efficient.

Recommendation No. 2, paragraph 2.53

The Department of Agriculture, Fisheries and Forestry—Australia and Environment Australia should report to the Committee on the effectiveness of the memorandum of understanding between them on quarantine matters in its response to this report.

Australian Government Response:

The *Memorandum of Understanding (MOU)* between Biosecurity Australia and Environment Australia was agreed on 12 October 2002. The MOU established the 'Biosecurity and Environment Liaison Team' (BELT) to enhance inter-agency cooperation and consultation on Biosecurity Australia's import risk analyses and the Department of the Environment and Heritage's live import assessments. Generally, formal meetings of BELT occur on a quarterly basis and these meetings are complemented by seminars, briefings and discussions about specific IRAs and quarantine matters. The MOU has been operating satisfactorily since it was implemented.

Recommendation No. 3, paragraph 2.78

A centre of excellence should be established to undertake risk analysis research. The Department of Agriculture, Fisheries and Forestry—Australia should review, and subsequently advise the Government, on options for the establishment of such a research centre.

Australian Government Response:

The Department of Agriculture, Fisheries and Forestry will review and advise the Government on the feasibility of and options for the establishment of such a centre, taking into account considerations including:

- the possible scope of a proposed centre*
- resourcing*
- cost effectiveness.*

Recommendation No. 4, paragraph 2.90

The Department of Agriculture, Fisheries and Forestry—Australia's *Administrative Process for Import Risk Analysis* should contain provisions requiring individuals involved with an IRA to declare any conflict of interest.

Australian Government Response:

*Detailed specifications relating to conflict of interest have been included in the revised *Import Risk Analysis Handbook* released in August 2003.*

Recommendation No. 5, paragraph 2.107

The Government should provide sufficient resources to Biosecurity Australia to ensure that within five years the backlog in IRAs is such that new applicants can expect to wait no longer than six months on average before their IRA commences.

Australian Government Response:

The formulation of biosecurity policy is a precise and resource-intensive activity in the current world climate, and the Government has already committed considerable resources for import risk analysis work, conducted in accordance with Australia's international rights and obligations. The Government is examining resource requirements with a view to reducing the import risk analysis backlog as recommended.

Recommendation No. 6, paragraph 3.79

The Department of Agriculture, Fisheries and Forestry—Australia should report to the Committee on progress with the single ballast water regime and provide a timetable for its introduction in Australia.

Australian Government Response:

Mandatory ballast water management arrangements for international shipping were introduced on 1 July 2001 by the Australian Quarantine and Inspection Service (AQIS), including a ballast water management decision support system. A joint Australian Government / State trial at the Port of Hastings in Victoria to extend these management arrangements to ballast water on domestic shipping has concluded and an evaluation of the trial has shown that an integrated national approach is possible.

A ballast water regime to manage both international and coastal ballast water will be one component of the National System for the Prevention and Management of Marine Pest Incursions which is currently under development. The National System is scheduled to commence in 2004 through an intergovernmental agreement (subject to budget decisions by the Australian Government, States and the Northern Territory).

Principles for governance, legislation and funding for the National System were endorsed by the Natural Resource Management Ministerial Council and the Standing Committee on Transport in October 2003. These principles were developed by a High Level Officials Group, and reflected the results of consultation with relevant industries including shipping, ports, commercial fishing and aquaculture.

Under the principles endorsed by the Natural Resource Management Ministerial Council, the Australian Government, States and the Northern Territory will develop appropriate model legislation to manage translocation risks associated with ballast water. The model legislation is to be implemented by the States and the Northern Territory and will ensure that commercial ships travelling between Australian ports are subject to consistent, nationally agreed regulation. There will be a single interface to the system for shipping operators. The National Introduced Marine Pests Coordination Group (NIMPCG), which comprises stakeholders from Australian Government, State and Northern Territory agencies, the shipping industry, the fishing industry, the boating industry, ports, shippers and the conservation sector is developing these arrangements.

Recommendation No. 7, paragraph 3.101

Section 78A of the *Quarantine Act 1908* should be amended so as to make reference to biofouling organisms.

Australian Government Response:

*The National Introduced Marine Pests Coordination Group (NIMPCG) is developing a framework for the management of all biofouling risks, including those created by international commercial shipping, small international vessels, fishing vessels, dredges and mining infrastructure such as oil rigs. This framework will be part of the National System referred to in the response to Recommendation 6. When it has been developed appropriate amendment to the relevant sections of the *Quarantine Act* will be considered to address the international aspects of the framework.*

Recommendation No. 8, paragraph 3.102

The Northern Australia Quarantine Strategy should include activities to address the risks posed by organisms bio-fouling international recreational vessels and foreign vessels apprehended by the Commonwealth.

The Government should provide additional resources to the Northern Australia Quarantine Strategy to enable it to undertake this additional role.

Australian Government Response:

The Northern Australia Quarantine Strategy is a program of the Australian Quarantine and Inspection Service (AQIS) that has special responsibilities for assisting in the management of the particular quarantine risks arising in northern Australia. The program does not have responsibilities for managing all risks (including non quarantine risks) arising from the arrival of international vessels in Australia generally.

As indicated in recommendation 7, the National Introduced Marine Pest Coordination Group (NIMPCG) is working with the States/Territories, AQIS and other agencies to develop a national bio-fouling protocol for international recreational and apprehended vessels'. NIMPCG is the body responsible for developing the policy framework of the proposed National System identified in Recommendation 6. The bio-fouling protocol will be directed towards minimising the introduction of marine pests via the hulls and internal water systems of all international small craft, including internationally travelled yachts, apprehended Foreign Fishing Vessels (FFVs) and Suspected Illegal Entry Vessels (SIEVs) in Australian waters.

Once the development of the protocol is completed, implementation arrangements will be considered. This would include the allocation of responsibilities (taking account of both State/Territory and Commonwealth responsibilities), the resources required and their funding.

Recommendation No. 9, paragraph 3.103

Section 185B of the *Customs Act 1901* should be amended so it:

- a) Includes the need to consult the Australian Quarantine and Inspection Service if a ship is considered by Customs to pose a quarantine risk; and
- b) Specifies that ships posing an identified quarantine risk are dealt with in an appropriate manner and timeframe (to be specified in the act).

Australian Government Response:

The Government considers that, in conjunction with the operation of the existing provisions of the Quarantine Act 1908, Section 185B of the Customs Act 1901 contains sufficient powers to manage quarantine risks and that further legislative amendment is not required. Section 185B of the Customs Act 1901 was amended in 1999 to provide increased powers to manage quarantine risks posed by ships. Identified procedures and memorandums of understanding with relevant agencies support these legislative provisions ensuring consultation.

Recommendation No. 10, paragraph 3.104

The Department of Agriculture, Fisheries and Forestry—Australia, the Australian Fisheries Management Authority, and Environment Australia, (in consultation with State and Territory counterparts) should identify areas and introduce procedures whereby vessels posing a quarantine risk can be routinely, expeditiously, and safely disposed of.

Australian Government Response:

Vessels posing a quarantine risk are managed in accordance with existing procedures between relevant agencies. As mentioned in the response to recommendation 8, the National Introduced Marine Pest Coordination Group (NIMPCG) is developing a protocol to manage marine pest risks posed by fouled hulls of international small craft, apprehended Foreign Fishing Vessels (FFVs) and Suspect Illegal Entry Vessels (SIEVs). This protocol will include procedures and responsibilities related to the safe and expeditious disposal of vessels that pose a quarantine risk.

Recommendation No. 11, paragraph 3.121

The Department of Agriculture, Fisheries and Forestry-Australia should facilitate the provision of sufficient additional container washing facilities in the port of Melbourne to ensure there is competitive pressure on charges, and that the timeliness of container washing is improved.

Australian Government Response:

Arrangements implemented by AQIS provide the opportunity for other container washing facilities to establish in the port of Melbourne and industry has been encouraged to provide greater competition in this service area. As a result, two additional service providers have commenced construction of washing facilities in the wharf environs and these are expected to become operational later this year.

Recommendation No. 12, paragraph 3.123

The Department of Agriculture, Fisheries and Forestry-Australia should develop standards and benchmarks for the external and internal inspections of containers that reflect the risk assessment for the container and its cargo.

Australian Government Response:

AQIS has a well-defined set of standards and procedures for the inspection of both the inside and outside of containers that takes account of whether they are loaded or empty and the risks posed by the container and its contents. Adherence to these inspection standards is maintained through a range of auditing and monitoring regimes including inter-regional reviews and data analysis.

The AQIS external cleanliness standards for international shipping containers relate to the risks posed by the level of contamination of the containers. These standards are listed on the AQIS Internet site and are referenced within AQIS work instructions. AQIS officers inspect the outside of all containers as they leave the wharf gate. If contamination is detected, it is either removed on site or sent to an approved wash facility for further treatment. Containers that are destined for a rural delivery have a subsequent inspection of their outside and a verification of the internal contents.

Additionally, AQIS has in place a variety of profiling rules and inspection processes for the internal inspection of loaded containers and their contents. A co-regulation scheme for the internal inspection of all arriving empty containers was implemented on 24 January 2003. The standards for internal inspections of these containers also relate to the level of contamination.

Recommendation No. 13, paragraph 4.31

The Government should provide additional funds to the Commonwealth Scientific and Industrial Research Organisation to enable its Centre for Research on Introduced Marine Pests to provide diagnostic advice to assist the Northern Australia Quarantine Strategy to monitor bio-fouling organisms.

Australian Government Response:

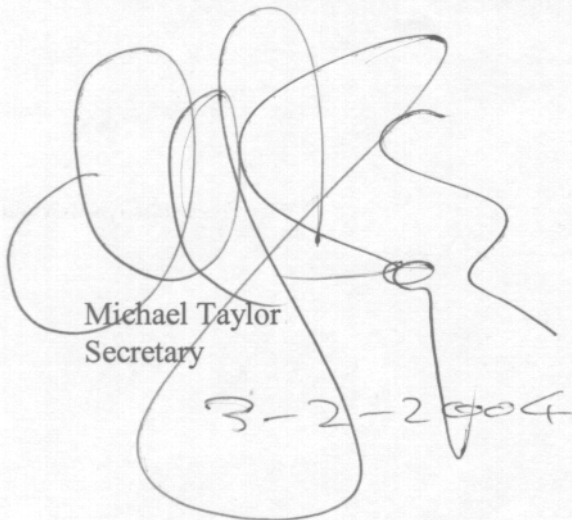
Funding principles for the National System for Prevention and Management of Marine Pest Incursions have been agreed by the Natural Resource Management Ministerial Council (refer to the response to Recommendation 6). Under these principles research and development activities will be funded from a variety of sources. This will recognise that funding shares for the National System should reflect as closely as practicable the public and private benefit derived from managing marine pest incursions and the services provided in implementing it, with joint industry and government funding where appropriate.

Recommendation No. 14, paragraph 5.18

When quarantine measures are announced for the importation of a particular commodity, the Department of Agriculture, Fisheries and Forestry—Australia should specify how these measures relate to Australia's appropriate level of protection.

Australian Government Response:

The Government considers the present arrangements appropriate including the way risk management measures and ALOP are treated and reported in import risk analyses.



Michael Taylor
Secretary

3-2-2004