



CONFERENCE OF ASIA PACIFIC EXPRESS CARRIERS

18 December 2012

Committee Secretary
Senate Rural and Regional Affairs and Transport Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Inquiry into the Biosecurity Bill 2012 and Inspector-General of Biosecurity Bill 2012

The Conference of Asia Pacific Express Carriers (CAPEC) represents the interests in Asia Pacific of the world's leading integrated express delivery service companies FedEx, DHL, UPS and TNT. A CAPEC member contributed significantly to the Department of Agriculture Fisheries and Forestry (DAFF) legislation consultation process since 2009 and more recently to the Government costs recovery process. CAPEC is one of the largest industry sectors involved in Biosecurity activities at the border.

In principle CAPEC supports a review and modernisation of the legislation that provides a flexible approach to Biosecurity management whilst also being robust.

CAPEC have been involved in the review of the legislation through the Industry Legislation Working Group. Members of the Working Group whilst under Confidentiality Agreements were unable to share the proposed changes with their constituents and as such it has only been the release of the Draft Exposure (in dribs and drabs) that the broader industry were able to be consulted.

Chapters 6 Prevention and control Measures, Chapter 8 Emergency Provisions and Chapter 12 Cost recovery and related issues were all released post the Industry Working Group consultative meetings.

Having said that majority of changes proposed appear to be acceptable, but there still remains some lack of clarity over the international logistics operations in relation to Biosecurity Zones. Under the new legislation Biosecurity Zones replace Quarantine Approved Premises (QAPs) as defined in Section 46A of the Quarantine Act. Whilst Chapter 7 Approved Arrangements of the new Biosecurity Legislation provides reference there is little by way of substance.

The review of the legislation by the Senate Committee, in CAPEC's view, provides for an opportunity for alignment with the Australian Customs and Border Protection Services of barrier control. The areas for alignment that CAPEC believe are essential are:

- Cargo and conveyance reporting requirements,
- Directions and control over locations and premises,

Whilst the legislation provides the legal framework, the subordinate legislation and regulations will determine the effectiveness of any changes to existing legislation. It is CAPEC's views that consultation with industry is essential to ensure the regulations, their content and intent are clearly defined and understood prior to implementation.

Yours sincerely

Geoff Clark
Director