



Export Charges (Imposition—Customs) Regulations 2021

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 18 March 2021

David Hurley
Governor-General

By His Excellency's Command

David Littleproud
Minister for Agriculture, Drought and Emergency Management

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Part 1—Preliminary

1 Name

This instrument is the *Export Charges (Imposition—Customs) Regulations 2021*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	At the same time as section 3 of the <i>Export Control Act 2020</i> commences.	3 am (A.C.T.) 28 March 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Export Charges (Imposition—Customs) Act 2015*.

Note: This instrument extends to Norfolk Island and the Territory of Heard Island and McDonald Islands. See section 4 of the *Export Charges (Imposition—Customs) Act 2015*, section 1-4 of the *Export Control (Plants and Plant Products) Rules 2021* and section 1-4 of the *Export Control (Fish and Fish Products) Rules 2021*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Simplified outline of this instrument

This instrument prescribes the following:

- (a) charges in relation to the export of certain goods covered by the *Export Control Act 2020*;
- (b) charges in relation to matters relating to the export of certain goods covered by the *Export Control Act 2020*;
- (c) exemptions from the prescribed charges.

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The prescribed charges are imposed as taxes (see the *Export Charges (Imposition—Customs) Act 2015*).

This instrument prescribes a charge only so far as that charge is a duty of customs within the meaning of section 55 of the Constitution. To the extent that the charge is neither a duty of customs nor a duty of excise, it is prescribed by the *Export Charges (Imposition—General) Regulations 2021*.

The *Export Control (Fees and Payments) Rules 2021* prescribes other matters in relation to the charges prescribed by this instrument, including the following:

- (a) the persons who are liable to pay the charges;
- (b) the time when the charges are due and payable;
- (c) matters relating to unpaid charges including late payment fees.

Extension to Norfolk Island and Territory of Heard Island and McDonald Islands

This instrument extends to Norfolk Island and the Territory of Heard Island and McDonald Islands and certain areas adjacent to those Territories.

6 Definitions

In this instrument:

Act means the *Export Charges (Imposition—Customs) Act 2015*.

Animals Rules means the *Export Control (Animals) Rules 2021*.

approved arrangement has the meaning given by the Export Control Act.

Australian territory has the meaning given by the Export Control Act.

boning means a procedure (other than mechanical separation or rendering to produce meat fractions) for:

- (a) removing the meat from the bones of a carcase or carcase part; or
- (b) the production of bone-in or boneless meat cuts.

carcase:

- (a) in relation to an animal within the meaning of the Meat Rules—has the meaning given by those Rules; or
- (b) in relation to poultry—has the meaning given by the Poultry Meat Rules; or
- (c) in relation to a rabbit or a ratite—has the meaning given by the Rabbit and Ratite Meat Rules; or
- (d) in relation to a wild game animal—has the meaning given by the Wild Game Meat Rules.

carcase part:

- (a) in relation to an animal within the meaning of the Meat Rules—has the meaning given by those Rules; or

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- (b) in relation to poultry—has the meaning given by the Poultry Meat Rules; or
- (c) in relation to a rabbit or a ratite—has the meaning given by the Rabbit and Ratite Meat Rules; or
- (d) in relation to a wild game animal—has the meaning given by the Wild Game Meat Rules.

casing has the same meaning as in the Meat Rules.

cooperative means a body registered as a cooperative under a law of a State or Territory.

corporation has the same meaning as in the *Corporations Act 2001*.

dressings:

- (a) in relation to an animal within the meaning of the Meat Rules—has the meaning given by those Rules; or
- (b) in relation to poultry—has the meaning given by the Poultry Meat Rules; or
- (c) in relation to a rabbit or a ratite—has the meaning given by the Rabbit and Ratite Meat Rules; or
- (d) in relation to a wild game animal—has the meaning given by the Wild Game Meat Rules.

ESCAS has the meaning given by the Animals Rules.

Export Control Act means the *Export Control Act 2020*.

export document means a government certificate, an export permit, a tariff rate quota certificate, or any other document that is issued or certified under the Export Control Act or under an instrument made under that Act in relation to the export of goods, but does not include:

- (a) an export licence; or
- (b) an approved ESCAS within the meaning of the Animals Rules; or
- (c) a pre-export approval within the meaning of the Animals Rules; or
- (d) an instrument of exemption given under subsection 56(1) of the Export Control Act.

export licence has the meaning given by the Export Control Act.

export operations has the meaning given by the Export Control Act.

export permit has the meaning given by the Export Control Act.

government certificate has the meaning given by the Export Control Act.

grain means grain that is prescribed grain within the meaning of the Plants Rules.

horticultural products has the meaning given by the Plants Rules.

installed: a resources industry structure is **installed** in an area at a time if, assuming that the structure were a sea installation within the meaning of the *Sea Installations Act 1987* and the area were part of an adjacent area within the

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meaning of that Act, the structure would be taken under section 6 of that Act to be installed in an adjacent area at the time.

livestock export licence has the meaning given by the Animals Rules.

meat export licence has the meaning given by the Meat Rules.

Meat Rules means the *Export Control (Meat and Meat Products) Rules 2021*.

occupier, of a registered establishment, has the meaning given by subsection 19(1) of the Export Control Act.

organic goods certification operations has the meaning given by the *Export Control (Organic Goods) Rules 2021*.

phytosanitary certificate has the meaning given by the Plants Rules.

plant has the same meaning as in the Plants Rules.

plant product has the same meaning as in the Plants Rules.

Plants Rules means the *Export Control (Plants and Plant Products) Rules 2021*.

poultry has the meaning given by the Poultry Meat Rules.

Poultry Meat Rules means the *Export Control (Poultry Meat and Poultry Meat Products) Rules 2021*.

prescribed animal reproductive material has the meaning given by the Animals Rules.

prescribed fish has the meaning given by the *Export Control (Fish and Fish Products) Rules 2021*.

prescribed fish products has the meaning given by the *Export Control (Fish and Fish Products) Rules 2021*.

prescribed live animals has the meaning given by the Animals Rules.

prescribed livestock has the meaning given by the Animals Rules.

prescribed meat means any of the following:

- (a) prescribed meat within the meaning of the Meat Rules;
- (b) prescribed poultry meat within the meaning of the Poultry Meat Rules;
- (c) prescribed rabbit meat within the meaning of the Rabbit and Ratite Meat Rules;
- (d) prescribed ratite meat within the meaning of the Rabbit and Ratite Meat Rules;
- (e) prescribed wild game meat within the meaning of the Wild Game Meat Rules.

prescribed meat products means any of the following:

- (a) prescribed meat products within the meaning of the Meat Rules;
- (b) prescribed poultry meat products within the meaning of the Poultry Meat Rules;

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- (c) prescribed rabbit meat products within the meaning of the Rabbit and Ratite Meat Rules;
- (d) prescribed ratite meat products within the meaning of the Rabbit and Ratite Meat Rules;
- (e) prescribed wild game meat products within the meaning of the Wild Game Meat Rules.

prescribed milk has the meaning given by the *Export Control (Milk and Milk Products) Rules 2021*.

prescribed milk products has the meaning given by the *Export Control (Milk and Milk Products) Rules 2021*.

prescribed plant products has the meaning given by the Plants Rules.

prescribed plants has the meaning given by the Plants Rules.

rabbit has the meaning given by the Rabbit and Ratite Meat Rules.

Rabbit and Ratite Meat Rules means the *Export Control (Rabbit and Ratite Meat and Rabbit and Ratite Meat Products) Rules 2021*.

ratite has the meaning given by the Rabbit and Ratite Meat Rules.

registered establishment has the meaning given by the Export Control Act.

resources industry structure means:

- (a) a resources industry fixed structure (within the meaning of the *Sea Installations Act 1987*); or
- (b) a resources industry mobile unit (within the meaning of that Act) that is not a vessel.

small horticultural products registered establishment for a financial year has the meaning given by the Plants Rules.

Note: Section 1-8 of the Plants Rules sets out requirements that must be met in relation to a registered establishment in a financial year for the establishment to be a small horticultural products registered establishment for that financial year.

State or Territory inspection and audit arrangement:

- (a) in relation to prescribed meat or prescribed meat products (within the meaning of the Meat Rules), has the meaning given by the Meat Rules; or
- (b) in relation to prescribed wild game meat or prescribed wild game meat products (within the meaning of the Wild Game Meat Rules), has the meaning given by the Wild Game Meat Rules.

tariff rate quota certificate has the meaning given by the Export Control Act.

third party authorised officer has the meaning given by the Export Control Act.

Timor Sea Maritime Boundaries Treaty means the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018, as in force at the commencement of this instrument.

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Note: The Treaty is in Australian Treaty Series 2019 No. 16 ([2019] ATS 16) and could in 2021 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

wild game animal has the meaning given by the Wild Game Meat Rules.

Wild Game Meat Rules means the *Export Control (Wild Game Meat and Wild Game Meat Products) Rules 2021*.

Part 2—Charges in relation to export of certain goods

7 Charges—prescribed livestock

For the purposes of subsection 7(1) of the Act, the charge in relation to the export of a kind of goods referred to in column 1 of an item in the following table is the amount set out in, or calculated in accordance with, column 2 of the item.

Charges—prescribed livestock		
Item	Column 1	Column 2
	Kinds of goods	Amount
1	Cattle, deer, buffalo or camelids (including the young of those animals)	\$1.21 for each animal exported
2	Sheep or goats (including the young of those animals)	\$0.31 for each animal exported

8 Charges—plants and plant products

- (1) For the purposes of subsection 7(1) of the Act, the charge in relation to the export of a kind of goods referred to in column 1 of an item in the following table is the amount set out in, or calculated in accordance with, column 2 of the item.

Charges—plants and plant products		
Item	Column 1	Column 2
	Kinds of goods	Amount
1	Horticultural products for export to a market to which subsection (2) applies	For each consignment exported in a financial year—\$1.30 for each tonne or part of a tonne
2	Horticultural products for export to a market to which subsection (3) applies	For each consignment exported in a financial year—\$0.65 for each tonne or part of a tonne
3	Prescribed plants or prescribed plant products not covered by item 1 or 2	For each consignment exported in a financial year—\$0.11 for each tonne or part of a tonne

- (2) For the purposes of item 1 in the table in subsection (1), this subsection applies to a market for a particular horticultural product if:
- (a) a phytosanitary certificate for the product is required for the product to be imported into the market from Australian territory; and
 - (b) significant other conditions are imposed on the importation of the product into the market from Australian territory.
- (3) For the purposes of item 2 in the table in subsection (1), this subsection applies to a market for a particular horticultural product if no significant conditions are imposed on the importation of the product into the market from Australian territory.

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- (4) For the purposes of subsection (3), a requirement for a phytosanitary certificate for a horticultural product is not a significant condition.

Part 3—Charges in relation to certain matters relating to export of certain goods

9 Charges—registered establishments

- (1) For the purposes of subsection 11(1) of the Act and subject to subsection (5) of this section, the charge in relation to the matter referred to in column 1 of an item in the following table relating to the export of the kind of goods referred to in that item is the amount set out in, or calculated in accordance with, column 2 of the item.

Charges—registered establishments		
Item	Column 1 Matter	Column 2 Amount
1	Registered establishment for holding and assembling prescribed livestock for export	For each year, or part of a year, during which the registration is in force—\$5,000
2	Registered establishment (other than an establishment covered by item 4) for: (a) operations associated with the preparation of horticultural products for export to a market to which subsection (2) applies; or (b) operations to load unpacked quantities of grain into a bulk vessel for export	For each financial year, or part of a financial year, during which the registration is in force: (a) if the registration was in force on or before 1 January in the financial year—\$6,000; or (b) if the establishment is first registered after 1 January in the financial year—\$3,000
3	Registered establishment (other than an establishment covered by item 4) for export operations associated with the preparation of: (a) horticultural products for export to a market to which subsection (3) applies; or (b) any other prescribed plants or prescribed plant products for export	For each financial year, or part of a financial year, during which the registration is in force: (a) if the registration was in force on or before 1 January in the financial year—\$3,000; or (b) if the establishment is first registered after 1 January in the financial year—\$1,500
4	Registered establishment that is a small horticultural products registered establishment for a financial year	For the financial year, or part of the financial year, during which the registration is in force—\$600
5	Registered establishment for any of the following operations: (a) slaughter or dressing of an animal (other than poultry) for export; (b) production, preparation, storage or handling of casings for export; (c) storage, handling or transportation of prescribed meat or prescribed meat products for export	For each calendar month, or part of a calendar month, during which the registration is in force—\$840
6	Registered establishment for any of the	For each calendar month, or part of a

Part 3 Charges in relation to certain matters relating to export of certain goods

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Charges—registered establishments		
Item	Column 1 Matter	Column 2 Amount
	following operations to prepare prescribed meat or prescribed meat products for export: (a) slaughter or dressing of poultry; (b) further processing; (c) boning	calendar month, during which the registration is in force—\$1,250
7	Registered establishment for export operations carried out in relation to prescribed meat or prescribed meat products (within the meaning of the Meat Rules), or prescribed wild game meat or prescribed wild game meat products (within the meaning of the Wild Game Meat Rules), under a State or Territory inspection and audit arrangement	For each calendar month, or part of a calendar month, during which the registration is in force—\$840
8	Registered establishment for storage of prescribed milk or prescribed milk products for export	For each financial year, or part of a financial year, during which the registration is in force: (a) if the registration was in force on or before 1 January in the financial year—\$1,820; or (b) if the establishment is first registered after 1 January in the financial year—\$910
9	Registered establishment (other than an establishment covered by item 8) for operations to process or pack prescribed milk or prescribed milk products for export, and that: (a) exported less than 2,000 tonnes of prescribed milk or prescribed milk products in the financial year ending immediately before the financial year to which the charge relates; and (b) either: (i) is owned by a corporation; or (ii) is owned by, or is part of, a cooperative	For each financial year, or part of a financial year, during which the registration is in force: (a) if the registration was in force on or before 1 January in the financial year—\$4,275; or (b) if the establishment is first registered after 1 January in the financial year—\$2,137.50
10	Registered establishment (other than an establishment covered by item 8) for operations to process or pack prescribed milk or prescribed milk products for export, and that: (a) exported 2,000 tonnes or more of prescribed milk or prescribed milk products in the financial year ending immediately before the financial year to which the charge relates; and	For each financial year, or part of a financial year, during which the registration is in force: (a) if the registration was in force on or before 1 January in the financial year—\$7,729; or (b) if the establishment is first registered after 1 January in the financial year—\$3,864.50

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Charges—registered establishments		
Item	Column 1 Matter	Column 2 Amount
	(b) either: (i) is owned by a corporation; or (ii) is owned by, or is part of, a cooperative	
11	Registered establishment that is: (a) a vessel that is registered to prepare prescribed fish or prescribed fish products for processing at another establishment before export; or (b) a land-based establishment that is registered solely for the preparation of live prescribed fish for export	For each financial year, or part of a financial year, during which the registration is in force: (a) if the registration was in force on or before 1 January in the financial year—\$1,223; or (b) if the establishment is first registered after 1 January in the financial year—\$611.50
12	Registered establishment that is: (a) a vessel (other than a vessel covered by item 11) that is registered for export operations in relation to prescribed fish or prescribed fish products; or (b) a land-based establishment (other than an establishment covered by item 11 or 13) that is registered to prepare prescribed fish or prescribed fish products for export	For each financial year, or part of a financial year, during which the registration is in force: (a) if the registration was in force on or before 1 January in the financial year—\$2,446; or (b) if the establishment is first registered after 1 January in the financial year—\$1,223
13	Registered establishment that is registered for the storage of prescribed fish or prescribed fish products for export	For each financial year, or part of a financial year, during which the registration is in force: (a) if the registration was in force on or before 1 January in the financial year—\$1,835; or (b) if the establishment is first registered after 1 January in the financial year—\$917.50
14	Registered establishment for export operations associated with the preparation of prescribed eggs or prescribed egg products for export	For each financial year, or part of a financial year, during which the registration is in force: (a) if the registration was in force on or before 1 January in the financial year—\$1,835; or (b) if the establishment is first registered after 1 January in the financial year—\$917.50

- (2) For the purposes of item 2 in the table in subsection (1), this subsection applies to a market for a particular horticultural product if:
- (a) a phytosanitary certificate for the product is required for the product to be imported into the market from Australian territory; and
 - (b) significant other conditions are imposed on the importation of the product into the market from Australian territory.

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- (3) For the purposes of item 3 in the table in subsection (1), this subsection applies to a market for a particular horticultural product if no significant conditions are imposed on the importation of the product into the market from Australian territory.
- (4) For the purposes of subsection (3), a requirement for a phytosanitary certificate for a horticultural product is not a significant condition.
- (5) If a charge would be payable in relation to a registered establishment under:
 - (a) items 2 and 3 in the table in subsection (1); or
 - (b) 2 or more of items 5, 6 and 7 in that table; or
 - (c) 2 or more of items 8, 9 and 10 in that table;then the amount of the charge in relation to the registered establishment under subsection (1) is the higher, or the highest, of the amounts that would be payable in relation to the registered establishment under the applicable items.

10 Charges—slaughtering or dressing certain animals

- (1) For the purposes of subsection 11(1) of the Act, the charge in relation to the matter referred to in column 1 of an item in the following table relating to the export of the meat of an animal referred to in that item is the amount set out in, or calculated in accordance with, column 2 in the table.

Charges—slaughtering or dressing certain animals		
Item	Column 1 Matter	Column 2 Amount
1	Slaughtering or dressing calves at a registered establishment in a calendar month	\$0.07 for each calf slaughtered or dressed at the establishment in the previous calendar month
2	Slaughtering or dressing deer (including wild game deer) at a registered establishment in a calendar month	\$0.14 for each deer slaughtered or dressed at the establishment in the previous calendar month
3	Slaughtering or dressing emus or ostriches at a registered establishment in a calendar month	\$0.10 for each emu or ostrich slaughtered or dressed at the establishment in the previous calendar month
4	Slaughtering or dressing kangaroos or wild boars at a registered establishment in a calendar month	\$0.05 for each kangaroo or wild boar slaughtered or dressed at the establishment in the previous calendar month
5	Slaughtering or dressing pigs at a registered establishment in a calendar month	\$0.24 for each pig slaughtered or dressed at the establishment in the previous calendar month
6	Slaughtering or dressing rabbits, possums or hares at a registered establishment in a calendar month	\$0.02 for each rabbit, possum or hare slaughtered or dressed at the establishment in the previous calendar month
7	Slaughtering or dressing sheep, goats or lambs at a registered establishment in a calendar month	\$0.18 for each sheep, goat or lamb slaughtered or dressed at the establishment in the previous calendar month
8	Slaughtering or dressing bulls, cows,	\$0.70 for each of those animals slaughtered or

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Charges—slaughtering or dressing certain animals

Item	Column 1 Matter	Column 2 Amount
	steers, heifers, buffalos, camels, donkeys, horses or any other animals not covered by another item in this table (but not poultry or a calf of any animal) at a registered establishment in a calendar month	dressed at the establishment in the previous calendar month

- (2) If an animal is both slaughtered and dressed at a registered establishment (whether or not in the same calendar month), the animal is to be counted only once for the purposes of calculating an amount in accordance with column 2 of an item in the table in subsection (1).
- (3) The charge in relation to a matter referred to in column 1 of an item in the table in subsection (1) does not apply in relation to a registered establishment and a calendar month if the establishment was not a registered establishment in the previous calendar month.
- (4) A reference to an animal (other than deer, sheep, bulls, cows, steers, heifers, buffalos, or camels) in an item in the table in subsection (1) includes the young of that animal.

Note: Item 1 of the table in subsection (1) covers the young of deer, sheep, bulls, cows, steers, heifers, buffalos, camels and calves of other animals..

11 Charges—applications

For the purposes of subsection 11(1) of the Act, the charge in relation to the matter referred to in column 1 of an item in the following table relating to the export of the kind of goods referred to in that item is the amount set out in, or calculated in accordance with, column 2 of the item.

Charges—applications

Item	Column 1 Matter	Column 2 Amount
1	Application under section 111 of the Export Control Act to register an establishment for holding and assembling prescribed livestock for export	\$600
2	Application under section 116 of the Export Control Act to renew the registration of a registered establishment for holding and assembling prescribed livestock for export	\$600
3	Application under subsection 120(1) of the Export Control Act to vary the registration of a registered establishment for holding and assembling prescribed livestock for export	\$300
4	Application under section 150 of the Export Control Act to approve a proposed arrangement in relation to prescribed livestock	\$600
5	Application under subsection 161(1) of the Export Control Act to approve a variation of an approved arrangement in relation to	\$300

Part 3 Charges in relation to certain matters relating to export of certain goods

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Charges—applications		
Item	Column 1 Matter	Column 2 Amount
	prescribed livestock or to vary the condition of such an approved arrangement	
6	Application by an exporter under subsection 53(1) of the Export Control Act, on the basis of the circumstance referred to in paragraph 52(1)(b), (c) or (d) of that Act, for an exemption from the condition prescribed by the Animals Rules that prescribed livestock for export by the exporter must be prepared in accordance with an approved arrangement	\$600
7	Application under section 190 of the Export Control Act for a livestock export licence	\$600
8	Application under section 195 of the Export Control Act to renew a livestock export licence	\$600
9	Application under subsection 199(1) of the Export Control Act to make a variation in relation to a livestock export licence	\$300
10	Application under Division 1 of Part 9 of Chapter 6 of the Animals Rules for approval of an ESCAS	\$600
11	Application under Division 2 of Part 9 of Chapter 6 of the Animals Rules for approval of a variation of an ESCAS	\$300
12	Application under Division 2 of Part 3 of Chapter 9 of the Animals Rules by a veterinarian for accreditation	\$600
13	Application under Division 3 of Part 3 of Chapter 9 of the Animals Rules by an accredited veterinarian for renewal of the veterinarian's accreditation	\$600
14	Application under Division 4 of Part 3 of Chapter 9 of the Animals Rules by an accredited veterinarian for variation of the veterinarian's accreditation	\$300
15	Application under section 111 of the Export Control Act to register an establishment for operations to prepare any of the following for export: (a) prescribed plants or prescribed plant products; (b) prescribed meat or prescribed meat products; (c) prescribed milk or prescribed milk products; (d) prescribed fish or prescribed fish products; (e) prescribed eggs or prescribed egg products	\$600
16	Application under section 116 of the Export Control Act to renew the registration of a registered establishment for operations to prepare any of the following for export: (a) prescribed plants or prescribed plant products; (b) prescribed meat or prescribed meat products; (c) prescribed milk or prescribed milk products; (d) prescribed fish or prescribed fish products; (e) prescribed eggs or prescribed egg products	\$600
17	Application under section 120 of the Export Control Act to vary the registration of a registered establishment for operations to prepare any of the following for export:	\$300

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Charges—applications		
Item	Column 1 Matter	Column 2 Amount
	(a) prescribed plants or prescribed plant products; (b) prescribed meat or prescribed meat products; (c) prescribed milk or prescribed milk products; (d) prescribed fish or prescribed fish products; (e) prescribed eggs or prescribed egg products	
18	Application under section 150 of the Export Control Act to approve a proposed arrangement for organic goods certification operations	\$600

12 Charges—approved arrangements

For the purposes of subsection 11(1) of the Act, the charge in relation to the matter referred to in column 1 of an item in the following table relating to the export of the kind of goods referred to in that item is the amount set out in, or calculated in accordance with, column 2 of the item.

Charges—approved arrangements		
Item	Column 1 Matter	Column 2 Amount
1	Development and management of an approved arrangement for operations to prepare prescribed livestock for export by sea by the holder of a livestock export licence	For each financial year, or part of a financial year, during which the approved arrangement is in force: (a) if the approved arrangement was in force on or before 1 January in the financial year—\$20,000; or (b) if the arrangement is first approved after 1 January in the financial year—\$10,000
2	Development and management of an approved arrangement for operations to prepare prescribed livestock for export by air by the holder of a livestock export licence	For each financial year, or part of a financial year, during which the approved arrangement is in force: (a) if the approved arrangement was in force on or before 1 January in the financial year—\$10,000; or (b) if the arrangement is first approved after 1 January in the financial year—\$5,000
3	Development and management of an approved arrangement for organic goods certification operations	For each financial year, or part of a financial year, during which the approved arrangement is in force: (a) if the approved arrangement was in force on or before 1 January in the financial year—\$7,500; or (b) if the arrangement is first approved after 1 January in the financial year—\$3,750

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13 Charges—livestock export licences and meat export licences

For the purposes of subsection 11(1) of the Act, the charge in relation to the matter referred to in column 1 of an item in the following table relating to the export of the kind of goods referred to in that item is the amount set out in, or calculated in accordance with, column 2 of the item.

Charges—livestock export licences and meat export licences		
Item	Column 1 Matter	Column 2 Amount
1	Livestock export licence held by an exporter that has been granted an exemption under paragraph 54(1)(a) of the Export Control Act, on the basis of the circumstance referred to in paragraph 52(1)(b), (c) or (d) of that Act, from the condition prescribed by the Animals Rules that prescribed livestock covered by the licence must be prepared for export in accordance with an approved arrangement	For each financial year, or part of a financial year, during which the licence is in force— \$5,000
2	Meat export licence, other than a meat export licence held by the occupier of a registered establishment referred to in column 1 of item 5, 6 or 7 in the table in subsection 9(1) of this instrument	For each financial year, or part of a financial year, during which the licence is in force— \$500

14 Charges—export documents

For the purposes of subsection 11(1) of the Act, the charge in relation to the matter referred to in column 1 of an item in the following table relating to the export of the kind of goods referred to in that item is the amount set out in, or calculated in accordance with, column 2 of the item.

Charges—export documents		
Item	Column 1 Matter	Column 2 Amount
1	Issue of an export permit to a person (other than the holder of a livestock export licence) for: (a) prescribed livestock; or (b) prescribed live animals; or (c) prescribed animal reproductive material	\$130
2	Electronic issue of an export document for prescribed plants or prescribed plant products	For each export document issued for the consignment—\$38
3	Electronic issue of an export document for prescribed meat or prescribed meat products	For each export document issued for the consignment—\$46
4	Electronic issue of an export document for prescribed milk or prescribed milk products	For each export document issued for the consignment—\$15

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Charges—export documents

Item	Column 1 Matter	Column 2 Amount
5	Electronic issue of an export document for prescribed fish or prescribed fish products	For each export document issued for the consignment—\$27
6	Electronic issue of an export document for prescribed eggs or prescribed egg products	For each export document issued for the consignment—\$27
7	Issue of a government certificate in relation to goods, other than goods covered by items 1 to 6	For each export document issued for the goods: (a) if the Department carries out regular assessments in relation to the goods for the purpose of assisting the Secretary to decide whether to issue a government certificate in relation to the goods under Division 3 of Part 3 of Chapter 2 of the Export Control Act—\$97; or (b) in any other case—\$40
8	Electronic issue of a tariff rate quota certificate in relation to goods, other than prescribed meat, prescribed meat products, prescribed milk or prescribed milk products	For each tariff rate quota certificate issued for the goods—\$40

Note: The electronic issue of a tariff rate quota certificate for the export of prescribed meat or prescribed meat products or prescribed milk or prescribed milk products is covered by item 3 or 4 (see the definition of *export document* in section 6).

15 Charges—third party authorised officers: prescribed plants or prescribed plant products

For the purposes of subsection 11(1) of the Act, the charge in relation to the matter referred to in column 1 of an item in the following table relating to the export of the kind of goods referred to in that item is the amount set out in, or calculated in accordance with, column 2 of the item.

Charges—third party authorised officers: prescribed plants or prescribed plant products

Item	Column 1 Matter	Column 2 Amount
1	Third party authorised officer who may exercise powers or perform functions in relation to the export of prescribed plants or prescribed plant products	For each financial year, or part of a financial year, during which the authorisation of the third party authorised officer is in force—\$750

16 Exemptions from charges

For the purposes of section 14 of the Act, a charge prescribed by a provision in this Part in relation to a matter relating to the export of a kind of goods is not payable if the matter relates to any of the following:

- (a) the export of an assistance animal within the meaning of the *Disability Discrimination Act 1992*;

Section 16

- (b) goods that are to be exported from Australian territory by an organisation approved by the Secretary that provides aid or assistance in a foreign country;
- (c) a registered establishment that is a marine laboratory:
 - (i) that is operated or funded by the Commonwealth or a State or Territory; and
 - (ii) the primary function of which is to research and develop export markets without engaging in commercial trade;
- (d) goods that are stores for the use of passengers and crew on an aircraft or a vessel on a flight or voyage from Australian territory;
- (e) goods that are for the service of an aircraft or a vessel on a flight or voyage from Australian territory;
- (f) goods that have been imported into Australian territory and held in bond at all times before being exported;
- (g) goods that are imported into Australian territory and then exported in the same covering in which, and with the same trade description with which, they were imported;
- (h) goods that are consigned to an external Territory for consumption within the Territory;
- (i) goods that are consigned to a resources industry structure that is installed in any of the following areas, for consumption on the structure:
 - (i) the Greater Sunrise special regime area within the meaning of the *Seas and Submerged Lands Act 1973*;
 - (ii) the Greater Sunrise pipeline international offshore area within the meaning of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*;
 - (iii) the area in or above the Bayu-Undan Gas Field within the meaning of the Timor Sea Maritime Boundaries Treaty;
 - (iv) the Bayu-Undan pipeline international offshore area within the meaning of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*;
 - (v) the area in or above the Kitan Oil Field within the meaning of the Timor Sea Maritime Boundaries Treaty;
- (j) goods (other than prescribed livestock, prescribed live animals or prescribed animal reproductive material) that are to be exported in a consignment of no more than:
 - (i) for liquid goods—10 litres; or
 - (ii) for goods of any other kind—10 kilograms;
- (k) goods that are to be exported to New Zealand, other than:
 - (i) prescribed livestock; or
 - (ii) prescribed live animals; or
 - (iii) prescribed animal reproductive material; or
 - (iv) grain; or
 - (v) plants or plant products for which a certificate is required by or under a law of New Zealand.

Note: For the purposes of paragraph (i), a resources industry structure that is not installed is taken to be a vessel (see the *Sea Installations Act 1987*).

Part 4—Transitional provisions

17 Continuing approved arrangements for organic goods certification operations

- (1) This section applies in relation to an approved arrangement for organic goods certification operations if:
 - (a) the approved arrangement is a continuing approved arrangement within the meaning of section 12-2 of the *Export Control (Organic Goods) Rules 2021*; and
 - (b) the charge in relation to the QM certificate to which the continuing approved arrangement relates for the financial year ending on 30 June 2021, or a part of that financial year, prescribed by item 3 of the table in section 17 of the *Export Charges (Imposition—Customs) Regulations 2015* (as in force immediately before the commencement of section 3 of the *Export Control Act 2020*) had been paid before that commencement.
- (2) The charge in relation to the approved arrangement for the financial year ending on 30 June 2021, or the part of that financial year, prescribed by item 3 of the table in section 12 of this instrument is taken to have been paid.

Schedule 1—Repeals

Export Charges (Imposition—Customs) Regulation 2015

1 The whole of the instrument

Repeal the instrument.