



Export Control (Fees) Orders 2001

I, WARREN ERROL TRUSS, Minister for Agriculture, Fisheries and Forestry, make these Orders under regulation 3 of the *Export Control (Orders) Regulations 1982*.

Dated 28 September 2001

Minister for Agriculture, Fisheries and Forestry

COMMONWEALTH OF AUSTRALIA
EXPORT CONTROL (ORDERS) REGULATIONS
Export Control (Fees) Orders 2001

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COMMONWEALTH OF AUSTRALIA
EXPORT CONTROL (ORDERS) REGULATIONS
EXPORT CONTROL (FEES) ORDERS 2001

PART 1 - PRELIMINARY

1. Citation

These Orders may be cited as the *Export Control (Fees) Orders 2001*.

2. Commencement and application

- (1) Subject to suborder (2), these Orders commence on 1 November 2001.
- (2) The repeals of Part 3C of the *Export Control (Fees) Orders 1986*, as amended, and of the provisions of those Orders imposing an annual fee for an EXDOC registered user's interaction with EXDOC in respect of exports of horticulture products are taken to have commenced on 1 July 2001.
- (3) If a service in respect of which a fee is imposed by these Orders started to be performed before 1 November 2001, the applicable fee for the service in respect of the period before that date is to be ascertained in accordance with the *Export Control (Fees) Orders 1986*, as amended.

3. Repeal

The following Orders are repealed:

- (a) *Export Control (Fees) Orders 1986*;
- (b) each amendment of those Orders.

4. Interpretation

- (1) In these Orders, unless the contrary intention appears, words have the same meaning as in the *Prescribed Goods (General) Orders 1985*, except that:

additional inspection services means inspection services that are provided to an establishment in addition to the core inspection services provided to the establishment in accordance with an arrangement entered into between AQIS and the establishment.

animal reproductive material has the same meaning as in the Export Control (Animals) Orders.

approved form, in relation to a certificate as to condition of goods, means a form approved by the Secretary for the purpose of the issuing of the certificate.

AQIS means the Australian Quarantine and Inspection Service.

Area Technical Manager means a veterinary officer from AQIS whose services are made available to provide technical support and auditing functions for the purposes of the Act.

certification assurance arrangement means an arrangement between the Department and a person or organisation who prepares a prescribed commodity for export, under which:

- (a) the person or organisation implements a system of preparation that is of a standard agreed between the person or organisation and the Department; and
- (b) the Department monitors the implementation of the system.

cut flowers means cut flowers to which the Grain, Plants and Plant Products Orders apply.

dried fruit means dried fruit to which the Export Control (Dried Fruits) Orders apply.

EDI user identifier for a person, means an identifier that is unique to the person and enables them to send documents to AQIS using EXDOC.

eggs has the same meaning as **eggs** and **egg products** in the Export Control (Processed Food) Orders.

EXDOC means the AQIS electronic export documentation system.

EXDOC registered user means an entity registered to interact with EXDOC either directly or via a third party agent.

fee means an amount required to be paid by a person pursuant to these Orders.

fish has the same meaning as in the Export Control (Processed Food) Orders.

fresh fruit means fruit to which the Export Control (Fresh Fruit and Vegetables) Orders apply.

grain means grain to which the Grain, Plants and Plant Products Orders apply.

half hour includes part of a half hour.

health certificate, in relation to meat or meat products, means a document issued by AQIS that certifies as to matters required by an authority of a country to which the meat or meat products are to be exported.

horticulture products means fresh fruit, fresh vegetables, cut flowers, nursery stock, unprocessed nuts or dried fruit.

hour includes part of an hour.

in-office inspection means an export inspection service carried out by an authorised officer at an office of the Department or an office of a Department of the Government of a State or Territory.

inspection service includes an auditing service.

live animal has the same meaning as in the Export Control (Animals) Orders.

mung beans has the same meaning as in the Export Control (Mung Beans) Orders.

nursery stock means nursery stock to which the Grain, Plants and Plant Products Orders apply.

out of office inspection means an export inspection service carried out by an authorised officer otherwise than at an office of the Department or an office of a Department of the Government of a State or Territory.

plants means plants to which the Grain, Plants and Plant Products Orders apply.

plant products means plant products to which the Grain, Plants and Plant Products Orders apply.

processed fruits and vegetables has the same meaning as in the Export Control (Processed Fruits and Vegetables) Orders.

quarter hour includes a part of a quarter hour.

request for permit means a notice of intention to export given by an EXDOC registered user.

slaughter when used to describe a kind of animal means an animal of that kind that is intended to be slaughtered for consumption in the country to which that animal is to be exported.

unprocessed nuts means unprocessed nuts to which the Grain, Plants and Plant Products Orders apply.

weekday, in relation to a place at which services are provided, means a Monday, Tuesday, Wednesday, Thursday or Friday that is not a public holiday in that place.

- (2) A reference in these Orders to specified Orders made under the Export Control (Orders) Regulations is to be read as a reference to those Orders as originally made and as amended from time to time.

PART 2 – MEAT, GAME, POULTRY AND RABBIT MEAT INSPECTION FEES

5. Interpretation

In this Part, ***registered establishment*** means an establishment registered under the *Prescribed Goods (General) Orders 1985* for the preparation of prescribed goods under the Export Meat Orders or the Game, Poultry and Rabbit Meat Orders.

6. Fees when services provided on hourly basis

- (1) When an authorised officer provides inspection services to a registered establishment on an hourly basis, the fee payable by the occupier of the establishment is the total of:
- (a) the number of hours for which the relevant officer's services are provided, multiplied by the appropriate hourly rate specified in item 1 of Schedule 1 for the officer;
 - (b) if a shift loading is payable for some or all of the hours worked by the officer – the appropriate shift loading; and
 - (c) if overtime is payable for some or all of the hours worked by the officer – the appropriate overtime loading.
- (2) For paragraph (1)(b) the appropriate shift loading is the amount worked out by the formula:

$$S \times N$$

where:

S is the rate per quarter hour for shift loading for the officer (in accordance with Table 1 if the officer is a meat inspector or Table 2 if the officer is a veterinarian); and

N is the number of quarter hours in the time during which the services are provided.

- (3) For paragraph (1)(c), the appropriate overtime loading is the amount worked out by the formula:

$$O \times N$$

where:

O is the rate per quarter hour for overtime loading for the officer (in accordance with Table 3 if the officer is a meat inspector or Table 4 if the officer is a veterinarian); and

N is the number of quarter hours in the time during which the services are provided.

- (4) In working out the fee:
- (a) if the time during which the officer's services are provided is not continuous with the officer's ordinary hours of duty, the minimum amount payable for overtime loading is that for 4 hours, as set out in Table 5 or 6, as the case may be; and
 - (b) in all cases, the time is to be rounded up to the next whole quarter hour.

Table 1 - Shift loadings — meat inspectors

When services provided	Rate of shift loading per quarter hour
Weekday	\$0.90
Saturday	\$3.00
Sunday	\$5.95
Public holiday	\$8.95 if services provided at an establishment, or \$14.90 if services provided elsewhere

Table 2 - Shift loadings — veterinary officers

When services provided	Rate of shift loading per quarter hour
Weekday	\$1.30
Saturday	\$4.30
Sunday	\$8.60
Public holiday	\$12.95 if services provided at an establishment, or \$21.95 if services provided elsewhere

Table 3 - Overtime loadings — meat inspectors

Overtime rate to which the officer is entitled	Rate of overtime loading per quarter hour
Single time	5.95
Time and a half	8.95
Double time	11.90
Double time and a half	14.90

Table 4 - Overtime loadings — veterinary officers

Overtime rate to which the officer is entitled	Rate of overtime loading per quarter hour
Time and a half	12.95
Double time	17.25
Double time and a half	21.55

Table 5 - Minimum charges for overtime if services provided non-continuously with ordinary duty — meat inspectors

Overtime rate to which the officer is entitled	Minimum charge \$
Single time	95.20
Time and a half	143.20
Double time	190.40
Double time and a half	238.40

Table 6 - Minimum charges for overtime if services provided non-continuously with ordinary duty — veterinary officers

Overtime rate to which the officer is entitled	Minimum charge \$
Time and a half	207.20
Double time	276.00
Double time and a half	344.80

7. Fees when services provided on annual, four-weekly, weekly or daily basis

- (1) When an authorised officer provides inspection services to a registered establishment on an annual, four-weekly, weekly or daily basis, the fee payable by the occupier of that establishment is the amount ascertained by applying the annual rate, four-weekly rate, weekly rate or daily rate specified in item 2 of Schedule 1 for each annual, four-weekly, weekly or daily provision, as the case may be.
- (2) When a registered establishment that has been allocated inspection services on an annual basis gives the Secretary notice during the year concerned that services on that basis are no longer required, the amount due in respect of that year will be recalculated and charged at the four-weekly rate.
- (3) The payment of fees under this order does not affect an occupier's liability to pay, as appropriate, other fees in respect of shift loading or overtime loading in accordance with order 6.

8. Shutdown

- (1) If an occupier of a registered establishment gives 2 weeks' or more notice in writing to the Secretary that inspection services that are provided on a monthly basis are not required for a period of shutdown specified in the notice, no fee is payable for that period of shutdown and the monthly fees payable are reduced proportionately for the remainder of any month in which the shutdown occurs.

- (2) If an occupier of a registered establishment gives less than 2 weeks' notice in writing to the Secretary that inspection services that are provided on a monthly or weekly basis are not required for a period of shutdown specified in the notice, the occupier must pay proportionately the relevant fee for the first week of that period of shutdown.
- (3) If an occupier of a registered establishment gives less than 2 weeks' notice in writing to the Secretary that inspection services that are provided on a daily basis are not required for a period of shutdown specified in the notice, the occupier must pay for the first day of that period of shutdown.
- (4) This order does not apply to registered establishments that have inspection services allocated on an annual basis or on a basis which includes an allocation of services on an annual basis.
- (5) In this order, *period of shutdown* means a continuous period of 14 days or more.

9. Industrial action by authorised officers

- (1) If inspection services are not supplied because of industrial action by authorised officers, the fee payable is reduced proportionately for each day or part day that inspection services are not supplied.
- (2) In this order, *part day* means a half day or more.

10. Industrial action by other workers

If inspection services that are allocated to a registered establishment cannot be used because of industrial action by workers other than authorised officers at the establishment, the occupier must continue to pay the relevant fees for inspection services for the duration of the industrial action unless the inspection services are able to be allocated to another registered establishment during that period.

11. Fee imposition premise

Subject to orders 8, 9 and 10, the relevant fee is payable for each provision of inspection services irrespective of:

- (a) for annual and monthly provisions – the number of days in any month on which inspection services are supplied;
- (b) for weekly provisions – the number of days in any week on which inspection services are supplied; or
- (c) for daily provisions – the number of hours in any day during which the inspection services are supplied.

12. Insufficient notice of change to allocation

If, in relation to the allocation of annual inspection services to a registered establishment, the occupier gives less than four weeks' notice of a reduction in inspection services:

- (a) the occupier must pay for his or her total allocation of inspection services until:
 - (i) the unwanted inspection services are allocated to another registered establishment; or
 - (ii) the period of four weeks after the giving of the notice expires;
 whichever first happens; and
- (b) the amount due in respect of services provided during that year will be recalculated and charged at the four-weekly rate.

13. Insufficient notice of termination of additional inspection services

If, in relation to the allocation of additional inspection services to a registered establishment, the occupier gives less than 2 weeks' notice of the termination or any or all of those services, the occupier must pay for those services until:

- (a) they are allocated to another registered establishment; or
- (b) the period of notice expires;

whichever first happens.

PART 3 – INSPECTION FEES FOR GRAINS, HORTICULTURE PRODUCTS, MUNG BEANS, PLANTS AND PLANT PRODUCTS

14. Application

This Part imposes fees for inspection services in respect of the export of grains (whether prescribed grains or not), horticulture products, mung beans, plants or plant products.

15. Fee rates

The fee payable by reference to a fee rate specified in order 16, 17 or 18 means the amount ascertained in accordance with Part A of Schedule 2 in relation to that fee rate.

16. Fees for overtime

- (1) When, at the request of a person, the services of an authorised officer are made available for the purposes of the Act or any orders made under the regulations and the officer is entitled to overtime, the person to whom the services are made available must pay:
 - (a) if the officer is entitled to single time rate - fee rate A;
 - (b) if the officer is entitled to time and a half rate - fee rate B;
 - (c) if the officer is entitled to double time rate - fee rate C;
 - (d) if the officer is entitled to double time and a half rate - fee rate D.
- (2) This order applies in relation to the services of an authorised officer other than services of the kind referred to in order 17.

17. Fees for shift work

When, at the request of a person, the services of an authorised officer are made available for the purposes of the Act or any orders made under the regulations and the officer performs shiftwork, the person to whom the services are made available must pay:

- (a) in respect of services rendered on a weekday - fee rate E;
- (b) in respect of services rendered on a Saturday - fee rate F;
- (c) in respect of services rendered on a Sunday - fee rate G; or
- (d) in respect of services rendered at a place on a day which is a public holiday at that place - fee rate H for ordinary hours of duty and thereafter fee rate I.

18. Fees for overtime performed after shift work

When the services of an authorised officer are rendered in respect of a period of overtime adjoining a period of shiftwork, the applicable fee rate specified in order 16 applies in respect of that period of overtime.

19. Fees for services away from ordinary place of work

When, at the request of a person, the services of an authorised officer are made available at a place that is away from the officer's ordinary place of work and it is necessary for the officer to stay overnight, the person to whom the services are made available must pay the additional fee specified Part B of Schedule 2 for each night of the stay.

20. Fees for particular services

- (1) When, at the request of a person, the services of an authorised officer are made available for a particular purpose, the person to whom the services are made available must pay the fee, if any, specified in the item in Schedule 3 that relates to those services.
- (2) The payment of fees under this order does not affect a person's liability to pay, as appropriate, other fees in accordance with orders 16 to 19 inclusive.

21. Travel

- (1) The period in respect of which a fee imposed by order 16 or 18 is charged includes the time reasonably taken by the authorised officer in travelling to and returning from the place where the officer's attendance is required.
- (2) When an authorised officer performs inspection services for horticulture products, the fee payable for the distance travelled by the authorised officer in going from the officer's ordinary place of work to, and returning from, the place where the officer's services are provided is 50 cents per kilometre.

PART 4 – INSPECTION FEES FOR LIVE ANIMALS AND ANIMAL REPRODUCTIVE MATERIAL

22. Application

This Part imposes fees for inspection services in respect of the export of live animals or animal reproductive material.

23. Fees for particular services

When, at the request of a person, services are made available for a particular purpose related to the export of live animals or animal reproductive material, the person to whom the services are made available must pay the fee, if any, specified in the item in Schedule 4 that relates to those services.

24. Travel

- (1) Subject to suborder (3), when an authorised officer performs services in respect of exports of live animals or animal reproductive material, the fee payable for the time reasonably taken by the officer in travelling from the officer's ordinary place of work to, and returning from, the place where the services are provided is \$56.70 per half hour.
- (2) If it is necessary for an officer referred to in suborder (1) to stay overnight, the fee payable for each night of the stay is \$132.
- (3) Subject to suborders (4) and (5), the fee mentioned in the relevant item of Table 7 applies when an officer referred to in suborder (1) travels to and from the place mentioned in that item.

Table 7 – Travel for certain services in relation to exports of live animals or animal reproductive material

Item	Place	Fee \$
1	Weipa, Queensland	1,000
2	Townsville, Queensland	1,000
3	Karumba, Queensland	1,000
4	Portland, Victoria (by aircraft)	2,300
5	Portland, Victoria (otherwise than by aircraft)	1,700
6	Port Hedland, Western Australia	750

- (4) A fee mentioned in Table 7 is only payable if the Commonwealth pays the costs of the travel.
- (5) If the costs incurred by the Commonwealth are less than the relevant fee mentioned in Table 7, the fee is taken to be the amount of the costs incurred.

PART 5 - EXPORT DOCUMENTATION FEES**25. Various documentation fees**

The fee payable for the issue of a document in relation to the export of:

- (a) meat or game, poultry or rabbit meat products;
- (b) fish or fish products;
- (c) dairy products;
- (d) horticulture products;
- (e) grains;
- (f) eggs;
- (g) processed fruit or vegetables;
- (h) mung beans, grains other than prescribed grains, plants or plant products;

is the amount specified in the relevant item of Schedule 5.

26. Documentation fees for building plans

- (1) The fee payable for examination and approval of building plans for new establishments or alterations to existing establishments is \$88 per hour, plus travel costs.
- (2) This order does not apply in relation to establishments for the preparation of grains, horticulture products, mung beans, plants or plant products.

27. Supervision of shipping marks

- (1) The fee payable for the services of an authorised officer in providing appropriate supervision for the application of shipping marks to goods is \$82.00 per hour.
- (2) In addition to the fee imposed by suborder (1), the person requesting the service must pay the reasonable travelling and accommodation expenses of the authorised officer providing the service.
- (3) This order does not apply in relation to grains, horticulture products, mung beans, plants or plant products.

28. Documentation fees for organic produce certification

- (1) For the purposes of the Export Control (Organic Produce Certification) Orders:
 - (a) an approved certifying organisation must pay an annual service charge of \$2,001 per year, payable quarterly; and
 - (b) a person receiving an auditing service, including an in-office auditing service, must pay a charge of \$350 per hour.

- (2) Despite paragraph (1)(a), the annual service charge payable by an approved certifying organisation for the financial year ending 30 June 2002 is the sum of:
- (a) eight-twelfths of the fee payable under that paragraph; and
 - (b) four-twelfths of the fee payable under order 13C.2 of the *Export Control (Fees) Orders 1986*, as amended.

29. Annual fee for EXDOC registered user exporting fish

- (1) The fee payable for the services of an authorised officer in relation to the interaction with EXDOC by an EXDOC registered user who has, at the time of application to interact with EXDOC, nominated fish as the only kind of goods to be exported using EXDOC is \$150 for each year or part of a year during which the user interacts with EXDOC.
- (2) In this order:
- year* means:
- (a) the period of 12 months commencing on 1 July; and
 - (b) each consecutive period of 12 months.

30. Fee for EXDOC use by non-registered user – horticulture products

- (1) This order applies to an exporter of horticulture products who is not an EXDOC registered user.
- (2) The fee payable for the services of an authorised officer in relation to the exporter's interaction with EXDOC is \$50 for each request for an export permit that the exporter makes using EXDOC.

31. By whom fees payable

- (1) The fee under order 25 is payable by the person to whom the document concerned is issued.
- (2) The fee under order 26 is payable by the occupier of the establishment in respect of which the application is made.
- (3) The fee under order 27 is payable by the person who requests the services.
- (4) The fee under paragraph 28(1)(a) is payable by the approved certifying organisation.
- (5) The fee under paragraph 28(1)(b) is payable by the person receiving the auditing service.

PART 6 - CHEMICAL COMPOUNDS APPROVAL FEES

32. Chemical compounds approval fees

The fee payable for the assessment of an application for the approval of a chemical compound for use at a registered establishment in accordance with order 126 of the *Prescribed Goods (General) Orders 1985* is:

- (a) in the case of the initial application - \$185 per compound; or
- (b) if further information is required under suborder 126.6 of the *Prescribed Goods (General) Orders 1985* - \$50 per compound for each time information is provided pursuant to a request by the Secretary.

33. By whom fees payable

The fee under order 32 is payable by the person who makes the application under order 126 of the *Prescribed Goods (General) Orders 1985*.

PART 7 – SERVICE FEE FOR HORTICULTURE PRODUCTS

34. Service fee for horticulture products

- (1) The service fee payable for authorised officers carrying out export-related activities for horticulture products is the amount calculated in accordance with Table 8 for the kind of consignment described in the table.

Table 8 – Horticulture products

Item	Description of consignment	Fee for each tonne, up to 5 000 tonnes, exported in a year (\$)
1	Consignment of horticulture products exported to a country that does not require phytosanitary certification	0.40
2	Consignment of horticulture products exported to a country that requires phytosanitary certification and prepared for export under a certification assurance arrangement	1.10
3	Consignment of horticulture products exported to a country that requires phytosanitary certification but not prepared for export under a certification assurance arrangement	2.25

- (2) In suborder (1), *export-related activities* means activities that support the export process and the integrity of AQIS certification, including the following:
- (a) developing, implementing and maintaining systems that enable AQIS to issue export permits and certificates;
 - (b) collecting information required to assess applications;
 - (c) corresponding and negotiating with foreign countries about market access requirements;
 - (d) making information about foreign country market access requirements available to exporters;
 - (e) facilitating market access through input into industry and bilateral meetings.

35. By whom fees payable

The fee under order 34 is payable by the exporter to whom the export permit is granted under the *Prescribed Goods (General) Orders 1985*.

PART 8 – FEES FOR THIRD PARTY CERTIFYING BODIES AND AUDITORS – EXPORT CONTROL (PROCESSED FOOD) ORDERS

36. Definitions

In this Part:

accredited third party certifying body has the meaning given by subclause 30C.1 of Schedule 8 to the Export Control (Processed Food) Orders.

approved auditor has the meaning given by subclause 30C.1 of Schedule 8 to the Export Control (Processed Food) Orders.

37. Fee for accrediting third party certifying bodies

The fee payable for the services of an authorised officer in relation to an application for accreditation of a third party certifying body as an accredited third party certifying body is \$2,000.

38. Fee for approving auditors

The fee payable for the services of an authorised officer in relation to an application for approval of a person as an approved auditor is \$400.

39. Fees for auditing third party certifying bodies

The fee payable for the services of an authorised officer in auditing the operations of an accredited third party certifying body is:

- (a) \$70 for the first half hour; and
- (b) \$30 for each subsequent quarter hour.

40. By whom fees payable

- (1) The fee under order 37 is payable by the third party certifying body who applies for the accreditation.
- (2) The fee under order 38 is payable by the person who applies for the approval.
- (3) The fee under order 39 is payable by the accredited third party certifying body being audited.

PART 9 - COLLECTION OF FEES**41. Due date for payment of inspection fees**

- (1) Fees become due for payment:
 - (a) if the fee is determined before the provision of the service - on demand by an authorised officer; or
 - (b) in any other case - at any time from the date that an invoice is issued by AQIS and before the due date shown on that invoice.
- (2) The Secretary may, in a particular case:
 - (a) extend the time for payment of an unpaid fee or late penalty fee; or
 - (b) allow an unpaid fee or late penalty payment to be paid by instalments.

42. Due date for payment of annual inspection fees

Despite order 41, an annual inspection fee is payable in monthly instalments with each instalment due on the date shown on the invoice issued by AQIS.

43. Due date for payment of fees under Part 7

- (1) Despite order 41, a fee mentioned in Part 7 must be paid:
 - (a) after an invoice for the fee is issued by AQIS; and
 - (b) on or before the date required by the invoice.
- (2) However, the Secretary may, in a particular case:
 - (a) extend the time for payment of an unpaid fee or any penalty fee for late payment; or
 - (b) allow an unpaid fee or any penalty fee for late payment to be paid by instalments.

44. Due date for payment of documentation fees

- (1) Subject to this order, a fee imposed under Part 5 must be paid not later than the due date shown on the invoice issued by AQIS.

- (2) A fee imposed for the issue of a document in relation to the export of horticulture products must be paid when the document is issued. However, the Secretary may, in a particular case:
 - (a) extend the time for payment of the fee; or
 - (b) allow the fee to be paid by instalments.
- (3) A fee imposed by paragraph 28(1)(b) must be paid immediately following completion of the provision of the auditing service.

45. Withdrawal of inspection services

If fees payable for inspection services or penalty fees remain unpaid 14 days after the due date for payment, the Secretary may, after giving the person liable to pay them 14 days' notice that inspection services may be withdrawn, withdraw those services.

46. Due date for payment of fees under Part 8

- (1) A fee imposed by order 37 or 38 must be paid at the time of making the application.
- (2) A fee imposed by order 39 must be paid not later than the due date shown on the invoice issued for the fee by AQIS.

47. Penalty fees

- (1) If fees payable for inspection services remain unpaid after the time when the payment is due, a penalty fee calculated at the rate of 20% per year on the amount unpaid is payable by the person by whom the fee is payable.
- (2) For suborder (1), fees payable for inspection services include, but are not limited to, fees payable under Part 8.

48. Recovery of fees

An amount payable by a person under these Orders may be recovered in a court of competent jurisdiction as a debt due to the Commonwealth.

49. Remission of fees

The Secretary may, in a particular case, for a reason the Secretary thinks sufficient, remit the whole or a part of an amount of a fee or penalty fee payable under these Orders.

PART 10 - MISCELLANEOUS**50. Additional fees for services provided away from ordinary place of work – fish or fish products**

When:

- (a) at the request of a person, the services of any authorised officer are made available to provide inspection services in respect of the export of fish or fish products;
- (b) the services are performed at a place that is away from the officer's ordinary place of work; and
- (c) it is necessary for the officer to stay overnight;

the person to whom the services are made available must pay, in addition to any other fee, a fee of \$100 for each night of the stay.

51. Fees not to apply

The fees payable pursuant to these Orders do not apply to a shipment of animals exported from Australia by an organisation approved by the Secretary that provides aid or assistance in a foreign country.

52. Replacement certificates

Despite any other provision of these Orders, a fee is not payable for a replacement certificate if the request for the replacement certificate is made because of the absence of a Departmental seal, official mark or officer's signature or if the Secretary, for a reason that the Secretary thinks sufficient, waives the fee.

53. Review of decisions

Part 20 of the *Prescribed Goods (General) Orders 1985* applies to decisions made by the Secretary under these Orders.

SCHEDULE 1**MEAT, GAME, POULTRY AND RABBIT MEAT INSPECTION RATES**

(orders 6 and 7)

Item	Description	Rate
1	Hourly rate for an authorised officer who is not a veterinarian	\$59.15
	Hourly rate for an authorised officer who is:	\$78.60
	(a) a veterinarian; and	
	(b) an APS employee within the meaning of the <i>Public Service Act 1999</i>	
	Hourly rate for an authorised officer who is:	\$48.00
	(a) a veterinarian; and	
	(b) a non-APS employee within the meaning of section 72 of the <i>Public Service Act 1999</i>	
	Hourly rate for an Area Technical Manager	\$120.00
2	Daily rate for an authorised officer who is not a veterinarian	\$328.25
	Daily rate for an authorised officer who is a veterinarian	\$439.20
	Daily rate for an Area Technical Manager	\$780.00
	Weekly rate for an authorised officer who is not a veterinarian	\$1,313.00
	Weekly rate for an authorised officer who is a veterinarian	\$1,757.40
	Four-weekly rate for an authorised officer who is not a veterinarian	\$3,939.00
	Four-weekly rate for an authorised officer who is a veterinarian	\$5,258.40
	Annual rate for an authorised officer who is not a veterinarian	\$46,611.50
	Annual rate for an authorised officer who is a veterinarian	\$63,630.00

SCHEDULE 2**INSPECTION FEES FOR GRAINS, HORTICULTURE PRODUCTS, MUNG BEANS,
PLANTS AND PLANT PRODUCTS**

(orders 16-19)

PART A – OVERTIME AND SHIFTWORK

Description	Fee
Fee rate A	\$4.70 per quarter hour
Fee rate B	\$7.00 per quarter hour subject to a minimum of \$122.00 if the services are performed non-continuously with ordinary duty
Fee rate C	\$9.40 per quarter hour subject to a minimum of \$150 if the services are performed non-continuously with ordinary duty
Fee rate D	\$11.80 per quarter hour subject to a minimum of \$188.00 if the services are performed non-continuously with ordinary duty
Fee rate E	\$0.70 per quarter hour
Fee rate F	\$2.30 per quarter hour
Fee rate G	\$4.70 per quarter hour
Fee rate H	\$7.00 per quarter hour
Fee rate I	\$11.80 per quarter hour

**PART B – ADDITIONAL FEES FOR SERVICES PROVIDED AWAY FROM
ORDINARY PLACE OF WORK**

Description	Fee
Additional fee	\$100.00

SCHEDULE 3**FEES FOR PARTICULAR SERVICES**

(order 20)

Item	Service	Fee
1	Inspection of a ship or container that is intended to be used to transport mung beans, grains (whether prescribed grains or not) or other plant products	\$40 for the first half hour plus \$20 for each quarter hour after the first half hour
2	Inspection of a ship or container unit that is intended to be used to transport horticulture products	\$62 for the first half hour plus \$31 for each quarter hour after the first half hour
3	<p>Auditing of certification assurance arrangements for, or for the inspection of, horticulture products for the purpose of determining whether a certificate pursuant to section 23 of the Act is to be issued:</p> <p>(a) if the services of an authorised officer are required for a normal working day</p> <p>(b) if the services of an authorised officer are required during normal working hours for a week</p> <p>(c) if the services of an authorised officer are required to be carried out at the officer's ordinary place of work</p> <p>(d) if the services of an authorised officer are required to be carried out at a place other than the officer's ordinary place of work</p>	<p>\$558 per day</p> <p>\$1953 per week</p> <p>\$31 per quarter hour</p> <p>\$62 for the first half hour plus \$31 for each quarter hour after the first half hour</p>
4	<p>Inspection of mung beans, grains (whether prescribed grains or not) or other plant products for the purpose of determining whether a certificate pursuant to section 23 of the Act is to be issued:</p> <p>(a) if the services of an authorised officer are required for a normal working day</p> <p>(b) if the services of an authorised officer are required during normal working hours for a week</p>	<p>\$353.95 per day</p> <p>\$1,231.20 per week</p>

Item	Service	Fee
	<p>(c) if the services of an authorised officer are required during normal working hours for a period of four weeks</p> <p>(d) if the services of an authorised officer are required during normal working hours for a year</p> <p>(e) if the services of an authorised officer are required to be carried out at an authorised officer's ordinary place of work</p> <p>(f) if the services of an authorised officer are required to be carried out at a place other than the officer's ordinary place of work</p>	<p>\$4,822.20 per four weeks</p> <p>\$55,763.10 per year</p> <p>\$20 per quarter hour</p> <p>\$40 for the first half hour and \$20 for each quarter hour after the first half hour</p>
5	<p>Inspection of mung beans, grains (whether prescribed grains or not) or other plant products that:</p> <p>(a) are shipped for export in bulk;</p> <p>(b) are loaded at a rate of less than 400 tonnes per hour; and</p> <p>(c) are not prepared for export under a system subject to a certification assurance arrangement</p>	Fees at a rate equivalent to that specified in item 4 for the category of services required
6	Inspection of mung beans, grains (whether prescribed grains or not) or other plant products that are shipped for export in bags	Fees at a rate equivalent to that specified in item 4 for the category of services required
7	<p>Inspection of mung beans, grains (whether prescribed grains or not) or other plant material that:</p> <p>(a) are shipped for export in a container system unit; and</p> <p>(b) are not prepared for export under a system subject to a certification assurance arrangement</p>	Fees at a rate equivalent to that specified in item 4 for the category of services required
8	<p>Auditing of certification assurance arrangements for mung beans, grains (whether prescribed grains or not) or other plant products:</p> <p>(a) if the services of an authorised officer are required for a normal working day</p> <p>(b) if the services of an authorised officer are required during normal working hours for a week</p>	<p>\$353.95 per day</p> <p>\$1,231.20 per week</p>

Item	Service	Fee
	(c) if the services of an authorised officer are required to be carried out at any place other than the officer's ordinary place of work	\$40 for the first half hour and \$20 for each quarter hour after the first half hour

SCHEDULE 4**FEES FOR LIVE ANIMALS AND ANIMAL REPRODUCTIVE MATERIAL**

(order 23)

Item	Service	Fee
1	<p>Processing documents under the Export Control (Animals) Orders for the export of live animals or animal reproductive material, other than documents relating to services mentioned in item 3, 4, 8, 9 or 10.</p> <p><i>Note: Examples of document to which this item applies are:</i></p> <p>(a) <i>notice of intention to export a live animal or animal reproductive material; and</i></p> <p>(b) <i>other documents required for granting a permit to export a live animal or animal reproductive material.</i></p>	\$28.35 for each quarter hour
2	Inspection of live animals or animal reproductive material under the Export Control (Animals) Orders	\$56.70 for each half hour
3	Auditing services provided by a person who is accredited as mentioned in item 8 that are required to satisfy requirements under the Export Control (Animals) Orders	\$56.70 for each half hour
4	Dispensation processing, that is, processing and forwarding by an authorised officer (on behalf of an exporter) of an application to an importing country in a case where a consignment of live animals or animal reproductive material does not meeting the applicable import protocol	\$56.70 for each half hour
5	Vaccinating live animals, that are part of a consignment intended for export, against rabies	\$28.35 for the first animal and \$15.75 for each additional animal
6	Provision of services mentioned in items 1 to 5 at times outside normal working hours – in addition to the fees mentioned in those items	\$40.00 for each hour
7	Use of vaccines or other non-reusable materials purchased by the Commonwealth to provide services mentioned in items 1 to 5	Cost of purchasing the vaccines or other materials
8	Consideration of an application by a person (other than an authorised officer) for accreditation for one or more States or Territories to provide either of the following services for use in satisfying requirements under the Export Control (Animals) Orders:	\$113.40 for each application

SCHEDULE 5**EXPORT DOCUMENTATION FEES**

(order 25)

Item	Description	Fee
	Meat, game, poultry or rabbit meat products	
1	electronic health certificate	\$10
2	replacement certificate	\$270
3	any other document	\$25
	Fish or fish products	
4	export clearance declaration	\$10
5	export permit	\$25
6	certificate of condition – manual issue in approved form	\$15
7	certificate of condition – manual issue in unapproved form	\$25
8	certificate of condition – electronic issue	\$15
9	replacement certificate	\$175
10	any other document	\$25
	Dairy products	
11	export clearance declaration	\$6
12	export permit (by AQIS)	\$9
13	certificate of condition – manual issue to an exporter on approved alternative export clearance procedures	\$6
14	certificate of condition – manual issue to an exporter on non approved alternative export clearance procedures	\$9
15	certificate of condition – electronic issue to an exporter on approved alternative export clearance procedures	\$6
16	certificate of condition – electronic issue to an exporter not on approved alternative export clearance procedures	\$9
17	certificate of condition – manual issue that is not in an approved form	\$50
18	replacement certificate	\$150
19	any other document	\$50
	Horticulture products	
20	phytosanitary certificate – issued to a company which does not have an approved quality assurance arrangement	\$20
21	phytosanitary certificate – issued to a company which does have an approved quality assurance arrangement	\$10
22	certificate of condition	\$20
23	export permit produced by EXDOC	\$10
24	export permit not produced by EXDOC	\$36
25	replacement certificate	\$150
26	any other document	\$20
	Grains	
27	phytosanitary certificate	\$29
28	certificate of condition	\$58
29	export permit	\$29
30	any other document	\$29

Item	Description	Fee
31	Eggs export permit	\$15 plus \$1.53 per tonne or part thereof
32	replacement certificate	\$150
33	any other document	\$10
34	Processed fruit or vegetables replacement certificate	\$150
35	any other certificate	\$30
36	Mung beans, grains other than prescribed grains, plants or plant products certificate of condition	\$58
37	export permit	\$29
38	phytosanitary certificate	\$29
39	any other document	\$29