

This document reproduces Part 8 of the repealed Prescribed Goods (General) Orders 1985. Part 8 is incorporated by reference into the Export Control (Prescribed Goods – General) Order 2005 by subsection 1.07(3) of that Order.

Part 8 **Notice of intention to export prescribed goods**

68 **Giving of notice**

68.1 For the purposes of section 6 of the Act, notice of intention to export prescribed goods shall be given to an authorized officer by the person who intends to export the goods:

- (a) subject to suborder 68.2, in the case of export by ship:
 - (i) not less than 1 clear working day before the date on which it is intended to export:
 - (A) edible offal, meat, Hatal meat or meat products;
 - (B) edible game offal, game meat or game meat products;
 - (C) poultry meat or poultry meat products; or
 - (D) rabbit meat or rabbit meat products; or
 - (ii) not less than 3 clear working days before the date on which it is intended to export any other prescribed goods; or
- (b) in the case of export by aircraft — in sufficient time to allow the notice of intention to be certified by an authorized officer and the export permit granted before the loading of the aircraft.

68.2 Where:

- (a) an authorized officer is located at a registered establishment at which the goods specified, in subparagraph 68.1 (a) (i) are to be inspected; and
- (b) those goods can be inspected in sufficient time to allow the notice of intention to be certified by an authorized officer and the export permit granted before the loading of the ship;

then an authorized officer may waive the 1 day period specified in subparagraph 68.1 (a) (i).

69 **Form of notice and accompanying information and declaration**

The notice of intention to export given in accordance with order 68 and the information and declaration specified in suborder 70.1 shall be:

- (a) in a form approved by the Secretary; and
- (b) completed by the exporter in a manner that will enable an authorized officer to identify the prescribed goods.

70 **Information on notice**

70.1 Where a person gives notice of intention to export prescribed goods in accordance with order 68, the person shall, where the information is available and in any case before the grant of an export permit, furnish:

- (a) the name and address of the person who intends to export the goods;
- (b) the name and address of the consignee or the words 'to order';
- (c) the intended port of loading of the goods;
- (d) the intended ship and voyage number or airline flight number;
- (e) the intended date of departure of the ship or aircraft onto which the goods are to be loaded;
- (f) the intended port of discharge of the goods;
- (g) where the country of origin of the goods is not Australia, the country of origin;
- (h) the foreign country of intended final destination of the goods;
- (i) the place where the goods can be inspected,
- (j) the date on which the goods can be inspected;
- (k) where a Departmental certificate is to be sought in respect of the goods, the State or Territory in which application will be made;
- (l) the number allotted to the relevant registered establishment in the manner specified in paragraph 60 (f);
- (m) the shipping or other identifying marks relating to the goods;
- (n) where available, any identification number that appears on a container system unit and, in relation to that unit, an indication of the goods it will contain;
- (o) the number and kind of packages;
- (p) a true description of the goods;
- (q) where the number of packages declared under paragraph (o) is:
 - (i) different from the number of packages passed for export, the number of packages that were passed; or
 - (ii) the same as the number of packages passed for export, the words 'as submitted';
- (r) the quantity of goods available for inspection;
- (s) any other information required by the Secretary; and
- (t) a declaration signed by the person giving notice that:
 - (i) orders that apply to the goods have been complied with; and
 - (ii) the information contained in the notice is true and correct.

70.2 For the purposes of paragraph 70.1 (g), the country of origin of fish shall be taken to be Australia if:

- (a) the fish has been taken in Australia;
- (b) the fish has been first landed in Australia; or
- (c) in the case of fish other than fish referred to in paragraph (a) or (b) — the fish has been imported and processed in such a manner that the nature of the fish has been changed.

70.3 For the purposes of paragraph 70.2 (b), fish that has been transferred in a port in Australia from 1 ship to another shall be deemed to have been landed in Australia.

71 Alteration of certain information before inspection and certification prohibited

In the case of prescribed goods being:

- (a) edible offal, meat, Halal meat or meat products;
- (b) edible game offal, game meat or game meat products;
- (c) poultry meat or poultry meat products; or
- (d) rabbit meat or rabbit meat products;

the information and declaration furnished in accordance with suborder 70.1 shall not be altered in any way before an authorized officer has inspected the prescribed goods and certified the notice in accordance with order 73.

Penal provision

72 Exporter to be responsible for goods

The person whose name and address is declared in accordance with paragraph 70.1 (a) shall be responsible for ensuring that orders that apply to the prescribed goods referred to in a notice of intention are complied with from the time the declaration specified in paragraph 70.1 (t) is signed until the time the goods are exported.

73 Inspection and certification

Where notice of intention to export prescribed goods has been given to an authorized officer in accordance with order 68, an authorized officer may inspect the goods, and, where the officer has reasonable grounds to believe that orders that apply to those goods have been complied with, an authorized officer shall:

- (a) certify to this effect on the notice of intention;
- (b) arrange for any identification number that appears on a container system unit to be entered on the notice of intention where this number is not already on the notice; and
- (c) where an official mark, the design of which is specified in Schedule 9 or 10, is applied to a container system unit, arrange for the number of the official mark applied to the unit to be entered on the notice of intention adjacent to the number of that unit.

74 Alteration of notice after certification

- 74.1 Where a notice of intention to export prescribed goods has been certified in accordance with order 73, no person shall alter, add to or delete information contained in that notice except in accordance with suborder 74.2 or 74.3.

Penal Provision

- 74.2 Where a notice of intention in respect of prescribed goods to which the Export Meat Orders as amended apply (other than animal food or pharmaceutical material), or the Game, Poultry and Rabbit Meat Orders as amended apply, has been certified in accordance with order 73 and the following information changes:

- (a) the intended ship and voyage number or airline flight number;

- (b) the intended date of departure;
- (c) the port of loading;
- (d) the serial number of an official mark, the design of which is specified in Schedule 9 or 10, applied to a container system unit;
- (e) the port of discharge, but not the country of final destination;
- (f) the container system unit number;
- (g) the consignee details;
- (h) the place of issue of additional certification; or
- (i) the name and address of the exporter;

information in the notice relating to that matter may be altered and the person making that alteration shall ensure that the alteration is endorsed by an authorized officer.

Penal Provision

- 74.3 Where a notice of intention in respect of prescribed goods to which suborder 74.2 does not apply has been certified in accordance with order 73 and any matter (information of which is contained in that notice) changes the information in the notice relating to that matter may be altered and the person making that alteration shall submit any alteration for endorsement by an authorized officer.

Penal Provision

- 74.4 Where the name and address of the exporter changes an authorized officer shall not endorse the altered information unless the exporter has provided to the officer a statement, in a form approved by the Secretary, declaring that the requirements of the Act and orders have been complied with and that details of the exporter's name and address contained in the statement are true and correct.

Penal Provision