



Imported Food Control Amendment Regulations 2005 (No. 1)¹

Select Legislative Instrument 2005 No. 120

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Imported Food Control Act 1992*.

Dated 15 June 2005

P. M. JEFFERY
Governor-General

By His Excellency's Command

WARREN TRUSS
Minister for Agriculture, Fisheries and Forestry

1 Name of Regulations

These Regulations are the *Imported Food Control Amendment Regulations 2005 (No. 1)*.

2 Commencement

These Regulations commence on 1 July 2005.

3 Amendment of *Imported Food Control Regulations 1993*

Schedule 1 amends the *Imported Food Control Regulations 1993*.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 3, definition of *Australian Customs Service entry management system*

omit

[2] Subregulation 33 (1)

omit

Part 1

insert

Part 2

[3] Subregulation 33 (2)

omit

Part 2

insert

Part 3

[4] Subregulation 33 (4)

substitute

(4) In this regulation:

ordinary hours of duty has the same meaning as in Schedule 2.

[5] Schedule 2

substitute

Schedule 2 Fees for chargeable services

(regulation 33)

Part 1 Interpretation

1 Definitions

In this Schedule:

AQIS entry management system means an electronic import control system maintained and administered by AQIS.

AQIS holiday, for an officer performing a chargeable service, means a Monday, Tuesday, Wednesday, Thursday or Friday that:

- (a) is a day observed as a public holiday in the place in which the officer performs the service; or
- (b) falls in the period beginning on 27 December and ending on 31 December in a year.

ordinary hours of duty, for an officer, means a period that begins at 6.30 am and ends at 6.30 pm on any weekday.

weekday, for an officer performing a chargeable service, means a Monday, Tuesday, Wednesday, Thursday or Friday that is not an AQIS holiday for the officer.

working day, for an officer performing a chargeable service, means a period of 7.5 hours for which the officer performs the service during the ordinary hours of duty on a weekday.

Part 2 Fees for chargeable services performed during ordinary hours of duty

Column 1 Item No.	Column 2 Chargeable service	Column 3 Fee
1	Inspection of food, including time spent: <ul style="list-style-type: none"> (a) arranging for a person to analyse the food; and (b) preparing an inspection report; and (c) assessing the results 	For each officer performing the service: <ul style="list-style-type: none"> (a) for a working day — \$714; or (b) for less than a working day: <ul style="list-style-type: none"> (i) for the first half hour, or part of a half hour — \$80; and (ii) for each quarter hour, or part of a quarter hour, after the first half hour — \$40
2	Assessment of information in an entry relating to a consignment of food that is made on an AQIS entry management system, other than an assessment as part of an inspection under item 1, for inclusion in a food control certificate for an import entry to which a recognised foreign government certificate relates	For each officer performing the service — \$35.50 for each quarter hour, or part of a quarter hour

Column 1	Column 2	Column 3
Item No.	Chargeable service	Fee
3	Assessment of information in an entry relating to a consignment of food that is made on an AQIS entry management system, other than an assessment as part of an inspection under item 1, for inclusion in a food control certificate	For each entry: <ul style="list-style-type: none"> (a) for an assessment based only on information in the entry — \$27; and (b) if the officer performing the assessment requires additional information to perform the assessment — an additional \$27
4	Supervision of the treatment, destruction or re-exportation of food under the Scheme	For each officer performing the service: <ul style="list-style-type: none"> (a) for the first half hour, or part of a half hour — \$80; and (b) for each quarter hour, or part of a quarter hour, after the first half hour — \$40

Part 3 Additional fees for chargeable services performed out of ordinary hours of duty

Column 1 Item No.	Column 2 Chargeable service	Column 3 Additional Fee
5	A service mentioned in an item in Part 1 of Schedule 2 (when performed outside the ordinary hours of duty)	<p>For each officer performing the service on a weekday (outside the ordinary hours of duty):</p> <ul style="list-style-type: none"> (a) if the service is performed immediately before or immediately after services performed by the officer during the ordinary hours of duty — \$10 for each quarter hour or part of a quarter hour; or (b) in any other case: <ul style="list-style-type: none"> (i) for any period up to 3 hours — \$120; and (ii) for each quarter hour, or part of a quarter hour, after the 3 hour period — \$10
6		<p>For each officer performing the service on a Saturday:</p> <ul style="list-style-type: none"> (a) for any period up to 3 hours — \$120; and (b) for each quarter hour, or part of a quarter hour, after the 3 hour period — \$10

Column 1	Column 2	Column 3
Item No.	Chargeable service	Additional Fee
7		For each officer performing the service on a Sunday: <ul style="list-style-type: none"> (a) for any period up to 3 hours — \$156; and (b) for each quarter hour, or part of a quarter hour, after the 3 hour period — \$13
8		For each officer performing the service on an AQIS holiday: <ul style="list-style-type: none"> (a) for any period up to 3 hours — \$192; and (b) for each quarter hour, or part of a quarter hour, after the 3 hour period — \$16

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.