

EXPLANATORY STATEMENT

STATUTORY RULES 1984

No. 31

Issued by the Authority of the Minister of State for Primary Industry

EXPORT CONTROL (GENERAL) REGULATIONS
AMENDMENT

Sub-section 25(1) of the Export Control Act 1982 (the Act) provides for the Governor-General to make regulations for the purpose of carrying out or giving effect to the Act. Sub-section 10(1) of the Act provides that the function of an authorized officer under the Act is to ascertain whether the provisions of the Act and the Export Control (General) Regulations, and conditions or restrictions applicable to the export of prescribed goods have been complied with.

Sub-regulation 5(1) of the Export Control (General) Regulations provides that the export of prescribed goods is prohibited unless the conditions and restrictions contained in the various Exports Regulations as in force on 31 December 1982 are complied with.

Some of the conditions and restrictions contained in those Exports Regulations no longer reflect current practice in the inspection of certain prescribed goods. Changes in the technology associated with some export industries has meant that it is neither possible or necessary that an authorized officer personally supervise the total volume of export production. It is, however, a condition of some Exports Regulations that production for export take place under the supervision of an authorized officer.

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Advice has been received from the Attorney-General's Department that, where such conditions appear in the Exports Regulations, it is necessary that an authorized officer personally inspect the total volume of production for export. This is an unnecessary burden on both industry and the Export Inspection Service of the Department of Primary Industry.

It has been decided that amendment of the Export Control (General) Regulations will be necessary so that they more clearly reflect current export inspection procedures. These amending Regulations impose certain modifications in relation to export controls on prescribed goods. The regulations to be amended are those associated with the modification of the conditions and restrictions specified in the following Exports Regulations:

- . Exports (Canned and Frozen Fruits) Regulations - regulation 6,
- . Exports (Dried Fruits) Regulations - regulation 8,
- . Exports (Fish) Regulations - regulation 9,
- . Exports (Fresh Fruit) Regulations - regulation 10,
- . Exports (Fresh Vegetables) Regulations - regulation 11, and
- . Exports (Grain) Regulations - regulation 13.

The proposed amendments to regulations 6, 8, 9, 10, 11 and 13 of the Export Control (General) Regulations will omit references to inspection having to take place under the direct supervision of an authorized officer.